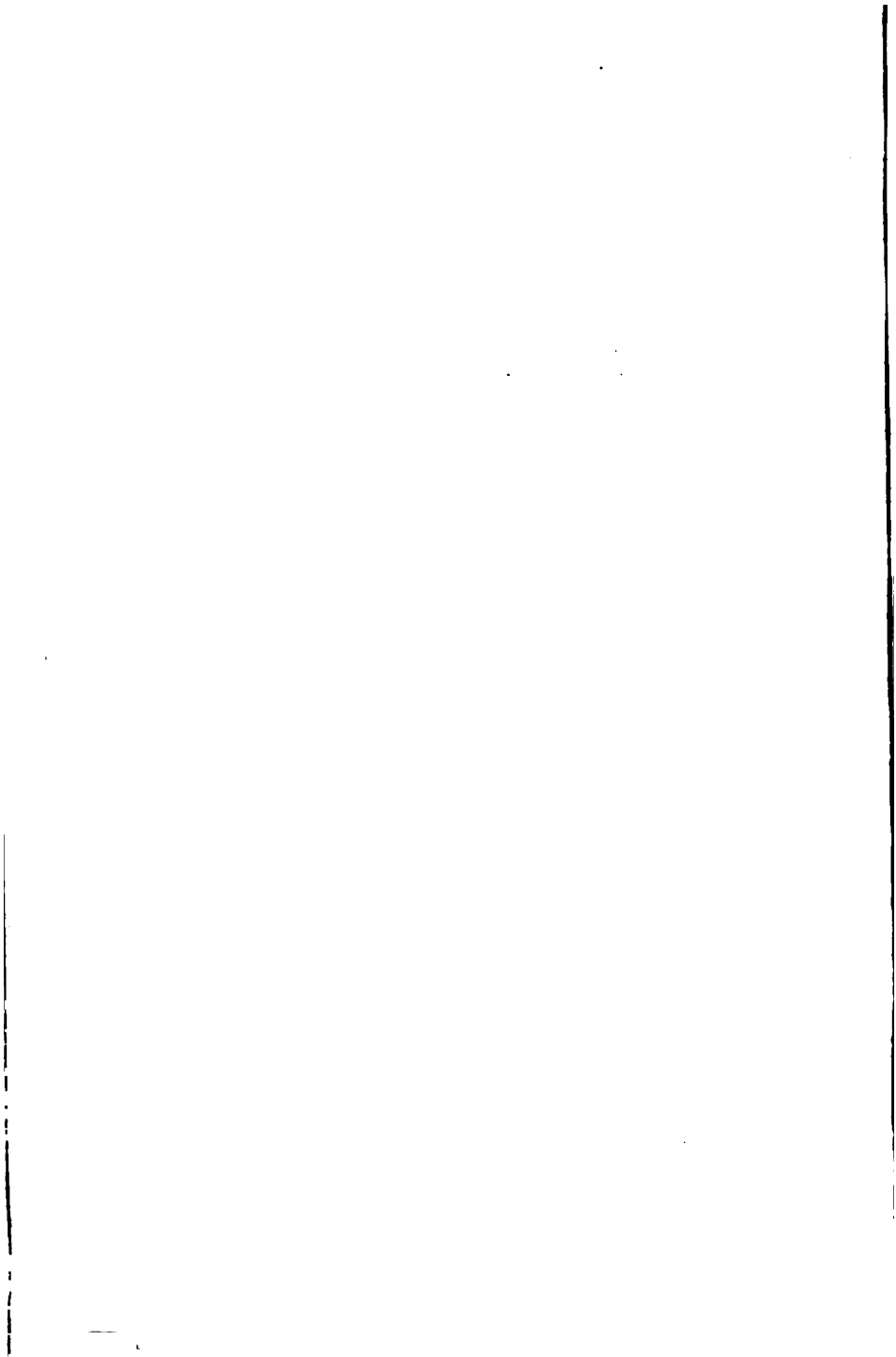




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THE  
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OF  
THE UNITED KINGDOM  
OF  
GREAT BRITAIN AND IRELAND,  
5 GEORGE IV. 1824.

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1871

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A  
T A B L E  
Containing the TITLES of all  
THE STATUTES,

Passed in the FIFTH Session of the SEVENTH Parliament

OF

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

5 GEORGE IV.

---

PUBLICK GENERAL ACTS.

1. AN Act to indemnify all Persons concerned in advising, issuing or acting under a certain Order in Council, for regulating the Tonnage Duties on certain Foreign Vessels; and to amend an Act of the last Session of Parliament, for authorizing His Majesty, under certain Circumstances, to regulate the Duties and Drawbacks on Goods imported or exported in any Foreign Vessels. Page 1
2. An Act for raising the Sum of Fifteen Millions by Exchequer Bills, for the Service of the Year One thousand eight hundred and twenty four. 4
3. An Act for granting and applying certain Sums of Money for the Service of the Year One thousand eight hundred and twenty four. Ibid.
4. An Act to amend an Act made in the First and Second Years of the Reign of His present Majesty, for regulating 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*. 5
5. An Act for enabling a Conveyance to be made of Part of a House in *Lombard Street*, vested in the Right Honourable *Henry Frederick Lord Carteret*, formerly His Majesty's Postmaster General. 7
6. 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 five; 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 five; and

## The TITLES of the STATUTES,

- 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 9
7. An Act to continue, until the First Day of *July* One thousand eight hundred and twenty seven; Two Acts of His present Majesty, for the Appointment of Commissioners for inquiring into the Collection and Management of the Public Revenue. 12
8. An Act to amend an Act of the last Session of Parliament, for amending the Laws for the Improvement of Church Lands in *Ireland*. Ibid.
9. An Act to carry into Effect a Convention relating to *Austrian* Loans. 13
10. An Act for granting to His Majesty Rates of Postage on the Conveyance of Letters and Packets to and from *Buenos Ayres*, or any other Port or Ports on the Continent of *South America*. 16
11. An Act for transferring several Annuities of Four Pounds *per Centum per Annum* into Annuities of Three Pounds Ten Shillings *per Centum per Annum*. 17
12. An Act to facilitate, in those Counties which are divided into Ridings or Divisions, the Execution of an Act of the last Session of Parliament, for consolidating and amending the Laws relating to the building, repairing and regulating of certain Gaols and Houses of Correction in *England* and *Wales*. 30
13. An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters. 36
14. An Act for the regulating of His Majesty's Royal Marine Forces while on Shore. 45
15. 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 four. 55
16. An Act to amend an Act passed in the last Session of Parliament, for the better Administration of Justice in the Equity Side of the Court of Exchequer in *Ireland*. 56
17. An Act for the more effectual Suppression of the *African* Slave Trade. 58
18. An Act for the more effectual Recovery of Penalties before Justices and Magistrates on Conviction of Offenders; and for facilitating the Execution of Warrants by Constables. 60
19. An Act to provide for the future Confinement of Male Convicts, removed from the General Penitentiary, and now on board Vessels in the River *Thames*. 63
20. An Act to regulate the Conveyance of Packets containing reissuable Country Bank Notes by the Post, and to charge Rates of Postage thereon; to prevent Letters and Packets being sent otherwise than by the Post; to punish Persons embezzling printed Proceedings in Parliament or Newspapers; and to allow the President of the Commissioners of Revenue Enquiry Enquiry



- Enquiry to send and receive Letters and Packets free from the Duty of Postage. Page 64
21. An Act to reduce the Duties on Importation of Raw and Thrown Silk, and to repeal the Prohibition on the Importation of Silk Manufactures, and to grant certain Duties thereon. 68
22. An Act to repeal the Duties on all Articles the Manufacture of *Great Britain* and *Ireland* respectively, on their Importation into either Country from the other. 72
23. An Act to amend an Act of the Fifty seventh Year of His late Majesty's Reign, for abolishing certain Offices, and for regulating certain other Offices, in *Ireland*; so far as relates to the Commissioners of the Board of Works there. *Ibid.*
24. An Act for transferring several Annuities of Four Pounds *per Centum per Annum*, transferable at the Bank of *Ireland*, into Reduced Annuities of Three Pounds Ten Shillings *per Centum per Annum*. 74
25. An Act to repeal so much of an Act passed in the Ninth Year of the Reign of King *William* the Third, as relates to Burials in suppressed Monasteries, Abbeys or Convents, in *Ireland*; and to make further Provision with respect to the Burial, in *Ireland*, of Persons dissenting from the Established Church. 87
26. An Act to remove Doubts as to certain Property formerly vested in the Barrack Department. 88
27. An Act to explain and amend an Act of the Parliament of *Ireland*, passed in the Thirty eighth Year of the Reign of His Majesty King *George* the Third, for the better ascertaining the Amount, and securing the Payment of the Bills of Costs of Proctors, employed in carrying on and defending Suits, and transacting Business in the High Court of Admiralty, in His Majesty's Court of Prerogative, in the Court of Delegates, and in all Ecclesiastical Courts within the Kingdom of *Ireland*. 91
28. An Act to amend an Act of the Third Year of His present Majesty's Reign, for the Appointment of Constables in *Ireland*. 92
29. An Act to amend an Act of the last Session of Parliament, for making more effectual Regulations for the Election, and for securing the Performance of the Duties of County Treasurers in *Ireland*. 98
30. An Act to prevent the Stealing of Records, Deeds and Papers, in *Ireland*. 99
31. An Act for fixing, until the Twenty fifth Day of *March* One thousand eight hundred and twenty five, the Rates of Subsistence to be paid to Innkeepers and others on quartering Soldiers. 100
32. An Act to amend an Act passed in the last Session of Parliament, intituled *An Act for amending the Laws respecting the Solemnization of Marriages in England*. *Ibid.*
33. 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

## The TITLES of the STATUTES,

- of Militia, until the Twenty fifth Day of *March* One thousand eight hundred and twenty five. *Page* 101
34. An Act to reduce the Duties on Rum, the Produce of the *British Colonies or Plantations in America*, imported into the United Kingdom. 107
35. An Act to continue, until the Fifth Day of *July* One thousand eight hundred and twenty five, the Acts for granting Bounties on the Exportation of refined Sugar from the United Kingdom, and for reducing the Size of the Packages in which refined Sugar may be exported. 109
36. An Act to amend and render more effectual the several Acts for the issuing of Exchequer Bills for Public Works. *Ibid.*
37. An Act to continue for Two Years, and to amend an Act of the Fifty sixth Year of His late Majesty, for establishing Regulations respecting Aliens arriving in or resident in this Kingdom, in certain Cases. 114
38. An Act to amend Two Acts for maintaining and keeping in Repair the Military and Parliamentary Roads in the *Highlands of Scotland*. *Ibid.*
39. An Act for amending former Acts relative to the *British Museum*. 121
40. An Act to continue, until the Tenth Day of *October* One thousand eight hundred and twenty seven, an Act relating to Duties of Excise on Crown, Flint and Phial Glass, and to alter certain Laws of Excise relating to Flint Glass; and also an Act for suspending Part of the Duties on Sweets or Made Wines. 123
41. An Act to repeal certain Duties on Law Proceedings in the Courts in *Great Britain and Ireland* respectively; and for better protecting the Duties payable upon Stamped Vellum, Parchment or Paper. 124
42. An Act for applying the Surplus of the Grants of One thousand eight hundred and twenty three, and the Surplus of the Consolidated Fund, to the Service of the Year One thousand eight hundred and twenty four. 143
43. An Act to alter the Duties on the Importation of certain Articles, and also the Duties on Coals brought to *London*; to repeal the Bounties on Linens exported; and to amend the Acts relating to the Customs. 144
44. 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 granting Relief in certain Cases. 153
45. An Act to authorize the issuing of Exchequer Bills for the Payment of the Proprietors of Four Pounds *per Centum* Annuities in *England and Ireland*, who have not signified their Assents under the Acts passed in this Session, for transferring such Annuities into Reduced Annuities of Three Pounds Ten Shillings *per Centum*. 160
46. An Act to continue, until the Fifth Day of *July* One thousand eight hundred and twenty six, the Low Duties on Coals and Culm carried Coastwise to any Port within the Principality of *Wales*. 162
47. An Act to alter the Laws relating to the Duties on the Importation,

- portation, and the Prohibitions on the Exportation of Wool, and of Hare and Coney Skins. Page 163
48. An Act to enable the Commissioners of His Majesty's Treasury to sell out certain Bank Annuities now standing in their Names, and to apply the Produce thereof in part Payment of a Loan of Three hundred thousand Pounds, due to the *Royal Exchange Assurance Company*; and to facilitate the Sales of Fee Farm Rents, and of small Portions of the Land Revenue of the Crown; and for other Purposes. 165
49. An Act for enabling the Commissioners for Victualling His Majesty's Navy to purchase certain Premises, for completing a Victualling Establishment at *Cremill Point near Plymouth* in the County of *Devon*, and for supplying the said Establishment with Water. 180
50. An Act for amending 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 Two Acts of the Thirty first Year of the Reign of King George the Second, and the Thirteenth Year of His present Majesty, so far as relates to the Price and Assize of Bread to be sold out of the City of London and the Liberties thereof, and beyond the Weekly Bills of Mortality, and Ten Miles of the Royal Exchange.* 205
51. An Act to repeal several Laws relating to the Fisheries carried on upon the Banks and Shores of *Newfoundland*, and to make Provision for the better Conduct of the said Fisheries for Five Years, and from thence to the End of the then next Session of Parliament. 207
52. An Act to amend so much of an Act of the Forty second Year of His late Majesty, for making additional Basons or Docks at *Kingston upon Hull*, as relates to certain Lands belonging to His Majesty. 213
53. An Act to permit the mutual Transfer of Capital in certain Public Stocks or Funds transferable at the Banks of *England and Ireland* respectively. 217
54. An Act to repeal the Duties on Licences to brew and to retail Beer, Spirituous Liquors and Foreign Wine, and to grant other Duties in lieu thereof; and amend the Laws of Excise relating to such Duties, and to Brewers and Retailers of Beer. 232
55. An Act to assimilate the Duties and Drawbacks on Hides, Skins, Leather, Parchment, Paper and Paper Hangings, manufactured in *Ireland*, to the Duties and Drawbacks payable on the like Articles in *Great Britain*; and to equalize the Measures and Weights whereby the Duties of Excise and Customs shall be payable throughout the United Kingdom. 243
56. An Act to continue, until the Tenth Day of *November* One thousand eight hundred and twenty six, certain Parts of an Act of the Third Year of His present Majesty, among other Things for the preventing private Distillation in *Scotland*. 253
57. An Act to repeal Four Acts of His late Majesty, relating to the Use of Horse Hides in making Boots and Shoes, and for better preventing the damaging of Raw Hides and Skins in the flaying thereof. *Ibid.*
58. An Act to continue for Four Years, and from thence until the End of the then next Session of Parliament, the Powers of

## The TITLES of the STATUTES,

- of the Commissioners for enquiring concerning Charities in  
*England and Wales.* Page 254
59. An Act for exhibiting a Bill for the Restoration of *John Francis Erskine of Mar.* 255
60. An Act to carry into Effect the Will of *Richard Payne Knight* Esquire, so far as the same relates to a Bequest by the said *Richard Payne Knight* of a Collection of Coins, Medals and other valuable Articles to the *British Museum*; and to vest the said Collection in the Trustees of the said *British Museum*, for the Use of the Public. 256
61. An Act to amend certain Acts for the Relief of Insolvent Debtors in *England.* 258
62. An Act to amend the several Acts for the Encouragement of Banks for Savings, in *England and Ireland.* 267
63. An Act to amend an Act of the last Session of Parliament, for providing for the establishing of Compositions for Tithes in *Ireland.* 284
64. An Act to amend the several Acts for the Encouragement and Improvement of the *British and Irish* Fisheries. 298
65. An Act to repeal the Duties and Laws in respect of Salt and Rock Salt. 303
66. An Act to repeal certain Acts of His late Majesty, relating to the Wages of Persons employed in the Manufacture of Silk, and of Silk mixed with other Materials. 306
67. An Act for the better Administration of Justice in *Newfoundland*, and for other Purposes. 309
68. An Act to repeal an Act passed in the Fifty seventh Year of the Reign of His late Majesty King *George the Third*, intitled *An Act to regulate the Celebration of Marriages in Newfoundland*; and to make further Provision for the Celebration of Marriages in the said Colony and its Dependencies. 322
69. An Act to enable Justices of the Peace for Ridings, Divisions or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads. 326
70. An Act to permit Flour to be substituted for Foreign Wheat secured in Warehouses. *Ibid.*
71. An Act to amend several Acts passed for the better Care and Maintenance of Lunatics, being Paupers or Criminals, in *England.* 328
72. An Act for amending and rendering more effectual an Act for augmenting Parochial Stipends, in certain Cases, in *Scotland.* 331
73. An Act to relieve Bankers in *Ireland* from divers Restraints imposed by the Provisions of the Twenty ninth of *George the Second*, and to render all and each of the Members of certain Copartnerships of Bankers which may be established liable to the Engagements of such Copartnerships, and to enable such Copartnerships to sue and be sued in the Name of their Public Officer. 335
74. An Act for ascertaining and establishing Uniformity of Weights and Measures. 339
75. An Act to decrease the Duty on Cocoa Nuts imported; to exempt certain Goods from Payment of Auction Duties; to provide that the Parish of *Saint Pancras* shall be under the Inspection

- Inspection of the Head Office of Excise; and to amend certain Laws of Excise relating to Maltsters in *Ireland*; to the Drawback on Beer exported from *Great Britain*; and to the Duty on Draining Tiles. Page 354
76. An Act to continue several Acts for establishing Regulations for the Security of the Revenue on Goods imported from Places within the Limits of the Charter granted to the *East India Company*; and to grant, until the Twenty fifth Day of *March* One thousand eight hundred and twenty five, Duties on Sugar imported from Places within the Limits of the said Charter, in lieu of former Duties. 359
77. An Act to amend the Acts for the Issue of Exchequer Bills for Public Works. 861
78. An Act to amend an Act of the Third Year of His present Majesty, for enabling His Majesty to lease Lands belonging to the Duchy of *Cornwall*, and to authorize the Sale and Purchase of the *Prisage* and *Butlerage* of Wines in the Ports of the County of *Cornwall*, and in *Plymouth*. 362
79. An Act to enable certain Persons to receive and hold Offices in the Management, Collection and Receipt of the Revenue, without taking or subscribing certain Oaths and Declarations. 367
80. An Act for disappropriating, disuniting and divesting from and out of the Chancellors, Archdeacons and Precentors of the Diocese of *Connor* in the County of *Antrim*, in *Ireland*, (after the Decease or Removal of the present Incumbents) certain Rectories and the Rectorial Tithes thereof, Parts of the Corps of the said respective Dignities; and for annexing and uniting the said respective Rectories when so disappropriated, and the Rectorial Tithes thereof, to the respective Vicarages of the said several Rectories, whereby the Incumbent of each Parish and Rectory shall have the actual Cure of Souls, and for other Purposes. 368
81. An Act for separating the Parish or Vicarage of *Bray* from the Parish of *Kiltiernan*, and for uniting the said Parish of *Kiltiernan* with the Parish of *Kilgobban*, situate in the Barony of *Rathdown* and County of *Dublin*, in *Ireland*. 375
82. An Act for better regulating the Office of Clerk of the Parliaments. 378
83. An Act for the Punishment of idle and disorderly Persons, and Rogues and Vagabonds, in that Part of *Great Britain* called *England*. 381
84. An Act for the Transportation of Offenders from *Great Britain*. 389
85. An Act for amending an Act of the last Session of Parliament, relating to the building, repairing and enlarging of certain Gaols and Houses of Correction; and for procuring Information as to the State of all other Gaols and Houses of Correction in *England* and *Wales*. 400
86. An Act for granting certain Powers and Authorities to a Company to be incorporated by Charter, to be called "The *Australian Agricultural Company*," for the Cultivation and Improvement of Waste Lands in the Colony of *New South Wales*, and for other Purposes relating thereto. 414
87. An

## The TITLES of the STATUTES,

87. An Act to authorize the Proprietors of Entailed Estates in *Scotland* to grant Provisions to the Wives or Husbands and Children of such Proprietors. Page 434
88. An Act to authorize the *East India* Company to trade direct from *China* to the *British* Colonies and Plantations in *America*. 438
89. An Act for the Relief, in certain Cases, of the Incumbents of Ecclesiastical Livings or Benefices mortgaged for building, rebuilding, repairing or purchasing Houses and other necessary Buildings and Tenements for such Benefices. 439
90. An Act to amend an Act for building additional Places of Worship in the Highlands and Islands of *Scotland*. 444
91. An Act to consolidate and amend the Laws for enforcing the Residence of Spiritual Persons on their Benefices; to restrain Spiritual Persons from carrying on Trade or Merchandize; and for the Support and Maintenance of Stipendiary Curates, in *Ireland*. 454
92. An Act to authorize the Payment of certain Duties on Ships and Merchandize, in respect of the Docks and Warehouses in the Port of *Dublin*, and other Ports in *Ireland*; and for other Purposes relating to such Docks and Warehouses. 484
93. An Act to amend the Acts of the last Session of Parliament relating to Presentments by Grand Juries for Payment of the Salaries of public Officers of the several Counties in *Ireland*. 506
94. An Act to allow the Averment of the Order for Prosecution by Commissioners of Customs or Excise to be sufficient Proof of the Order having been made. 507
95. An Act to repeal the Laws relative to the Combination of Workmen; and for other Purposes therein mentioned. 508
96. An Act to consolidate and amend the Laws relative to the Arbitration of Disputes between Masters and Workmen. 520
97. An Act to repeal the Laws relative to Artificers going into Foreign Parts. 533
98. An Act to consolidate and amend the Bankrupt Laws. 535
99. An Act for dividing, allotting and inclosing that Portion of the Forest of *Whittlewood* called *Hasleborough Walk* in the Parish of *Whitfield* and Liberties or Precincts of *Silston* otherwise *Silverston* otherwise *Silveston Burnham* in the County of *Northampton*, and of the Open Fields of *Silston* otherwise *Silverston* otherwise *Silveston Burnham* aforesaid. 572
100. An Act for more effectually paving, lighting, watching, cleansing and regulating the *Regent's Park*, together with the New Street from the *Regent's Park* to *Pall Mall*, and the New Streets and Improvements in the Neighbourhood of *Parliament Street* and *Privy Gardens*; and for maintaining a convenient Sewage for the same. 573
101. An Act to enable His Majesty to grant certain Advowsons, Rectories and Vicarages, in the several Counties of *Carmarthen*, *Cardigan* and *Pembroke*, in the Principality of *Wales*, to a College to be incorporated by Charter, to be called *Saint David's College*. *Ibid.*
102. An Act to amend an Act of the Forty eighth Year of the Reign of His late Majesty, for the more effectual Administration of the Office of a Justice of the Peace, and for the more effectual

- tual Prevention of Felonies within the District of *Dublin Metropolis*.  
Page 575
103. An Act to make further Provision, and to amend and render more effectual Three Acts, passed in the Fifty eighth and Fifty ninth Years of His late Majesty, and in the Third Year of His present Majesty, for building and promoting the building of additional Churches in populous Parishes. 591
104. An Act to amend an Act of the Third Year of His present Majesty, respecting Superannuation Allowances. 598
105. An Act further to continue and to amend an Act, made in the Third Year of His present Majesty's Reign, for suppressing Insurrections and preventing Disturbances of the public Peace in *Ireland*. 599
106. An Act to enlarge and extend the Power of the Judges of the several Courts of Great Sessions in *Wales*, and to amend the Laws relating to the same. 600
107. An Act to prevent the illegal pawning of Clothes and Stores belonging to *Chelsea Hospital*; to give further Powers to the Treasurer and Deputy Treasurer of *Chelsea and Greenwich Hospitals*; to punish Persons fraudulently receiving Prize Money or Pensions; and to enable the Commissioners of *Chelsea Hospital* to hold Lands purchased under the Will of Colonel *Drowly*. 612
108. An Act for transferring to the *East India Company* certain Possessions newly acquired in the *East Indies*, and for authorizing the Removal of Convicts from *Sumatra*. 619
109. An Act to enable the Earl Marshal and his Deputy to execute the Duties of their Office or Offices, without previously taking or subscribing certain Oaths or Declarations. 621
110. An Act for the Indemnity of Magistrates in Proceedings against Persons using unlawful Weights in *Ireland*. *Ibid.*
111. An Act to amend an Act of the Forty first Year of the Reign of His late Majesty King *George the Third*, for the more speedy and effectual Recovery of Debts due to His Majesty, His Heirs and Successors, in Right of the Crown of the United Kingdom of *Great Britain and Ireland*; and for the better Administration of Justice within the same. 623
112. An Act to amend so much of an Act of the Forty ninth Year of His late Majesty as relates to the forming Tables of Manors, Parishes, Town Lands and other Subdenominations of Land, in *Ireland*, for the Purpose of providing for the future Survey and Valuation of that Part of the United Kingdom; and for settling the Boundaries of Counties, Cities and Towns, in certain Cases. 625
113. An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade. 626
114. An Act to repeal so much of an Act of the Sixth Year of King *George the First*, as restrains any other Corporations than those in the Act named, and any Societies or Partnerships, from effecting Marine Assurances, and lending Money on Bottomry. 706
115. An Act for raising the Sum of Fifteen Millions by Exchequer Bills, for the Service of the Year One thousand eight hundred and twenty four; and for further appropriating the Supplies granted in this Session of Parliament. 706

## LOCAL AND PERSONAL ACTS,

DECLARED PUBLICK,

AND TO BE JUDICIALLY NOTICED.

- i. AN Act for altering and enlarging the Powers of an Act of His late Majesty King *George* the Third, for the better Relief and Employment of the Poor within the Hundreds of *Tunstead* and *Happing* in the County of *Norfolk*. Page 719
- ii. An Act for repairing, improving, widening and keeping in Repair the several Roads within the District called The *Kidwelly* District of Roads, in the County of *Carmarthen*. *Ibid.*
- iii. An Act for more effectually repairing the Road leading from the *Lord Nelson* Public House, upon the Road between *Burnley* and *Colne*, in the Township of *Marsden* in the Parish of *Whalley*, in the County Palatine of *Lancaster*, to *Gisburne* in the West Riding of the County of *York*, and from thence to the Road leading from *Skipton* to *Settle*, at or near *Long Preston*, in the said West Riding of the County of *York*. *Ibid.*
- iv. An Act for more effectually amending, improving and keeping in Repair the Road leading from *Penrith* to *Cockermouth*, and several other Roads therein mentioned, all in the County of *Cumberland*. 720
- v. An Act to amend and render more effectual an Act of His late Majesty relative to the Asylum for Female Orphans. *Ibid.*
- vi. An Act for more effectually repairing, improving and maintaining the Road leading from *Thirsk* to *Yarm* in the County of *York*. 728
- vii. An Act for more effectually amending, improving and keeping in Repair the Roads from the City of *Carlisle* to the Market Town of *Cockermouth* in the County of *Cumberland*. *Ibid.*
- viii. An Act for amending, improving and keeping in Repair the Roads leading from *Wetherby* to *Knaresborough* in the West Riding of the County of *York*. *Ibid.*
- ix. An Act for amending and maintaining the Roads from the *Hand and Post* at the Top of *Burford Lane* in the County of *Gloucester*, to *Stow-on-the-Wold*, and from thence to *Paddle Brook*; and from the *Cross Hands* on *Salford Hill* in the County of *Oxford*, to the *Hand and Post* in the Parish of *Wilmington* in the County of *Gloucester*. *Ibid.*
- x. An Act for more effectually repairing and improving the Roads from *Hurdlow House* in the County of *Derby*, to *Manchester* in the County Palatine of *Lancaster*, and other Roads in the said Counties, and in the County Palatine of *Chester*. *Ibid.*
- xi. An Act for amending and maintaining the Roads leading from the Town of *Newent* in the County of *Gloucester*, and other Roads in the Counties of *Gloucester* and *Hereford*. 729
- xii. An



- xii. An Act for more effectually repairing and improving the Road leading from the End of the *Exeter* Turnpike Road to *Biddaford*, and also several other Roads leading from *Bridge-town Pomeroy* and *Totnes*; and for making and repairing several other Roads communicating therewith, all in the County of *Devon*; and for taking down and rebuilding *Totnes Bridge* in the same County. Page 729
- xiii. An Act for the better Maintenance, Employment and Regulation of the Poor of the Town of *Kingston-upon-Hull*, and for repairing or rebuilding the Workhouse there. Ibid.
- xiv. An Act for more effectually repairing and improving so much of the Road from *Kerwick* in the County of *Cumberland*, by *Dunmail Raise* and *Ambleside*, to *Kirkby in Kendal* in the County of *Westmoreland*, as is situate in the said County of *Westmoreland*; and also the Road from *Plumbgarth's Cross*, near *Kirkby in Kendal* aforesaid, to the Lake called *Windermere*, in the County of *Westmoreland*. Ibid.
- xv. An Act for more effectually improving and keeping in Repair the Road from *Appleby* in the County of *Westmoreland*, to *Kirkby in Kendal*; and from *Orton* to the Turnpike Road near *Shap*; and from *Highgate* near *Tebay*, through *Kirkby Stephen*, to *Market Brough* in the said County. Ibid.
- xvi. An Act for making and maintaining a Turnpike Road from *Marehill* in the Parish of *Pulborough*, through *Shipley*, to the Direction Post on the Turnpike Road leading from *Horsham* to *Steyning*, at *Southwater* in the Parish of *Horsham*, with several Branches therefrom, all in the County of *Sussex*. 790
- xvii. An Act for more effectually repairing and amending the Road leading from the High Street in the Town of *Arundel* to the Turnpike Road leading from *Petworth* to *Stopham*, on *Fittleworth Common*, in the County of *Sussex*. Ibid.
- xviii. An Act for altering and enlarging the Powers of Two Acts of His late Majesty, for the better Relief and Employment of the Poor within the Hundred of *Stow* in the County of *Suffolk*. Ibid.
- xix. An Act for providing a convenient House, with suitable Accommodations, for His Majesty's Judges at the Assizes for the County Palatine of *Lancaster*, and for maintaining and supporting the same. Ibid.
- xx. An Act to revive and amend an Act of the Forty ninth Year of His late Majesty, for building a Chapel of Ease in the Town of *Worthing* in the County of *Sussex*. Ibid.
- xxi. An Act for building a Church or Chapel of Ease in the Township of *Roundhay*, and Parish of *Barwick* in *Elmet*, in the West Riding of the County of *York*. Ibid.
- xxii. An Act for better paving, lighting, cleansing, watching and improving the Town and Borough of *Plymouth* in the County of *Devon*; and for regulating the Police thereof; and for removing and preventing Nuisances and Annoyances therein. Ibid.
- xxiii. An Act for paving, lighting, cleansing, watching, regulating and otherwise improving the Town of *Keighley* within the Parish of *Keighley*, in the West Riding of the County of *York*. 731
- xxiv. An

- xxiv. An Act for amending, repairing and maintaining the Road from *Sandon* in the County of *Stafford* to *Bullock Smithy* in the County of *Chester*; and from *Hilderstone* to *Draycott in the Moors*, and from *Wetley Rocks* to *Tean*, in the said County of *Stafford*. Page 791
- xxv. An Act for improving and keeping in Repair the Road from *Span Smithy* in the County of *Chester*, to *Talk* in the County of *Stafford*. Ibid.
- xxvi. An Act for further extending the Powers of the Company of Proprietors for embanking Part of the *Lairy* near *Plymouth*. Ibid.
- xxvii. An Act for exonerating the Inhabitants of the several Hamlets, Tithings and Places within the Parish of *Wedmore* in the County of *Somerset*, from the exclusive Maintenance and Repair of the Public Highways within the Limits of the said Hamlets, Tithings and Places respectively, and for charging the same in future on the Inhabitants at large of the said Parish. Ibid.
- xxviii. An Act for repairing the Road leading from the *Worcester* Turnpike Road in the Village of *Broadway* in the County of *Worcester*, to the *Stratford upon Avon* Turnpike Road, in the Village of *Mickleton* in the County of *Gloucester*. Ibid.
- xxix. An Act for making a Turnpike Road from *Redbrook* to *Saint Arvans* in the County of *Monmouth*, and for building a Bridge on the Line of the said Road over the River *Wye*, and for making other Turnpike Roads to communicate therewith in the Counties of *Monmouth* and *Gloucester*. Ibid.
- xxx. An Act for repairing, improving and maintaining several Roads leading to and from *Cerne Abbas* in the County of *Dorset*. 792
- xxxi. An Act for making and maintaining certain Roads from *Kingsbridge* to *Dartmouth*, *Modbury*, *Salcombe* and other Places in the South Part of the County of *Devon*. Ibid.
- xxxii. An Act for more effectually amending the Roads from *Whitchurch* in the County of *Salop*, to that Part of the Road leading from *Nantwich* in the County of *Chester*, to *Newcastle under Lyne* in the County of *Stafford*, which passes through the Township of *Madeley* in the said County of *Stafford*; and also from *Hinstock* in the said County of *Salop*, to *Nantwich* aforesaid. Ibid.
- xxxiii. An Act for widening, improving and maintaining the Turnpike Road leading from the City of *Worcester*, through *Droitwich*, to *Spadesbourne Bridge*, within the Parish of *Bromsgrove* in the County of *Worcester*, and other Roads therein mentioned. Ibid.
- xxxiv. An Act for repairing the Road from *Burtryford* in the County of *Durham*, through *Alston* in the County of *Cumberland*, to *Burnstones* in the County of *Northumberland*, and from *Summerrod's Bar* near *Hexham*, to *Alston* aforesaid, and several other Roads in the said Counties, and in the North Riding of the County of *York*; and for erecting Bridges over the River *Tyne*. Ibid.
- xxxv. An Act for amending and improving the Road from *Glossop* to

- to *Marple Bridge* in the County of *Derby*, and the several Branches of Roads leading to and from the same. Page 783
- xxxvi. An Act for improving and keeping in Repair the Road from the End of the County of *Stafford* to the City of *Chester*, lying betwixt the End of the said County of *Stafford*, and One hundred Yards of the East End of a certain Smithy called *Duddon Smithy*, in *Clotton*, in the said County of *Chester*. *Ibid.*
- xxxvii. An Act to alter and amend an Act for erecting a new Gaol and Court House in the Burgh of *Ayr* in the Shire of *Ayr*. *Ibid.*
- xxxviii. An Act for continuing and enlarging the Term and Powers of several Acts passed in the Thirty second Year of the Reign of King *George* the Second, and the Twentieth and Forty second Years of His late Majesty King *George* the Third, charging a Duty of Two Pennies Scots, or One sixth Part of a Penny Sterling, upon every Scots Pint of Ale, Porter and Beer brewed for Sale, brought into, tapped or sold within the Town and Parish of *Kelso* in the County of *Roxburgh*, for the Purposes therein mentioned. *Ibid.*
- xxxix. An Act to alter and amend An Act for the Regulation of the Corporation of the Masters and Assistants of the Trinity House of *Leith*. *Ibid.*
- xl. An Act for taking down, rebuilding and enlarging *Maidenhead* Chapel in the County of *Berks*. *Ibid.*
- xli. An Act for the better levying and collecting the Rates for the Relief and Maintenance of the Poor of the Parish of *South Lynn*, otherwise *All Saints*, in the Borough of *King's Lynn* in the County of *Norfolk*, by assessing the Owners of certain Messuages, and other Property in the said Parish, instead of the Occupiers thereof; and also for erecting a Work-house in the same Parish. *Ibid.*
- xlii. An Act for lighting the City of *Dublin* and Environs thereof with Oil Gas. 734
- xliii. An Act for repairing the Road from *Dunchurch* to *Stonebridge* in the County of *Warwick*. *Ibid.*
- xliv. An Act for making and maintaining a Turnpike Road from *Colae* in the County of *Lancaster*, to communicate with the Road leading from *Clitheroe* in the same County, to *Skipton* in the County of *York*. *Ibid.*
- xlv. An Act for making and maintaining a Turnpike Road from *Rugeley*, through *Armitage* to *Alrewas*, with a Branch therefrom in the County of *Stafford*. *Ibid.*
- xlvi. An Act for more effectually repairing the Road from the *Trent Bridge* in the County of the Town of *Nottingham*, to *Cote's Bridge* in the County of *Leicester*. *Ibid.*
- xlvii. An Act for making and maintaining a Navigable Canal from the River *Lee* Navigation in the Parish of *Saint Mary Stratford Bow* in the County of *Middlesex*, to join the *Regent's Canal* at or near a Place called *Old Ford Lock* in the Parish of *Saint Matthew Bethnal Green* in the said County of *Middlesex*. *Ibid.*
- xlviii. An Act to authorize the Company of Proprietors of the *Stockton and Darlington Railway* to relinquish one of their Branch Railways, and to enable them to make another Branch Railway

Railway in lieu thereof; and to enable the said Company to raise a further Sum of Money, and to enlarge the Powers and Provisions of the several Acts relating to the said Railway.

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- xlix. An Act for making a Railway from *Palace-Craig* in the Parish of *Old Monkland* in the County of *Lanark*, to the *Forth* and *Clyde* Canal near *Kirkintilloch* in the County of *Dumbar-ton*. 735
- l. An Act for enlarging the Powers and Provisions of an Act of His late Majesty, intituled *An Act for taking down and re-building the Parish Church of Blackburn in the County Palatine of Lancaster, and for providing additional Burial Ground, and for equalizing the Church Rates in the said Parish, and other Purposes.* *Ibid.*
- li. An Act for establishing and regulating a Market and for erecting a Town Hall and Market Place in the Township of *Bilston* in the County of *Stafford.* *Ibid.*
- lii. An Act for repealing so much of an Act of the Thirteenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for appointing Wardens and Assay Masters for assaying Wrought Plate in the Towns of Sheffield and Birmingham, as relates to the Town of Birmingham, and within Twenty Miles thereof; and for granting further and more effectual Powers for assaying and marking Gold and Silver Plate wrought or made within the said Town of Birmingham and within Thirty Miles thereof, and for other Purposes relating thereto.* *Ibid.*
- liii. An Act for lighting, watching and otherwise improving the Town of *Ashford* in the County of *Kent.* 756
- liv. An Act for repairing and improving the Road from *Back Lane* in the Parish of *Scartho*, to *Hollowgate Head* in the Parish of *Louth* in the County of *Lincoln.* 757
- lv. An Act for making and maintaining a Road from *Blackburn* to *Preston*, and Two Branches therefrom, and erecting a Bridge on the Line of the said Road over the River *Ribble*, all in the County Palatine of *Lancaster.* *Ibid.*
- lvi. An Act for repairing the Lower Road from *Greenwich* to *Woolwich* in the County of *Kent.* *Ibid.*
- lvii. An Act for making and maintaining a Turnpike Road leading from the Eastern Side of a certain Bridge called *Spittle Hill Bridge*, over *Moorgate Beck* in the Parish of *Clarbrough* in the County of *Nottingham*, to *Littleborough Ferry* in the same County. *Ibid.*
- lviii. An Act for amending and maintaining the Roads from *Stafford* to *Sandon* in the County of *Stafford*, and from *Stafford* through *Bridford* and *Eccleshall* to *Ireland's Cross* near *Woore* in the County of *Salop*, and from *Bridford* aforesaid to the Stone which divides the Liberty of *Ranton* and *Ellenhall* in the Road between *Bridford* and *Newport.* *Ibid.*
- lix. An Act for amending and maintaining the Road from the Town of *Stone* to *Gaal Gate* in the Borough of *Stafford*, and from *Green Gate* in the said Borough, through the Towns of *Dunston* and *Penkridge* to *Streetway Road*, in the Road leading to *Wolverhampton* in the County of *Stafford.* *Ibid.*

lx. An

- lx. An Act for amending and improving the Road from *Cambridge* to *Ely*, and other Roads therein mentioned, in the County of *Cambridge*; and for making a Road from or near the Town of *Littleport* in the Isle of *Ely*, to the *Ferry* or *Floating Bridge* over the *Hundred Feet River* in the Parish of *Welney* in the County of *Norfolk*. Page 758
- lxi. An Act for more effectually amending, improving and keeping in repair the Road from the North East Side of the *Corwell Street Road*, next *Islington*, to the North West Corner of *Finsbury Square*, by the *Artillery Ground*, in the County of *Middlesex*, commonly called or known by the Name of *The City Road*. Ibid.
- lxii. An Act for more effectually repairing the Road from the Post Road near *Faversham*, by *Bacon's Water* through *Ashford*, to *Hythe*, and from *Bacon's Water* to *Castle Street*, in the City of *Canterbury*, all in the County of *Kent*. Ibid.
- lxiii. An Act for raising a further Sum of Money for carrying into Execution an Act passed in the Fifty ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repairing and improving or rebuilding, the Church at Barnsley, in the West Riding of the County of York, and for improving and enlarging the Churchyard and Burial Grounds thereof*; and for amending the said Act. Ibid.
- lxiv. An Act for taking down and rebuilding the Body of the Church or ancient Parochial Chapel of Ease of *Oldham* within the Parish of *Prestwich cum Oldham* in the County Palatine of *Lancaster*, for providing additional Burial Ground, and for equalizing the Church Rates, and other Purposes. 759
- lxv. An Act for widening, deepening, enlarging and making navigable a certain Creek called *Counter's Creek*, from or from near *Counter's Bridge*, on the Road from *London* to *Hammersmith*, to the River *Thames* in the County of *Middlesex*, and for maintaining the same. Ibid.
- lxvi. An Act for lighting, watching, paving, cleansing and improving the Streets, Highways and Places within the Borough and Town of *Lancaster*, in the County Palatine of *Lancaster*. Ibid.
- lxvii. An Act for paving, cleansing, lighting, watching, regulating and improving the Borough of *Evesham* in the County of *Worcester*; for repairing, improving and maintaining the Bridge over the River *Avon*, within the said Borough; and for selling certain Waste Lands within the said Borough, and for appropriating the Monies arising from such Sales towards the Purposes therein mentioned. Ibid.
- lxviii. An Act for paving, lighting, watching, cleansing, widening, regulating and otherwise improving the Town of *Walsall*, and the Neighbourhood thereof, within the Parish of *Walsall* in the County of *Stafford*. Ibid.
- lxix. An Act to amend an Act of His present Majesty, for opening a Street from the Cross of *Glasgow* to *Monteith Row*. Ibid.
- lxx. An Act for forming, paving, cleansing, lighting, watching and regulating Streets, and other Public Passages and Places, on certain Plots of Ground called *Battle Bridge Fields*, near *Gray's*
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- Gray's Inn Lane*, in the Parish of *Saint Pancras*, in the County of *Middlesex*. Page 759
- lxxi. An Act to enable the *Australian Company* of *Edinburgh* to sue and be sued in the Name of the Manager for the Time being of the said Company. 760
- lxxii. An Act to regulate the loading of Ships with Coals in the Port of *Newcastle upon Tyne*. *Ibid.*
- lxxiii. An Act for the better Regulation and Encouragement of Pilots for the conducting of Ships and Vessels into and out of the Port of *Liverpool*. *Ibid.*
- lxxiv. An Act to amend and enlarge the Powers of several Acts, so far as the same relate to the Right of voting at Vestries of the Parish of *Saint John Southwark* in the County of *Surrey*; and to establish a Select Vestry within the said Parish. *Ibid.*
- lxxv. An Act for lighting with Gas the Towns or Villages of *Margate*, *Ramsgate* and *Broadstairs*, and Places adjacent, in the County of *Kent*. *Ibid.*
- lxxvi. An Act for the better lighting the City and Suburbs of *Edinburgh* by Oil Gas. *Ibid.*
- lxxvii. An Act for lighting with Gas the City of *Hereford*, and the Suburbs and Liberties thereof. *Ibid.*
- lxxviii. An Act to establish an additional Company for more effectually lighting with Gas certain Places within the Borough of *Southwark*, and certain other Parishes and Places in the Counties of *Surrey* and *Kent*. *Ibid.*
- lxxix. An Act for lighting and watching the Parish of *Clifton* in the County of *Gloucester*. *Ibid.*
- lxxx. An Act to enable the *Kent Fire Insurance Company* to sue and prosecute in the Name of their Secretary, or any Member of such Company. *Ibid.*
- lxxx. An Act for more effectually improving and keeping in Repair the several Roads in and near *Great Torrington*, and to make a new Line of Road, on the Western Side of the River *Torrige*, in the County of *Devon*. 761
- lxxxii. An Act for making and maintaining a Turnpike Road from *Roundhay Bridge* to *Collingham* in the County of *York*. *Ibid.*
- lxxxiii. An Act for amending the Roads leading from *Brickworth Pond* in the Parish of *Whiteparish* in the County of *Wilts*, through *Romsey* in the County of *Southampton*, to the County of the Town of *Southampton*. *Ibid.*
- lxxxiv. An Act for repairing, widening and keeping in Repair the Road from the Town of *Carmarthen*, through *Velindre Shinkin*, to the Town of *Newcastle Emlyn*, and several other Roads in the County of *Carmarthen*. *Ibid.*
- lxxxv. An Act for more effectually repairing and improving the Road leading from the Eastern End of the Borough of *Gram-pound* in the County of *Cornwall*, through the Towns of *Saint Austell* and *Lostwithiel*, and thence to the East End of the Western *Taphouse Lane* in the said County. *Ibid.*
- lxxxvi. An Act for amending and improving the Road from *Sacred Gate* in the Township of *Thorngumbald* to *Pattrington Haven*, and from the Guide Post in *Winestead* to the Township of

- of *South Frodingham* in the East Riding of the County of *York*.  
*Page 761*
- lxxxvii. An Act for more effectually repairing and improving the Road from *Wilmslow Bridge* in the County of *Chester*, through *Nether Alderley* and *Congleton*, to or near the *Red Bull* in *Church Lawton* in the said County. *762*
- lxxxviii. An Act for more effectually repairing the Roads leading from *Saint Dunstan's Cross* to *North Lane* near to the City of *Canterbury*, and to the Sea Side at *Whitstable* in the County of *Kent*, and for widening and improving the Road from *North Lane* aforesaid, over *West Gate Bridge*, to the West Gate of the said City, and for making a Foot Bridge on each Side of the said Bridge and Gate into the said City. *Ibid.*
- lxxxix. An Act for making and maintaining a new Road from *Salterhebble* in the Parish of *Halifax*, to the *Huddersfield* and *New Hey* Turnpike Road in the Parish of *Huddersfield*, and several Branches therefrom, in the West Riding of the County of *York*, with certain Bridges on the Line of the said Road and Branches. *Ibid.*
- xc. An Act for making and maintaining a Turnpike Road from the Turnpike Road leading from *Bradford* to *Wakefield* in the West Riding of the County of *York*, near *Holme Lane End* in the Parish of *Birstal* in the said Riding, to the Turnpike Road leading from *Birstal* to *Huddersfield* in the said Riding, at the Township of *Heckmondwike* in the Parish of *Birstal* aforesaid, with a Branch Road therefrom. *Ibid.*
- xc. An Act for making and maintaining a Road from *Bright-helmstone* to *Newhaven* in the County of *Sussex*. *Ibid.*
- xcii. An Act for taking down *Burrow Bridge*, over the River *Parrett* in the County of *Somerset*, and erecting another in lieu thereof. *763*
- xciii. An Act for maintaining the Harbour of the Burgh of *Ding-wall*, and regulating the Police of the said Burgh. *Ibid.*
- xciv. An Act for establishing a Ferry over the River *Arun* at *Littlehampton* in the County of *Sussex*, and making Roads to communicate therewith. *Ibid.*
- xcv. An Act for lighting, cleansing, watching and improving the Township of *Hulme* in the County of *Lancaster*, and for regulating the Police thereof. *Ibid.*
- xcvi. An Act for explaining, amending and rendering more effectual an Act of His late Majesty, for improving the Outfall of the River *Welland* in the County of *Lincoln*. *Ibid.*
- xcvii. An Act for repairing, widening, improving and maintaining in repair the First District of Turnpike Roads leading to and from the Town of *Bridport* in the County of *Dorset*. *Ibid.*
- xcviii. An Act for more effectually repairing and improving certain Roads leading to, through and from the Towns of *Langport*, *Somerton* and *Castle Cary*, in the County of *Somerset*, and for making and improving other Roads in the said County. *Ibid.*
- xcix. An Act for repairing certain Roads between *Stokenchurch* and the Borough of *New Woodstock* in the County of *Oxford*, and several other Roads communicating therewith. *Ibid.*

- c. An Act for more effectually repairing the Road from *Piffs Elms* in the Parish of *Boddington*, through *Cheltenham*, to *Shipton Lane*, near *Frog Mill Inn*, and certain other Roads therein mentioned, in the County of *Gloucester*. Page 764
- ci. An Act for more effectually repairing the Road from *Ashby de la Zouch* in the County of *Leicester*, through *Burton upon Trent* in the County of *Stafford*, to *Tutbury* in the said County of *Stafford*. *Ibid.*
- cii. An Act for repairing the Road from the City of *Durham* to *Tyne Bridge*, and for making and maintaining a collateral Branch and certain other Branches to communicate respectively with certain Parts of the said Road, in the Parishes of *Chester le Street* and *Gateshead*, all in the County of *Durham*. *Ibid.*
- ciii. An Act for enlarging the Term and Powers of several Acts passed for repairing the Road from *Halifax* to *Sheffield* in the West Riding of the County of *York*, so far as relates to the First District of the Roads mentioned in the said Acts. *Ibid.*
- civ. An Act for making, repairing and improving several Roads in the Counties of *Radnor*, *Hereford* and *Merioneth*. *Ibid.*
- cv. An Act for improving and more effectually repairing the Roads from the Town of *Bolton* in the *Moors* to *Nightingales* in the Township of *Heath Charnock*, and for making a Branch Road from *Little Bolton* to or near the *Crown* in *Horwich*; and for enabling the Trustees therein named, together with the Trustees North and South of *Yarrow*, and the Trustees of the Road from *Westhoughton* to *Duxbury Stocks*, to make a new Line of Road from *Hole House Brow* in the said Township to the Town of *Chorley*, and a Branch Road from *Rawlinson Bridge* to *Halliwell Field* in the same Township, and another Branch Road in the Township of *Duxbury*, all in the County Palatine of *Lancaster*. *Ibid.*
- cvi. An Act for making and maintaining a Turnpike Road from *Godley Lane Head* near *Halifax* to *Northowram Green* in the West Riding of the County of *York*. 765
- cvi. An Act for making and maintaining a Road from the City of *Glasgow* to the Village of *Parkhead*. *Ibid.*
- cvi. An Act to provide for the paving, gravelling, lighting and watching certain Footways and Carriageways in and near *Brompton Square*, in the Parish of *Saint Mary Abbots*, *Kensington*, in the County of *Middlesex*; and to provide for the Maintenance of a Garden and Shrubby in the said Square. *Ibid.*
- cix. An Act for erecting New Market Places within the Town of *Maidstone* in the County of *Kent*, and for the better regulating and maintaining the said Markets. *Ibid.*
- cx. An Act for lighting with Gas the Town and Neighbourhood of *Leeds*, with the Parish of *Leeds*, in the West Riding of the County of *York*. *Ibid.*
- cx. An Act for more effectually making and repairing the Road from the City of *Glasgow* to *Yoker Bridge*, and certain Roads communicating therewith. *Ibid.*
- cxii. An Act for building a Bridge over the River *Thames*, from the Hamlet of *Hammersmith* in the County of *Middlesex*, to the



- the Parish of *Barnes* in the County of *Surrey*, and for making convenient Roads and Avenues to communicate with such Bridge. *Page 766*
- cxiii. An Act for altering and amending an Act of the last Session of Parliament, for erecting a Bridge over the Water of *Lary* in the County of *Devon*. *Ibid.*
- cxiv. An Act for building a Bridge over the River *Teign*, at *Teignmouth*, in the County of *Devon*; and for making Approaches to the same. *Ibid.*
- cxv. An Act for improving and keeping in Repair several Roads in and near the Town of *Bideford*, and for making a new Line of Road on the Western Side of the River *Torridge*; and also a new Line of Road to unite such Road with the Road leading from *Bideford* to *Buckland Brewer*, in the County of *Devon*. *Ibid.*
- cxvi. An Act for amending and improving the Road from *Porth-dinllaen* to or near *Cerrig y Rhwydwr*, and from *Tan y Graig* in the Parish of *Bodvean* to *Pwllheli*, and from thence to *Llanystymdwy*, and from *Cerrig y Rhwydwr* aforesaid, to or near *Capel Cerrig*; and for making a Road from *Pwllheli* aforesaid to *Pennrhyndu* in the Parish of *Llanengan*, all in the County of *Caernarvon*. *Ibid.*
- cxvii. An Act for enabling the Commissioners acting in Execution of an Agreement made between the *East India Company* and the private Creditors of His late Highness *Ameer Sing*, formerly *Rajah of Tanjore*, deceased, the better to carry the same into Effect. *Ibid.*
- cxviii. An Act to provide for valuing the Houses situate in and near the City of *Dublin*, and for the more equal Payment of the Local Taxes there. *767*
- cxix. An Act for enabling the *Thames and Medway Canal Company* to raise a further Sum of Money to discharge their Debts, and to complete the said Canal and the Works thereunto belonging; and for altering, enlarging and rendering more effectual the Powers for making the said Canal and Works. *Ibid.*
- cxx. An Act to abridge, vary, extend and improve the *Bristol and Taunton Canal Navigation*; and to alter the Powers of an Act of the Fifty first Year of His late Majesty, for making the said Canal. *Ibid.*
- cxxi. An Act for making and maintaining a Railway or Tramroad from the Town of *Redruth* in the County of *Cornwall*, to *Point Quay* in the Parish of *Feock* in the same County, with several Branches therefrom; and also for restoring, improving and maintaining the Navigation of *Restrongett Creek* in the same County. *Ibid.*
- cxxii. An Act for completing the Port or Harbour of *Courtown* at *Brenogue Head* in the County of *Wexford*. *Ibid.*
- cxxiii. An Act to enable the Mayor and Commonalty and Citizens of the City of *London* to raise a Sum of Money at a reduced Rate of Interest, to pay off the Monies now charged on the Tolls and Duties payable by virtue of Four Acts of the Reign of His late Majesty King *George the Third*, for improving the Navigation of the River *Thames* Westward of *London Bridge*, within the Liberties of the City of *London*. *Ibid.*

- cxxiv. An Act for lighting, cleansing and improving the Town and Neighbourhood of *Leeds* in the County of *York*. Page 768
- cxxv. An Act to repeal several Acts for the Relief and Employment of the Poor of the Parish of *Saint Mary, Islington* in the County of *Middlesex*; for lighting and watching and preventing Nuisances and Annoyances therein; for amending the Road from *Highgate* through *Maiden Lane*, and several other Roads in the said Parish; and for providing a Chapel of Ease and an additional Burial Ground for the same; and to make more effectual Provisions in lieu thereof. *Ibid.*
- cxxvi. An Act for better governing and regulating the Parish of *Paddington* in the County of *Middlesex*; for paving, lighting and watching such Parts of the said Parish as may be necessary; and for other Purposes relating to those Objects; and for altering and amending several Acts passed in the Twenty eighth, Thirty third and Fiftieth Years of the Reign of His late Majesty King *George* the Third, for rebuilding the Church and enlarging the Churchyard of the said Parish. *Ibid.*
- cxxvii. An Act to amend an Act of the First and Second Year of His present Majesty, for rebuilding the Church of *Saint Nicholas Harwich* in the County of *Essex*. *Ibid.*
- cxxviii. An Act for erecting the Town of *Bathgate* in the County of *Linlithgow* into a free and independent Burgh of Barony; paving, lighting and improving the same, and establishing a Police therein. *Ibid.*
- cxxix. An Act for the better paving, lighting, watching and cleansing the Burgh of *Dundee*, and for building and maintaining a Bridewell there. *Ibid.*
- cxxx. An Act for supplying with Water the Towns of *Great Bolton* and *Little Bolton*, and the Township of *Sharpley* in the Parish of *Bolton le Moors*, in the County Palatine of *Lancaster*.  
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- cxxx. An Act for supplying the City of *Canterbury*, and the several Streets and Roads adjoining thereto, with Water. *Ibid.*
- cxxxii. An Act for better supplying the Town and Neighbourhood of *Cheltenham* in the County of *Gloucester* with Water. *Ibid.*
- cxxxiii. An Act for better lighting with Gas the Town of *Manchester* in the County Palatine of *Lancaster*. *Ibid.*
- cxxxiv. An Act for erecting a Market House for the Sale of Corn, Hops and other Agricultural Produce in the City of *Canterbury* and County of the same City; for improving and enlarging the Market Places for the Sale of Provisions in the said City and County; and for regulating and maintaining the said Markets. *Ibid.*
- cxxxv. An Act for confirming certain Leases, and a Conveyance in Fee, of certain Plots of Land allotted by an Act, made in the Forty second Year of the Reign of King *George* the Third, for dividing, allotting and inclosing the Common or Waste, situate in the Manor of *Newton* in the County Palatine of *Lancaster*, to the Overseers of the Poor of the Township of *Newton*; and for enabling the said Overseers to sell and convey in Fee other Plots of Land, all formerly Part of the said  
9\* Waste,

- Waste, for building upon, in consideration of yearly Chief or Ground Rents to be reserved for the same. Page 769
- cxxxvi. An Act to encourage the working of Mines in *Ireland* by means of *English* Capital, and to regulate a Joint Stock Company for that Purpose. Ibid.
- cxxxvii. An Act for enabling the Alliance *British* and Foreign Life and Fire Assurance Company to sue and be sued in the Name of the Chairman for the Time being, or of any other Member of the Company. Ibid.
- cxxxviii. An Act for making and maintaining a Road from the *Hampstead Road*, in *Camden Town*, to the North Road at *Holloway*, in the Parish of *Saint Mary Islington*, in the County of *Middlesex*. 770
- cxxxix. An Act for more effectually amending and keeping in repair the Road leading from the *London Turnpike Road*, near the South or upper End of *Harwell Town*, in the Parish of *Harwell* in the County of *Berks*, to the Turnpike Road near the Village of *Streatley* in the said County. Ibid.
- cxl. An Act for maintaining and improving the Road leading from the *London Turnpike Road*, near the Borough of *Evesham* in the County of *Worcester*, to the Village of *Bishop's Cleeve*, near *Cheltenham* in the County of *Gloucester*. Ibid.
- cxli. An Act for repairing and amending the Road from the Town and Borough of *Buckingham* to the *Oxford* and *Northampton* Turnpike Road at *Lord's Field Gate*, near the Town of *Towcester*. Ibid.
- cxlii. An Act for amending and widening the Roads leading from *Stretford's Bridge* in the County of *Hereford*, to the *Cross Moor*, or *Long Meadow End*, in the County of *Salop*, and other Roads therein mentioned in the said County of *Hereford*. Ibid.
- cxliii. An Act for making and maintaining a Turnpike Road from the Road leading from *Manchester* to *Bolton*, to communicate with the Road from *Bury* to *Bolton*, in the County Palatine of *Lancaster*. Ibid.
- cxliv. An Act for enlarging the Term and Powers of several Acts of His late Majesty King *George* the Third, and of His present Majesty, 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*. 771
- cxlv. An Act for repairing the Roads leading out of the Turnpike Road between *Poole* and *Wimborne Minster* into the Turnpike Road between *Blandford Forum* and *Dorchester*, and for repairing and improving the Roads from *Durweston Bridge* to *Caundle Bishop*, from *Bagber Common* to *Holton Street*, and from *North Cheriton* to *Lattiford*, all in the Counties of *Dorset* and *Somerset*. Ibid.
- cxlvi. An Act for making and maintaining a Turnpike Road from *Shepley Lane Head*, in the Township of *Shepley*, to the Termination

- Termination of a Branch of the *Barnsley* Turnpike Road in the Township of *Cawthorne* in the West Riding of the County of *York*. Page 771.
- cxlvii. An Act to enable the Mayor and Commonalty and Citizens of the City of *London* to raise a Sum of Money at a reduced Rate of Interest, to pay off the Monies now charged on the Duties payable by virtue of an Act made in the Forty third Year of the Reign of His late Majesty King *George* the Third, for establishing a Free Market in the City of *London* for the Sale of Coals. *Ibid.*
- cxlviii. An Act for the more effectually improving the Navigation of the River *Medway* from *Maidstone* to *Halling* in the County of *Kent*, and to alter and enlarge the Powers of an Act of the Forty second Year of His late Majesty for improving the Navigation of the said River. *Ibid.*
- cxlix. An Act for amending an Act passed in the Third Year of the Reign of His present Majesty, for erecting a Bridewell for the County of *Lanark* and City of *Glasgow*. 772
- cl. An Act to amend an Act of the Fourth Year of His present Majesty, 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; and to divert Part of the Line of Road by the said Act authorized to be made. *Ibid.*
- cli. An Act for the Removal of *Fleet Market* in the City of *London*. *Ibid.*
- clii. An Act to amend an Act of the Thirtieth Year of His late Majesty, for lighting and improving the City of *Londonderry*. *Ibid.*
- cliii. An Act to enable the *British Annuity Company*, for the purchasing of Annuities under certain Regulations, to sue and be sued in the Name of the Chairman or Secretary for the Time being. *Ibid.*
- cliv. An Act to enable the *Patriotic Assurance Company of Ireland* to sue and be sued in the Name of the Secretary, or of One of the Members of the said Company. *Ibid.*
- clv. An Act to amend the Acts relating to the *Southwark Bridge*. *Ibid.*
- clvi. An Act for making and maintaining a Tunnel under the River *Thames*, from some Place in the Parish of *Saint John of Wapping* in the County of *Middlesex*, to the opposite Shore of the said River in the Parish of *Saint Mary Rotherhithe* in the County of *Surrey*, with sufficient Approaches thereto. *Ibid.*
- clvii. An Act to encourage the working of Mines in *Ireland*, and to regulate a Joint Stock Company for that Purpose, to be called "The *Royal Irish Mining Company*." 773
- clviii. An Act to enable the *Mining Company of Ireland* to sue and be sued in the Name of their Secretary, or of One of the Members of the said Company. *Ibid.*
- clix. An Act to enable the *Hibernian Joint Stock Company*, for the Purpose of purchasing and selling Annuities, and all public and other Securities Real and Personal in *Ireland*, and to advance Money, and make Loans thereof, on the Security of such Real and Personal Security, at legal Interest, and on the Security

- Security of Merchandizè and manufactured Goods, to sue and be sued in the Name of the Governor or Secretary for the Time being. *Page 773*
- clx. An Act to enable the *Saint Patrick Assurance Company of Ireland* to sue and be sued in the Name of their Secretary, or of One of the Members of the said Company. *Ibid.*
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## PRIVATE ACTS,

PRINTED BY THE KING'S PRINTER,  
AND WHEREOF THE PRINTED COPIES MAY BE GIVEN  
IN EVIDENCE.

1. AN Act for inclosing Lands in the Parish of *Snelston* in the County of *Derby*. *Page 774*
2. An Act for enabling the Trustees under the Will of *Henry Bache Thornhill Esquire*, deceased, to sell the Manor of *Pleasley* in the County of *Derby*, with divers Estates within the Parish and Manor of *Pleasley*, and for applying the Monies to arise from the Sale thereof in the Purchase of other Estates in the County of *Derby*, to be settled to the subsisting Uses of the said Will. *Ibid.*
3. An Act for inclosing Lands in the Parishes of *Wenden Lofth* and *Elmdon* in the County of *Essex*, and for extinguishing the Tithes in the said Parishes. *Ibid.*
4. An Act to amend an Act made in the Fourteenth Year of the Reign of His late Majesty, for confirming certain Sales and Purchases made by the Governors, of the Possessions, Revenues and Goods of the Free Grammar School of King *Edward* the Sixth, in *Macclesfield* in the County of *Chester*, and to enable them to grant building Leases of certain of their Estates, and to improve and extend the Benefits of the Foundation of the said School, and for other Purposes therein mentioned. 775
5. An Act for vesting the Freehold and Copyhold or Customary Estates of Inheritance, devised by the Will of *Robert Stone Esquire*, deceased, in Trustees for selling or leasing the same or any Part thereof, with the Approbation of the High Court of Chancery. *Ibid.*
6. An Act for inclosing Lands in the Parish of *Long Crendon* in the County of *Buckingham*. *Ibid.*
7. An Act for dividing, allotting and inclosing the Commons, Waste Lands and Commonable Woods, of and within the several Tithings of *Pamber* and *Inhurst*, in the respective Parishes of *Pamber* and *Baughurst* in the County of *Southampton*. *Ibid.*
8. An Act for abolishing certain Vicarial Tithes and Easterly Offerings, within the Parish of *Leeds* in the County of *York*; and for making Compensation in lieu thereof. *Ibid.*
9. An

9. An Act for inclosing, draining and exonerating from Tithes, Lands in the Parish of *Ulceby* in the Wapentake of *Yarborough* in the County of *Lincoln*. Page 775
10. An Act for inclosing Lands in the Manor and Parish of *Alvelon*, otherwise *Alton*, and the Parish of *Bradley* in the *Moors* in the County of *Stafford*. 776
11. An Act for building a Chapel in the Eastern Parts of the Town of *Brighthelmston* in the County of *Sussex*. *Ibid.*
12. An Act for dividing, allotting and inclosing certain Lands within the Parish of *Bincombe* in the County of *Dorset*. *Ibid.*
13. An Act for inclosing Lands in the Township of *Ferriby*, *Swanland*, *Kirk Ella*, *West Ella* and *Willerby*, in the Parishes of *Ferriby* and *Kirk Ella* in the County of the Town of *Kingston upon Hull*. *Ibid.*
14. An Act for inclosing Lands within the Royal Town, Manor and Lordship of *Sutton Coldfield*, and the Parish of *Sutton Coldfield*, in the County of *Warwick*. *Ibid.*
15. An Act for inclosing Lands in the Township and Manor of *High Abbotside*, and in the Township of *Lower Abbotside* and Manor of *Dalegrange*, otherwise *Lower Abbotside*, in the Parish of *Aisgarth*, in the County of *York*. *Ibid.*
16. An Act for empowering the Judges of the Court of Session in *Scotland* to sell such Parts of the Estates situated in the County of *Stirling*, which were entailed by Sir *Archibald Edmonstone* of *Duntreath* Baronet, deceased, as shall be sufficient for Payment of the Debts and Burdens affecting the same. 777
17. An Act for empowering the Judges of the Court of Session in *Scotland* to sell Parts of the entailed Estates of *George Earl of Galloway*, situated in the Shire of *Wigton* and Stewartry of *Kircudbright*, for Payment and Satisfaction of certain Debts incurred by the said Earl prior to the Eleventh Day of *July* One thousand eight hundred and twenty three. *Ibid.*
18. An Act for vesting certain Parts of the entailed Estates of Sir *Thomas Smyth* Baronet, situate in the County of *Essex*, in Trustees for Sale, and for investing the Proceeds thereof in the Purchase of Lands lying intermixed with other Estates in the said County, standing settled to the like Uses; and also for effectuating the Exchange of Part of such last mentioned Estates for certain Glebe Lands belonging to the United Rectories of *Thoydon Mount* and *Stapelford Tawney* in the said County; and for other Purposes. *Ibid.*
19. An Act for vesting the Estates of *Colin Campbell*, late of *Kilmartine* in the County of *Argyle*, in Trustees, to be sold, and the Proceeds thereof to be applied in Payment of his Debts remaining due; and for laying out the Residue in the Purchase of other Lands, to be entailed in favour of the same Persons, and on the Conditions of the Deed of Entail executed by the said *Colin Campbell*. *Ibid.*
20. An Act to enable the Vicar for the Time being of the Parish and Parish Church of *Eccles* in the County Palatine of *Lancaster*, to grant building Leases of the Glebe Lands belonging to the said Vicarage. *Ibid.*
21. An Act to empower the Judges of the Court of Session in *Scotland*

Scotland to sell such Parts of the entailed Estate of *Holmains* in the Sheriffdom of *Dumfries*, presently belonging to *James Charles Macrae* Esquire of *Holmains*, as may be necessary for discharging the Debts and Burdens affecting the said Estate.

Page 777

22. An Act for settling the Lands of *Chilcarroch* and others in the Sheriffdom of *Wigton*, to and in favour of *Sir William Maxwell* Baronet, and the Heirs entitled to take by a certain Deed of Entail by *Sir William Maxwell* Baronet, deceased, under the Conditions and Limitations in the said Deed, and for vesting in lieu thereof certain Parts of the entailed Estate of *Drummodie* in the said Sheriffdom, in certain Trustees nominated by the said *Sir William Maxwell* deceased, for the Purposes of the Trust; and for other Purposes therein mentioned.

778

23. An Act for uniting the Rectory of *Clifton Maybank* otherwise *Clifton* in the County of *Dorset*, with the Vicarage of *Bradford Abbas* otherwise *Bradford*, in the same County; and for an Exchange of Part of the Glebe Lands of the said Vicarage for Lands of the Most Honourable *Henry William Marquess of Anglesey*, and the Right Honourable *Henry Paget* commonly called Earl of *Uxbridge*, his eldest Son, in the same Parish; and for apportioning the Rectorial and Vicarial Tithes of the said Parish of *Milborne Port*; and for an Exchange between the Warden and Scholars, Clerks of *Saint Mary* College of *Winchester*, near *Winchester*, and the said Marquess and Earl, of the Manor and Improprate Rectory and Advowson of the Vicarage of *Milborne Port* in the County of *Somerset*, and divers Lands and Hereditaments in the Parish of *Milborne Port*, for the Manor of *Sherborne Wyke*, and divers Farms and Lands and Improprate Tithes in the Parishes of *Sherborne*, *Bradford Abbas*, and *Thornford*, in the County of *Dorset*, and for the Advowsons of the said Rectory of *Clifton Maybank* and Vicarage of *Bradford Abbas*.

*Ibid.*

24. An Act to enable the Right Honourable *Eleanor* Countess *Grosvenor* and the Person or Persons for the Time being entitled to the Estates devised by the Wills of the Right Honourable *Thomas* late Earl of *Wilton*, and the Right Honourable *Eleanor* late Countess of *Wilton*, both deceased, to make Conveyances in Fee or Demises for long Terms of Years, of certain Parts of the said Estates, for building on or improving the same, under reserved Yearly Rents.

*Ibid.*

25. An Act for effecting an Exchange of the undivided Moiety of certain Estates in the Parish of *Audley* in the County of *Stafford*, settled by the Will of *Catharine Tollet* Widow, and now in the Possession of *Lawrence Armitstead* Esquire, for a certain other Estate in the County of *Chester*, belonging to the said *Lawrence Armitstead*, in Fee Simple, to be settled to the subsisting Uses of the said Will.

779

26. An Act to enable *Sir Charles Morgan* Baronet, with the Licence of *Sir Charles Joshua Smith* Baronet, or other the Person or Persons claiming under a Settlement made on his Marriage with Dame *Belinda* his Wife, late *Belinda Colebrook* Spinster, to grant building Leases of certain Copyhold Lands held

held of the Manor of *Stebbintheath* otherwise *Stepney* in the County of *Middlesex*, pursuant to Contracts entered into by the said Sir *Charles Morgan*; and to enable the said Sir *Charles Joshua Smith*, and other Persons claiming under the said Settlement, to licence the granting of Leases of other Copyhold Lands within the said Manor, for a longer Term of Years than authorized by the Custom of the said Manor.

Page 779

27. An Act to give Powers of Sale over the Estates devised by the Will of *Ambrose Proctor of Ware* in the County of *Hertford*, Gentleman, deceased, for the Purpose of obtaining a more connected and convenient Estate, to be settled to the existing Uses of his Will; and of changing and appointing new Trustees for the Purposes of this Act. *Ibid.*
28. An Act to commute for a Corn Rent certain Tithes and Dues payable to the Vicar of the Parish of *Lancaster* in the County of *Lancaster*. *Ibid.*
29. An Act to amend an Act of His late Majesty King *George the Third*, for inclosing Lands in the several Parishes of *Llanvihangel Geneglyn* and *Llanganfelin* in the County of *Cardigan*. *Ibid.*
30. An Act for extinguishing the Rights of Stray and AVERAGE over certain Lands called Half Year Lands, situate without *Walmgate Bar*, in the Suburbs or Precincts of the City of *York*. *Ibid.*
31. An Act for dividing, allotting and inclosing certain Lands and Waste Grounds, called the Town and Undivided Lands of *Castle Island* in the County of *Kerry*. *Ibid.*
32. An Act for dividing, allotting and laying in Severalty Lands in the Districts or Tithings of *Potterne* and *Marston*, within the Parish of *Potterne* in the County of *Wilts*; and for vesting Part of the said Lands situate in *Potterne* in Trustees, for the Benefit of the Poor of that Part of the said Parish. 780
33. An Act to enable the Devises under the Will of *Thomas James Warren* Lord Viscount *Bulkeley*, deceased, to grant building and repairing Leases of Parts of the devised Estates, and to establish and render valid and effectual a Term of Five hundred Years, limited or intended to have been limited by the said Will for the Purposes thereby intended. *Ibid.*
34. An Act for enabling certain Estates in *England* of the Most Honourable *Walter* late Marquis of *Ormonde*, deceased, to be sold, and the Proceeds arising therefrom, after Payment of certain Charges and Incumbrances, to be applied in Reduction of the Charges and Incumbrances affecting the Family and other Estates in *Ireland*, late of the said Marquis of *Ormonde*; and for enabling the said last mentioned Estates to be settled, subject to the unliquidated Charges and Incumbrances thereon, to the subsisting Uses and Powers of the Estates in *England* sold under the Authority of this Act, and with additional Provisions to be inserted in such Settlement. *Ibid.*
35. An Act to carry into complete Effect certain Articles of Agreement made and entered into between *John* Lord Bishop of *London*, since deceased, Sir *John Frederick* Baronet, *Arthur Stanhope* Esquire, Sir *Frederick Treise Morshead* Baronet, Sir *John*



- John Morshead* Baronet, since deceased, and Dame *Elizabeth* his Wife, and *Selina Thistlethayte*, since deceased, and the Company of Proprietors of the Grand Junction Canal. Page 780
36. An Act for vesting the Manor of *Keymer* in the County of *Sussex*, and certain other Freehold and Copyhold Estates devised by the Will of *James Cooke* Esquire, deceased, in Trustees, to be sold; and for authorizing the Enfranchisement of Copyhold Estates holden of the said Manor; for the Payment of Debts and Incumbrances; and for laying out Part of the Purchase Monies in the Purchase of other Estates, to be settled in lieu of the settled Moiety of the said Manor and other Hereditaments, and to the same Uses as that Moiety is settled. *Ibid.*
37. An Act for extending to other Estates belonging to the See of *Canterbury* the Powers of an Act passed in the Forty seventh Year of the Reign of His late Majesty King *George* the Third, and of an Act passed in the First Year of the Reign of His present Majesty, for enabling the Archbishop of *Canterbury* to grant building Leases and repairing Leases. 781
38. An Act to empower the Governors and Corporation of *Etwall* Hospital and *Repton* Free School in the County of *Derby*, to extend and increase the Objects of that Charity, and to make Sales, and for other Purposes therein mentioned. *Ibid.*
39. An Act for vesting certain Estates in the Counties of *Leicester* and *Chester*, devised by the Will of *Nathaniel Wright* Esquire, deceased, in Trustees, to be sold; and for authorizing the Purchase of other Estates to be settled to the same Uses. *Ibid.*
40. An Act for dissolving a certain Partnership called "The *Kent* Life Assurance and Annuity Institution or Company;" and for satisfying the Engagements entered into on Behalf of the same Institution, and dividing the Surplus of the Capital belonging to the same Institution amongst the Holders of Shares of the same Capital. *Ibid.*

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## PRIVATE ACTS,

### NOT PRINTED.

41. AN Act for dividing, allotting and inclosing certain uninclosed Lands in the Hamlet or Village of *Chindley* in the Parish of *Glossop* in the County of *Derby*.
42. An Act for inclosing Lands within the Manor of *Camerton* in the County of *Cumberland*.
43. An Act for inclosing Lands in the Parish of *Tarrant Hinton* in the County of *Dorset*.
44. An Act for inclosing and exonerating from Tithes, Lands within the Parish of *West Drayton* in the County of *Middlesex*.
45. An Act for inclosing the Commons and Waste Lands in the Parish of *Sturminster Newton Castle* in the County of *Dorset*.
46. An

46. An Act for reversing the Attainder of *William* late Viscount *Stafford*.
47. An Act for the Restoration of *John Francis Erskine* of *Mar*, to the Dignity and Title of Earl of *Mar*.
48. An Act for the Restoration of *James Drummond* Esquire, to the Dignity and Title of Viscount of *Strathallan*.
49. An Act for the Restoration of *John Gordon* Esquire, of *Kenmure*, to the Dignity and Title of Viscount *Kenmure*.
50. An Act for the Restoration of *William Nairne* Esquire, to the Dignity and Title of Lord *Nairn*.
51. An Act for confirming the Inclosure of certain Lands in the Manor of *Howle* in the County of *Salop*, so far as relates to certain Allotments made to *John Jellicorse* Esquire, deceased, and other Lands purchased by him and *William Jellicorse* Esquire, his Son.
52. An Act for naturalizing *John Peter Christian Siller*.
53. An Act to dissolve the Marriage of *Robert Scott Wilson*, a Captain in the *East India* Company's Military Service, with *Clarissa Phillipina* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.

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THE  
STATUTES AT LARGE.

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Anno Regni GEORGII IV. Britanniarum Regis,  
Quinto.

‘ **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 continued, by several Prorogations, to the Third Day  
‘ of *February* 1824, being the Fifth Session of the Seventh Par-  
‘ liament of the United Kingdom of *Great Britain* and *Ireland*.’

C A P. I.

An Act to indemnify all Persons concerned in advising, issu-  
ing or acting under a certain Order in Council, for regulat-  
ing the Tonnage Duties on certain Foreign Vessels; and to  
amend an Act of the last Session of Parliament, for author-  
izing His Majesty, under certain Circumstances, to regulate  
the Duties and Drawbacks on Goods imported or exported  
in any Foreign Vessels. [5th *March* 1824.]

‘ **W**HEREAS by an Act passed in the last Session of Parlia- 4G.4 c.77. §1.  
‘ ment, intituled *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 Vessels from Pilotage*, His Majesty is authorized, by and  
‘ with the Advice of His Privy Council, or by His Majesty’s Order  
‘ or Orders in Council, whenever it shall be deemed expedient,  
‘ and, under the Provisions in the said Act contained to levy and  
‘ charge any additional Duty or Duties of Customs upon any  
‘ Goods, Wares or Merchandize imported into the United King-  
‘ dom, or into any of His Majesty’s Dominions, in Vessels belong-  
‘ ing to any Foreign Country, in which higher Duties shall have  
‘ been levied upon Goods, Wares or Merchandize, when im-  
‘ ported into such Foreign Country in *British* Vessels, than are  
‘ levied or granted upon similar Goods, Wares or Merchandize,  
‘ when imported in Vessels of such Country; provided that such  
‘ additional Duties shall not be of greater Amount than may be  
‘ deemed fairly to countervail the Difference of Duty paid or  
‘ granted on Goods, Wares or Merchandize imported into or ex-  
‘ ported from such Foreign Country in *British* Vessels, more than  
‘ the Duties there charged upon similar Goods, Wares or Mer-  
‘ chandize imported into or exported from such Foreign Country  
5 Geo. IV. B in

‘ in Vessels of such Country : And Whereas His Majesty, by and  
 ‘ with the Advice of His Privy Council, since the passing of the  
 ‘ said recited Act, has been pleased to order, that there should  
 ‘ be charged on all Vessels of the United States of *America*,  
 ‘ which should enter any of the Ports of His Majesty’s Possessions  
 ‘ in *America* or the *West Indies*, with Articles of the Growth,  
 ‘ Production or Manufacture of the said States, a Tonnage Duty  
 ‘ equal (as nearly as may be) to the Difference between the  
 ‘ Tonnage Duty payable by Vessels of the United States, and  
 ‘ the higher Tonnage Duty payable by *British* Vessels entering  
 ‘ any of the Ports of the said United States from any Ports of  
 ‘ His Majesty’s Dominions in *America* or the *West Indies* ; and by  
 ‘ the said Order in Council, the Lords Commissioners of His  
 ‘ Majesty’s Treasury of the United Kingdom of *Great Britain*  
 ‘ and *Ireland* were required to give the necessary Directions  
 ‘ accordingly : And Whereas such Tonnage Duty hath been and  
 ‘ may be levied and paid upon and in respect of such Vessels  
 ‘ accordingly : And Whereas Doubts have arisen how far the  
 ‘ Provisions of the said recited Act extend to the levying, by the  
 ‘ Authority of the said Order in Council, additional Tonnage  
 ‘ Duties upon the Vessels aforesaid ; and it is expedient that  
 ‘ all Proceedings under the said Order in Council should be  
 ‘ sanctioned by Parliament ; and that all Persons concerned in  
 ‘ advising, issuing or carrying the same into Execution, should  
 ‘ be respectively indemnified : Be it therefore enacted by the  
 King’s most Excellent Majesty, by and with the Advice and  
 Consent of the Lords Spiritual and Temporal, and Commons,  
 in this present Parliament assembled, and by the Authority of  
 the same, That such Order in Council, and any Directions or  
 Warrants of the said Commissioners of His Majesty’s Treasury  
 accordingly, shall be deemed and taken to be good and valid in  
 Law, to all Intents and Purposes whatever, as if the same had  
 been specifically authorized by the said recited Act ; and that all  
 Persons concerned in advising, issuing or carrying into Execution  
 such Order in Council, or in issuing, giving or advising any such  
 Directions or Warrants, and also all Persons having acted, or who  
 may act under, or in pursuance of, or in obedience to any such  
 Order, Direction or Warrant, shall be and they are hereby respec-  
 tively indemnified for and on account of the same, and of any  
 Act or Thing done in pursuance of, or in obedience to, or in  
 conformity with any such Order, Direction or Warrant as afore-  
 said, as fully and effectually, to all Intents and Purposes what-  
 soever, as if any such Order, Direction or Warrant had been  
 given, and such Acts, Matters and Things had been done, in pur-  
 suance of any Act or Acts of Parliament ; any Thing in the said  
 recited Act, or in any other Act or Acts of Parliament, to the  
 contrary thereof in anywise notwithstanding.

II. And be it further enacted, That if any Action, Suit or Pro-  
 secution hath been or shall be commenced against any Person  
 or Persons, for any Act, Matter or Thing advised or done under  
 such Order in Council, or under any such Directions or Warrants  
 as aforesaid, it shall and may be lawful for the Defendants or  
 Defenders in such Actions, Suits or Prosecutions respectively, in  
 whatever Courts such Actions, Suits or Prosecutions shall have  
 been

Order in Coun-  
 cil for regulat-  
 ing certain Ton-  
 nage Duties  
 declared valid,  
 and Persons in-  
 demnified for  
 acting under  
 the same.

Actions to be  
 stayed.

been commenced, to apply to such Court or Courts respectively, to stay all Proceedings therein respectively, by Motion in a summary Way; and such Court or Courts are hereby required to make Order for that Purpose accordingly; and the Court or Courts making such Order shall award and allow to the Defendant or Defenders respectively Double Costs of Suit, for which they shall respectively have the like Remedy as in Cases where Costs are by Law given to Defendants or Defenders.

Double Costs.

III. And be it further enacted, 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* (whenever it shall be deemed expedient), to levy and charge any additional or countervailing Duty or Duties of Tonnage, upon or in respect of any Vessels which shall enter any of the Ports in the United Kingdom of *Great Britain* and *Ireland*, or in any of His Majesty's Dominions, and which shall belong to any Foreign Country in which any Duties of Tonnage shall have been or shall be levied upon or in respect of *British* Vessels entering the Ports of such Country, higher or greater than are levied or granted upon or in respect of the Vessels of such Country: Provided always, that such additional or countervailing Tonnage Duties, so to be levied and charged as aforesaid, shall not be of greater Amount than may be deemed fairly to countervail the Difference of Duty paid in such Foreign Country upon or in respect of the Tonnage of *British* Vessels, more than the Duty there charged or granted upon or in respect of the Vessels of such Country.

His Majesty by Order in Council may direct additional Tonnage to be levied on Vessels belonging to Countries where higher Tonnage Duties on *British* Vessels than on Vessels of such Countries.

IV. And be it further enacted, 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 permit and authorize the Entry into any Port or Ports of the United Kingdom of *Great Britain* and *Ireland*, or of any other of His Majesty's Dominions, of any Foreign Vessels, upon Payment of such and the like Duties of Tonnage only as are or may be charged or granted upon or in respect of similar *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 Vessels of the Foreign Country, in whose Favour such Permission shall be granted, are charged with no other or higher Tonnage Duties on their Entrance into the Ports of such Foreign Country, than are levied on the Entry into such Ports upon the Vessels of such Country.

And may authorize the Entry of Foreign Vessels on Payment of like Tonnage as on *British* Vessels, upon certain Proof.

Duties levied as Duties of Customs.

V. And be it further enacted, That such additional or countervailing Tonnage Duties shall be levied, recovered and applied in such and the like Manner as any Duties of Customs are now by Law levied, recovered and applied.

May be removed, or again imposed.

VI. 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 Tonnage Duties, whenever it shall be deemed expedient so to do.

VII. Pro-

Act may be altered, &c. this Session.

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

### C A P. II.

An Act for raising the Sum of Fifteen Millions (*a*) by Exchequer Bills, for the Service of the Year One thousand eight hundred and twenty four. [5th March 1824.]

“ Treasury may raise 15,000,000*l.* by Exchequer Bills in like  
 “ Manner as is prescribed by 48G.3. c.1.—§1. The Clauses,  
 “ &c. in recited Act extended to this Act. §2. Treasury to  
 “ apply the Money raised. §3. Exchequer Bills to be payable  
 “ out of the Supplies for the next Session. §4. Exchequer Bills  
 “ to bear an Interest not exceeding 3*½*d. *per Cent. per Diem.* §5.  
 “ Exchequer Bills to be current at the Exchequer after April 5,  
 “ 1825.—§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.

(*a*) [*As to the Appropriation of this Sum, see Cap. 115. §8.*]

### C A P. III.

An Act for granting and applying certain Sums of Money (*a*) for the Service of the Year One thousand eight hundred and twenty four. [5th March 1824.]

‘ Most Gracious Sovereign,  
 ‘ **W**E, Your Majesty’s most dutiful and loyal Subjects, the  
 ‘ Commons of the United Kingdom of *Great Britain* and  
 ‘ *Ireland*, in Parliament assembled, towards raising the necessary  
 ‘ Supplies 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 there-  
 ‘ fore 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 Tempo-  
 ‘ ral, 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  
 ‘ four, the Sum of Two Millions, Part of the Sum now remaining in  
 ‘ the Exchequer, or remaining to be received on the Ninth Day of  
 ‘ *February* One thousand eight hundred and twenty four, to com-  
 ‘ plete the Aids granted in the last Session of Parliament for the  
 ‘ Service of the Year One thousand eight hundred and twenty three;  
 ‘ and also the Sum of Four millions six hundred and twenty thousand  
 ‘ Pounds, to be paid into the Exchequer at *Westminster*, pursuant to  
 ‘ Two several Acts of the Third and Fourth Years of the Reign  
 ‘ of His present Majesty, by the Trustees in whom an Annuity  
 ‘ was vested for providing for the Burthen occasioned by Military  
 ‘ and Naval Pensions and Civil Superannuations; and also the Sum

(*a*) [*As to the Appropriation of these Sums, see Cap. 115. §8. post.*]

of

There shall be applied for the Service of 1824, 2,000,000*l.* arising from Aids of 1823;

4,620,000*l.* pursuant to 3G.4. c.51. and 4G.4. c.22.;

of Sixty thousand Pounds, to be paid into the Exchequer by the United Company of Merchants of *England* trading to the *East Indies*, towards the Expence of Half Pay, Pensions and Allowances to His Majesty's Forces serving in *India*, in pursuance of an Act of the last Session of Parliament; 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 five, in respect of Exchequer Bills issued pursuant to Two Acts of 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 such Part of 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 five, pursuant to an Act of 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.

60,000*l.* from the East India Company;

Money paid into the Exchequer in respect of Exchequer Bills issued for Public Works;

and also whatever Balance may be paid by the Bank of *England* pursuant to 56 G. 3. c. 97.

Provido if such Balance reduced to less than 100,000*l.*

#### C A P. IV.

An Act to amend an Act made in the First and Second Years of the Reign of His present Majesty, for regulating 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*.  
[5th March 1824.]

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 was among other Things enacted, that the several principal and other Officers of the said Courts of King's Bench, Common Pleas and Exchequer, should, for the Discharge of the Duties of their respective Offices, have the several Clerks and Assistants in the Schedule to the said Act particularly set forth; and it was also enacted, that

1 & 2 G. 4. c. 53.

§ 3.

for the necessary incidental Expences in each Court, there should be payable out of the Consolidated Fund, to the Prothonotaries in the Civil Side of the Court of King's Bench, and in the Court of Common Pleas, and to the Clerk of the Common Pleas in the Court of Pleas in the Exchequer, such Sums as should in each and every Quarter be certified in Writing, under the Hands of not less than Two Judges, to have been respectively incurred, as and for certain Costs and Expences in the said Acts specified and set forth: And Whereas it has been found in some Instances, that the Clerks authorized by the said Act to be appointed for the Discharge of the said Duties in the said Offices are insufficient for the Purpose; and Doubts have been entertained whether, according to the true Construction of the said last recited Clause in the said Act, the said Officers are entitled to be reimbursed for the Expences which they may have been put to by the Employment of additional Clerks in their respective Offices, except so far as they may have been employed in writing, engrossing and copying only; and it is reasonable to provide such additional Assistance for the Discharge of the Business of the said Offices, and also of the Business of the taxing Officers appointed under the said Act, as to the Judges of the said respective Courts shall, upon due Enquiry, appear to be necessary, and also to remunerate such Clerks as have been already employed, for their additional Labour and Trouble in the Offices of the said Prothonotaries, and Clerk of the Common Pleas in the said Exchequer; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act there shall be payable, out of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, to the Prothonotaries in the Civil Side of the said Court of King's Bench, and in the said Court of Common Pleas, and to the Clerk of the Common Pleas in the said Court of Pleas in the Exchequer, being the Three principal Officers employed in the Business of the said Courts respectively, any such Sum or Sums as at any Time within the Term next after the passing of this Act shall be certified in Writing, under the Hands of the Judges of the Court respectively to which such principal Officers belong, to have been necessarily incurred for the Employment of any additional Clerk or Clerks for the Performance of the Duties of or in the Offices of any of the said Courts, at any Time previous to the Fifth Day of *April* One thousand eight hundred and twenty-four; and that each and every such principal Officer shall be at liberty, at any Time after the First Day of such Term, to apply from time to time by Petition, to the Judges of the Court of which he shall be an Officer, requesting that an Enquiry may be made by such Judges into the Necessity of employing additional Clerks in any such Offices, and what Salary it may be reasonable and necessary to allow such Clerks, and also what further and increased Payment it may be reasonable to make in future to the Clerks by them employed, at any Time since the Commencement of the said recited Act; and that the Two taxing Officers in Common

Allowance certified by the Judges, for any additional Clerk employed in any Office of the Courts, may be paid up to 5th April 1824.

Application by Petition may be made by Officers to Judges of the Court, as to future Payments and Necessity for Employment of Clerks;



Law Business, appointed by virtue of the said recited Act, may in like Manner at any Time after the First Day of the said Term, from time to time apply, by Petition, to the Judges of the said Court of King's Bench, requesting that an Enquiry may be made by such Judges into the Necessity of employing One Clerk in the Office of such taxing Officers, and what Salary it may be reasonable and necessary to allow to such Clerk; and that thereupon it shall and may be lawful for the said Judges, and they are hereby required from time to time to make such Enquiry, and to certify under their Hands the Number and Description of such additional Clerks in the Office of any such principal Officer, and what Salaries shall appear to such Judges to be reasonable for Remuneration of such Clerks, and also what further and increased Payment to the Clerks heretofore employed by any such principal Officer shall appear to such Judges to be reasonable, and also what Salary shall appear to such Judges to be reasonable for the Remuneration of such Clerk in the Office of such taxing Officers; and that thereupon there shall be payable, out of the said Consolidated Fund, to the said Two Prothonotaries, and to the said Clerk of the Common Pleas in the said Court of Pleas in the Exchequer, and to such taxing Officers, on each and every Fifth Day of *July*, Tenth Day of *October*, Fifth Day of *January*, and Fifth Day of *April*, in every Year, such Sum or Sums as shall, in each and every Quarter ending on the said Days respectively, be certified in Writing, under the Hands of the Judges of the Court respectively to which such Three principal Officers respectively belong, to have been necessarily incurred, as and for the Costs of the Employment of any such additional Clerk or Clerks in such Quarter of a Year, for the Performance of the Duties of or in the Offices of any of the said Courts respectively, and also such further or increased Payment to any Clerk or Clerks heretofore employed as shall be so certified by such Judges as aforesaid, and also such Sum or Sums as shall be certified by the Judges of the said Court of King's Bench as and for the Salary of the Clerk in the Office of such taxing Officers; and that all and every such Sums and Sum shall be payable out of the said Consolidated Fund, over and above any Sum or Sums of Money made payable under the said recited Act; and every such Certificate shall be given on an Examination on Oath of the principal Officer of each Department in or for which any such Payment shall be required, and of such other Person or Persons, if any, as such Judges respectively shall think proper, or as shall be produced before them for that Purpose.

Quarterly Allowance to be paid in future, on like Certificate of Judges.

Certificate given on Examination on Oath of principal Officer of each Department.

#### C A P. V.

An Act for enabling a Conveyance to be made of Part of a House in *Lombard Street*, vested in the Right Honourable *Henry Frederick Lord Carteret*, formerly His Majesty's Postmaster General. [5th March 1824.]

WHEREAS by Indentures of Lease and Release, bearing Date respectively the Thirtieth and Thirty first Days of *May* One thousand seven hundred and eighty nine, the Release being made or expressed to be made between *Philip Bowes* and

Indentures dated 30th and 31st May 1789.

and *John Godbolt* of the one Part, and the Right Honourable *Henry Frederick Lord Carteret* of the other Part, a certain Messuage situate in *Lombard Street* in the Parish of *Saint Mary Woolnoth* in the City of *London*, of which the Apartments over the Archway leading from *Lombard Street* to the Post Office, contracted to be sold as hereinafter is mentioned, formed Part, were conveyed unto and to the Use of the said *Henry Frederick Lord Carteret*, his Heirs and Assigns for ever: And Whereas by a Deed Poll under the Hand and Seal of the said *Henry Frederick Lord Carteret* (who was then His Majesty's Postmaster General), bearing Date the First Day of *June* One thousand seven hundred and eighty nine, the said *Henry Frederick Lord Carteret* declared that his Name was made Use of in the said Indenture in Trust for His Majesty, His Heirs and Successors, for the Benefit of the Public: And Whereas in consequence of Alterations made in the Buildings used as the Post Office, the Four Rooms being Part of the Messuage comprised in the said Indentures of Lease and Release, which were over the said Gateway leading from *Lombard Street* aforesaid, were no longer wanted for the Purposes of the Post Office: And Whereas some Time in the Year one thousand seven hundred and ninety seven, the Right Honourable *Philip Earl of Chesterfield* and the Right Honourable *George Earl of Leicester* (then His Majesty's Postmaster General), with the Consent and Approbation of the then Lords Commissioners of His Majesty's Treasury, sold the Four Rooms, Part of the Messuage comprised in the said Indentures of Lease and Release, and then used as Part of the Post Office, which were situate over the Ceiling Floor of the Entrance Gateway near *Lombard Street*, extending from North to South Thirty eight Feet Six Inches of Assize (little more or less), the same being measured from the outside Face of the Front Wall forming the Line of Houses on the South Side of *Lombard Street* aforesaid, Nine Feet Seven Inches of Assize (little more or less) from East to West, the same being measured from the Centre of the Party Wall separating the same Rooms from that Part of the Post Office then and now used as Offices by the Superintendent of Mail Coaches, with their Appurtenances, and the Fee Simple and Inheritance thereof: And Whereas the Possession of the said Four Rooms was given up, and the said Sale was completed in all respects, except the Execution of the Conveyance of the said Rooms: And Whereas the said Four Rooms sold as aforesaid have been taken down, and Part of a Capital Messuage or Tenement, the other Part whereof is situate in *Lombard Street* on the East Side of the said Gateway, and Four Rooms have been erected on the Site thereof: And Whereas a good Title cannot be made of such Part of the said Messuage as is erected over the said Gateway on the Site of the said Four Rooms sold as aforesaid, until a Conveyance thereof hath been executed in pursuance of the said Sale; but as such Conveyance cannot be completed without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and

and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the said *Henry Frederick Lord Carteret*, at the Request and by the Direction of His Majesty's Postmaster General for the Time being, at the Costs and Charges of the Person or Persons entitled thereto, well and effectually to convey and assure such Part of the said Messuage or Tenement as is situate over the said Gateway, and erected in the said Place or Site of the said Four Chambers, Apartments or Rooms, and Hereditaments hereinbefore described and agreed to be conveyed in Exchange as aforesaid, with their and every of their Appurtenances, unto and to the Use of such Person or Persons as are now entitled thereto by virtue of or under the Sale made thereof as aforesaid, or as he or they shall direct or appoint; and that after such Conveyance shall be made, the said Part of the said Messuage, and all and singular the Hereditaments thereby conveyed, shall be held by the Person or Persons to whom the same shall be conveyed, and his and their Heirs and Assigns, for his and their own Use and Benefit, freed and discharged of and from every or any Trust for or for the Benefit of His Majesty, or His Successors, or of the Public, and of and from every Claim and Demand in respect or on Account thereof.

Power to convey certain Premises formerly belonging to the Post Office, and which were vested in Lord Carteret in Trust for His Majesty, free from such Trust.

## C A P. VI.

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 five; 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 five; 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. [16th *March* 1824.]

[*This Act is the same as 4G.4. c.1. except as to Dates and the Section here retained.*]

WHEREAS divers Persons, who, on account of their Offices, Places, Employments or Professions, or any other Cause or Occasion, ought to have taken and subscribed the Oaths or Assurance respectively appointed to be by such Persons taken and subscribed in and by an Act made in the First Year of the Reign of His late Majesty King *George* the First of glorious Memory, intituled *An Act for the further Security of His Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess Sophia, being Protestants; and for extinguishing the Hopes of the pretended Prince of*

Persons who have omitted to qualify themselves agreeably to 1G.1. st.2. c.13.

Wales,

- ' Wales, and his open and secret Abettors; or to have qualified  
 ' themselves according to Two Acts made in the Twelfth Year  
 ' of the Reign of King Charles the Second, the one, intituled  
 12 C. 2. c. 23. ' *A Grant of certain Impositions upon Beer, Ale and other*  
 ' *Liquors, for the Increase of His Majesty's Revenue, during his*  
 12 C. 2. c. 24. ' *Life; and the other, 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 to have qualified themselves ac-*  
 ' *ording to an Act made in the Thirteenth Year of the Reign of*  
 13 C. 2. st. 2. ' *King Charles the Second, intituled An Act for the well governing*  
 c. 1. ' *and regulating of Corporations; or to have qualified themselves*  
 ' *according to another Act made in the Twenty fifth Year of*  
 25 C. 2. st. 2. ' *the Reign of King Charles the Second, intituled An Act for pre-*  
 c. 2. ' *venting the Dangers which may happen from Popish Recusants,*  
 ' *by receiving the Sacrament of the Lord's Supper, according to the*  
 ' *Usage of the Church of England, and making and subscribing the*  
 ' *Declaration against Transubstantiation therein mentioned; or*  
 ' *according to another Act, made in the Thirtieth Year of the*  
 30 C. 2. st. 2. ' *Reign of King Charles the Second, intituled An Act for the more*  
 ' *effectual preserving the King's Person and Government, by dis-*  
 ' *abling Papists from sitting in either House of Parliament; or*  
 ' *according to another Act made in the Eighth Year of the*  
 8 G. 1. c. 6. ' *Reign of his late Majesty King George the First, intituled An*  
 ' *Act for granting the People called Quakers such Forms of Affirm-*  
 ' *ation or Declaration as may remove the Difficulties which many of*  
 ' *them lie under; or according to another Act made in the*  
 9 G. 2. c. 26. ' *Ninth Year of the Reign of His late Majesty King George the*  
 ' *Second, intituled An Act for indemnifying Persons who have*  
 ' *omitted to qualify themselves for Offices within the Time limited by*  
 ' *Law, and for allowing further Time for that Purpose; and for*  
 ' *amending so much of an Act passed in the Second Year of the*  
 ' *Reign of His present Majesty, as requires Persons to qualify*  
 ' *themselves for Offices before the End of the next Term or Quarter*  
 ' *Sessions; and also for enlarging the Time limited by Law for*  
 ' *making and subscribing the Declaration against Transubstantiation,*  
 ' *and for allowing a further Time for Enrolment of Deeds and*  
 ' *Wills made by Papists; and for Relief of Protestant Purchasers,*  
 ' *Devises and Lessees; or according to another Act made in the*  
 18 G. 2. c. 20. ' *Eighteenth Year of the Reign of His late Majesty King George*  
 ' *the Second, intituled An Act to amend and render more effectual*  
 ' *an Act passed in the Fifth Year of His present Majesty's Reign,*  
 ' *intituled ' An Act for the further Qualification of Justices of the*  
 ' *Peace; ' or according to another Act made in the Sixth Year*  
 ' *of the Reign of His late Majesty King George the Third,*  
 ar 16 G. 3. c. 53. ' *intituled An Act for altering the Oath of Abjuration, and the*  
 ' *Assurance; and for amending so much of an Act made in the*  
 ' *Seventh Year of the Reign of Her late Majesty Queen Anne,*  
 ' *intituled ' An Act for the Improvement of the Union of the Two*  
 ' *Kingdoms,' as, after the Time therein limited, requires the De-*  
 ' *livery of certain Lists and Copies therein mentioned to Persons*  
 ' *indicted of High Treason or Misprision of Treason; have,*  
 ' *through Ignorance of the Law, Absence or some unavoidable*  
 ' *Accident, omitted to take and subscribe the Oaths and As-*  
 ' *surance,*

Assurance, and make and subscribe the Declaration required by Law, or otherwise to qualify themselves as aforesaid, within such Time and in such Manner as in and by the said Acts respectively, or by any other Act of Parliament in that Behalf made, is required, whereby they have incurred, or may be in Danger of incurring, divers Penalties and Disabilities: For quieting the Minds of His Majesty's Subjects, and for preventing any Inconvenience that might otherwise happen by means of such Omissions; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every Person or Persons who, at or before the passing of this Act, hath or shall have omitted to take and subscribe the Oaths and Declarations, or to receive the Sacrament of the Lord's Supper, or otherwise to qualify him, her, or themselves, within such Time and in such Manner as in and by the said Acts, or any of them, or by any other Act of Parliament in that Behalf made, is required; and who, after accepting any such Office, Place or Employment, or undertaking any Profession or Thing on account of which such Qualifications ought to have been had, and is required, before the passing of this Act, hath or have taken and subscribed the said Oaths, or made the Declarations required by Law, and also received the Sacrament of the Lord's Supper according to the Usage of the Church of England; or who, on or before the Twenty fifth Day of *March* One thousand eight hundred and twenty five, shall take and subscribe the Oaths, Declarations and Assurance respectively, in such Cases wherein by Law the said Oaths, Declarations and Assurance ought to have been taken and subscribed in such Manner and Form, and at or in such Place or Places, as are appointed in and by the said Act made in the First Year of the Reign of His said late Majesty King *George* the First, or by any other Act or Acts of Parliament in that Behalf made and provided; and also hath or have received, or shall, on or before the said Twenty fifth Day of *March* One thousand eight hundred and twenty five, receive the Sacrament of the Lord's Supper according to the Usage of the Church of *England* in such Cases wherein the said Sacrament ought to have been received, and hath or ought to have made and subscribed, or shall on or before the said Twenty fifth Day of *March* One thousand eight hundred and twenty five, make and subscribe the said Declaration against Transubstantiation; and also hath or have made and subscribed, or shall, on or before the said Twenty fifth Day of *March* One thousand eight hundred and twenty five, make and subscribe the said Declaration in the said Statute made in the Thirtieth Year of King *Charles* the Second, in such Cases wherein the said Declaration ought to have been made and subscribed, or to take and subscribe the Oath directed by the said Act made in the Eighteenth Year of the Reign of His late Majesty King *George* the Second, in such Cases wherein the said Oath ought to have been taken and subscribed, in such Manner as by the said Act is directed, shall be and are hereby indemnified, freed and discharged from and against all Penalties, Forfeitures, Incapacities and Disabilities incurred or to be incurred for or by reason of any Neglect

before the passing of this Act;

and who shall on or before *March* 25, 1825, qualify themselves,

shall be indemnified against Forfeitures.

Neglect or Omission, previous to the passing of this Act, of taking or subscribing the said Oaths or Assurance, or receiving the Sacrament, or making or subscribing the said Declaration, or taking or subscribing the said Oath, according to the above mentioned Acts or any of them, or any other Act or Acts; and such Person or Persons is and are and shall be fully and actually recapacitated and restored to the same State and Condition as he, she or they were in before such Neglect or Omission, and shall be deemed and adjudged to have duly qualified him, her or themselves according to the above mentioned Acts and every of them; and that all Elections of, and Acts done or to be done by any such Person or Persons, or by Authority derived from him, her or them, are and shall be of the same Force and Validity as the same or any of them would have been if such Person or Persons respectively had taken the said Oaths or Assurance, and received the Sacrament of the Lord's Supper, and made and subscribed the said Declarations, and taken and subscribed the said Oath according to the Directions of the said Acts and every or any of them; and that the Qualification of such Person or Persons qualifying themselves in Manner and within the Time appointed by this Act, shall be to all Intents and Purposes as effectual as if such Person or Persons had respectively taken the said Oaths and Assurance, and received the Sacrament, and made and subscribed the said Declaration, and taken and subscribed the said Oath, within the Time and in the Manner appointed by the several Acts before mentioned.

## C A P. VII.

An Act to continue, until the First Day of *July* One thousand eight hundred and twenty seven, Two Acts of His present Majesty, (a) for the Appointment of Commissioners for inquiring into the Collection and Management of the Public Revenue.

[16th March 1824.]

(a) 1 & 2 G. 4. c. 90. 3 G. 4. c. 97.

## C A P. VIII.

An Act to amend an Act of the last Session of Parliament, for amending the Laws for the Improvement of Church Lands in *Ireland*.

[16th March 1824.]

4 G. 4. c. 86.

§ 29.

55 G. 3. c. 147.

WHEREAS by an Act made in the last Session of Parliament, intituled *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*, it is among other things enacted and declared, That the several Powers, Provisions and Regulations contained in an Act made in the 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*

' 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, shall and may be applied and put in execution for 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 the said Act of last Session of  
 ' Parliament, and as if the said Clauses, Powers, Provisions and  
 ' Regulations of the said recited Act of the said Fifty fifth Year,  
 ' had by the said Act been expressly extended and referred to  
 ' Benefices in Ireland: And Whereas Doubts have arisen as to  
 ' the Application of certain Powers contained in the said Act of  
 ' the Fifty fifth Year of His late Majesty's Reign to the Execu-  
 ' tion of the said Act 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 in all Cases where, in and by the said recited Act of  
 ' the said Fifty fifth Year, any Act, Matter or Thing is required  
 ' to be done with relation to any Number of Acres of Land in the  
 ' said Act mentioned, such Acres shall be considered and inter-  
 ' preted to be Irish Acres; and that where any Act, Matter or  
 ' Thing is by the said recited Act required to be done by or with  
 ' relation to the Governors of the Bounty of Queen Anne for the  
 ' Augmentation of the Maintenance of the Poor Clergy, every such  
 ' Act, Matter and Thing shall be done in Ireland by and with  
 ' relation to the Trustees and Commissioners of the First Fruits of  
 ' Ecclesiastical Benefices in Ireland; and that where any Act,  
 ' Matter or Thing is by the said recited Act required to be done  
 ' by or with relation to the Bank of England, or the High Court  
 ' of Chancery, or the Lord High Chancellor, Lord Keeper or  
 ' Lords Commissioners of the Great Seal, or the Accountant  
 ' General of the Court of Chancery in England, every such Act,  
 ' Matter and Thing shall be done in Ireland by and with relation  
 ' to the Bank of Ireland, and the High Court of Chancery, and  
 ' the Lord High Chancellor, Lord Keeper or Lords Commissioners  
 ' of the Great Seal, and the Accountant General of the Court of  
 ' Chancery in Ireland; any Thing in the said recited Acts, or either  
 ' of them, to the contrary thereof in anywise notwithstanding.'

Certain Matters  
 required to be  
 done under  
 55 G. 3. c. 147.  
 to be considered  
 as referring to  
 certain Matters  
 and Officers in  
 Ireland.

#### C A P. IX.

An Act to carry into Effect a Convention relating to Austrian  
 Loans. [16th March 1824.]

' WHEREAS an Act was passed in the Thirty fifth Year of  
 ' the Reign of His late Majesty King George the Third,  
 ' intituled An Act for guaranteeing the Payment of the Dividends  
 ' on a Loan of Four millions six hundred thousand Pounds to the  
 ' Emperor of Germany: And Whereas another Act was passed in  
 ' the Thirty seventh Year of the Reign of His said late Majesty,  
 ' intituled

35 G. 3. c. 93.

37 G. 3. c. 59.

Convention between His Majesty and the Emperor of Austria, dated 17th Nov. 1823, stipulating the Payment of 2,500,000l by the Emperor in Satisfaction of the British Claims.

intituled *An Act for guaranteeing the Payment of the Dividends on a Loan of One million six hundred and twenty thousand Pounds to the Emperor of Germany, and the regular Redemption of the Capital to be created thereby; for enabling the Governor and Company of the Bank of England to retain the Sums granted for paying Advances made by them for the Public Service; and for repaying to the Contributors to the Loans of Fourteen millions five hundred thousand Pounds, and One million six hundred and twenty thousand Pounds, the Excess of their Deposits beyond the proportional Deposits to the said Loans: And Whereas a Convention was entered into at Vienna, on the Seventeenth Day of November in the Year of our Lord One thousand eight hundred and twenty three, between His Majesty and His Majesty the Emperor of Austria, whereby His Majesty the Emperor of Austria engaged to pay the Sum of Two millions five hundred thousand Pounds Sterling, in Satisfaction of the whole of the British Claims upon His Imperial Majesty under the Head of the Austrian Loan; and it was also agreed, that the said Sum of Two millions five hundred thousand Pounds Sterling should be paid into the British Treasury, in the Name and on the Behalf of the Austrian Government, by the Houses of Baring, Reid and Irving, and Rothschild in London, the said Houses having been appointed and fully empowered by the Austrian Government to make the above Payment, according to such Terms as had been agreed to and were judged satisfactory by the British Government; and that, immediately after the Ratification of the said Convention by His Majesty and the Emperor of Austria, His Majesty's Plenipotentiary should deliver up to such Persons as should be appointed by His Imperial Majesty to receive them, the original Letters of Octroi, and the whole of the Imperial Bonds which had been held in the Possession of His Majesty's Government as Securities from the Time of raising the Austrian Loan, and His Majesty would thenceforth be responsible for the complete Release of the Austrian Government from all British Claims that could be founded upon the said Loans; and it was stipulated and agreed in and by the said Convention, that all pecuniary Claims upon Austria connected with the said Austrian Loans, as well as all pecuniary Claims upon Great Britain, of whatever Description they might be, which had existed, or might be considered to exist, on the Part of the Imperial Government of Austria, should be deemed to be extinct, and should be totally abolished: And Whereas the Loans guaranteed by the said recited Acts were duly raised, and the Money arising thereby paid to the Use of the Government of Austria: And Whereas a separate Account has hitherto been kept at the Bank of England of the Annuities payable by virtue of the said recited Acts, under the Title "Imperial Annuities:" And Whereas it is no longer necessary that the said Account should be kept separate, and it is expedient that the same should be consolidated with and made a Part of the Three Pounds per Centum Consolidated Annuities: 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*



in this present Parliament assembled, and by the Authority of the same, That the separate Accounts of the Annuities called "Imperial Annuities," payable under the said recited Acts, which have heretofore been kept at the Bank of *England*, shall cease and determine, and the said Annuities, and the Annual Charge thereof, shall be deemed, from and after the passing of this Act, to be Part of the Funded Debt of the United Kingdom of *Great Britain* and *Ireland*, and the said Annuities shall be and the same are hereby consolidated with the Three Pounds *per Centum* Consolidated Annuities payable at the Bank of *England*; any Thing in the said recited Acts of the Thirty seventh and Thirty ninth Years respectively of the Reign of His late Majesty King *George* the Third, to the contrary thereof in anywise notwithstanding.

II. And Whereas it was agreed between the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, and the said Houses of *Baring, Brothers, Reid, Irving* and Company, and *Nathaniel Mayer Rothschild*, that the said total Sum of Two millions five hundred thousand Pounds to be advanced by them on Behalf of the Emperor of *Austria* should be paid in the several Proportions and at the Periods hereinafter mentioned; *videlicet*, One hundred thousand Pounds on the First Day of *December* One thousand eight hundred and twenty three, Two hundred thousand Pounds on the First Day of *August* One thousand eight hundred and twenty four, Three hundred thousand Pounds on the First Day of *April* One thousand eight hundred and twenty five, Three hundred thousand Pounds on the First Day of *December* One thousand eight hundred and twenty five, Three hundred thousand Pounds on the First Day of *August* One thousand eight hundred and twenty six, and One Million three hundred thousand Pounds on the First Day of *June* One thousand eight hundred and twenty seven; and it was provided that the said Parties should be entitled to a Discount at the Rate of Five Pounds *per Centum per Annum* on any Payments which they might make into His Majesty's Exchequer in Anticipation of any of the said Instalments; Be it therefore further enacted, That upon the Payment of the Whole of the said Sum of Two millions five hundred thousand Pounds, or any Part thereof, into the Exchequer, to be there carried to the Account of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, before the same would be due and payable according to the said Agreement, it shall be lawful for the said Commissioners of His Majesty's Treasury, or any Three or more of them, by any Warrant under their Hands, to direct the Issue out of the growing Produce of the Consolidated Fund of such a Sum by way of Discount, in conformity with the aforesaid Agreement, as shall be equivalent to the Interest, at the Rate of Five Pounds *per Centum per Annum*, on any Sum or Sums which may have been paid by the said Parties before the same were due and payable according to the Terms of the said Agreement.

The Imperial Annuities payable under the recited Acts consolidated with the Three per Cent. Consols.

On Payment of the said 2,500,000. or any Part thereof, before the same become payable pursuant to the Agreement herein mentioned, Treasury shall allow a Discount of 5 per Cent.

## C A P. X.

An Act for granting to His Majesty Rates of Postage on the Conveyance of Letters and Packets to and from *Buenos Ayres*, or any other Port or Ports on the Continent of *South America*.  
[16th March 1824.]

‘ WHEREAS it is expedient, for the Benefit of Commerce and Correspondence, to establish One or more Packet Boats between the Port of *Falmouth* in the County of *Cornwall*, or such other Port in this Kingdom as His Majesty’s Postmaster General shall appoint, and *Buenos Ayres*, or any other Port or Ports on the Continent of *South America*;’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Establishment of Packet Boats between this Kingdom and *Buenos Ayres*, or any other Port or Ports on the Continent of *South America*, it shall and may be lawful for His Majesty’s Postmaster General, and his Deputy and Deputies by him thereunto authorized, for the Use of His Majesty, His Heirs and Successors, to demand, have, receive and take, for the Port and Conveyance of all and every the Letters and Packets that shall be carried or conveyed by Packet Boats from or to the Port of *Falmouth* aforesaid, or from or to any other convenient Port in the United Kingdom of *Great Britain* and *Ireland*, to or from *Buenos Ayres*, or any other Port or Ports on the Continent of *South America*, over and above all other Rates payable for Conveyance of such Letters and Packets within the said United Kingdom, a Packet Postage, according to the Rates and Sums in Sterling Money hereinafter mentioned; that is to say, for the Port and Conveyance of every Single Letter, Two Shillings and Five Pence; for every Double Letter, Four Shillings and Ten Pence; for every Treble Letter, Seven Shillings and Three Pence; and for every Ounce in Weight, Nine Shillings and Eight Pence; and so in Proportion for every Packet of greater Weight than an Ounce.

II. And be it further enacted, That from and after the Establishment of Packet Boats for the Purposes aforesaid, all and every the Clauses, Provisions, Powers, Privileges, Advantages, Disabilities, Penalties and Methods for Recovery of the same, and all other Matters and Things contained in any Act or Acts of Parliament relating to the Post Office, shall extend and be deemed and construed to extend to Letters and Packets to be conveyed between the said United Kingdom and *Buenos Ayres*, or any other Port or Ports on the Continent of *South America*.

‘ III And Whereas it may also be expedient that Packet Boats should hereafter be established to His Majesty’s Colonies, and also to other Foreign Parts, where Rates of Postage have not hitherto been authorized: And Whereas at the Time of establishing such Packet Boats Parliament may not be sitting, and no Rates of Postage can in such Case be authorized by Law for the Port and Conveyance of Letters and Packets by the same;

The following Rates of Postage to be taken on the Conveyance of Letters to and from *Buenos Ayres*, or any other Port in *South America*:

Rates.

Acts relating to the Post Office to extend to this Act.

On Establishment of Packet Boats to the Colonies, &c. while Parliament not sitting, Postmaster General, with

‘ same;’ Be it therefore enacted, That from and after the Establishment of any such Packet Boats to any of His Majesty’s Colonies or other Foreign Parts, it shall and may be lawful to and for His Majesty’s Postmaster General, and his Deputy and Deputies by him thereunto authorized, with the Consent of the Lords Commissioners of His Majesty’s Treasury, or any Three of them, for the Use of His Majesty, His Heirs and Successors, to demand, have, receive and take for the Port and Conveyance of all and every the Letters and Packets that shall be carried or conveyed by such Packet Boats which may hereafter be established as hereinbefore is mentioned, such Rates of Packet Postage as shall be equal in Proportion to the Rates by this Act made payable for the Port or Conveyance of Letters and Packets between *Buenos Ayres* or any other Port or Ports on the Continent of *South America*.

Consent of Treasury, may take Rates of Postage as herein mentioned.

IV. Provided always, and it is hereby further enacted, That as soon as conveniently may be after the next Session of Parliament succeeding the Establishment of such Rates as aforesaid, the Receipt of such Packet Rates of Postage as may then be judged necessary and expedient shall be by such Session of Parliament authorized by Law, any Thing herein contained to the contrary thereof notwithstanding.

To be afterwards authorized by Parliament.

V. And be it further enacted, That the Monies to arise by the Rates and Duties aforesaid, except the Monies which shall be necessary to defray such Expences as shall be incurred in the Management and Collection of the same, shall be paid into the Receipt of the Exchequer at *Westminster*, and be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*.

Money arising thereby carried to Consolidated Fund.

VI. And be it further enacted, That if any Person or Persons shall at any Time or Times be sued, molested or prosecuted for any Thing by him, her or them done or executed in pursuance of this Act, or of any Clause, Matter or Thing herein contained, such Person and Persons shall and 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.

In Actions for executing Act.

General Issue.

Treble Costs.

#### C A P. XI.

An Act for transferring several Annuities of Four Pounds *per Centum per Annum* into Annuities of Three Pounds Ten Shillings *per Centum per Annum*. [23d March 1824.]

‘ Most Gracious Sovereign,

‘ **W**E, Your Majesty’s most dutiful and loyal Subjects, the  
 ‘ Commons of the United Kingdom of *Great Britain* and  
 ‘ *Ireland* in Parliament assembled, having taken into our serious  
 ‘ Consideration the present State of the National Debt, and being  
 ‘ desirous of lessening the Charge thereof, have resolved that  
 ‘ all and every Person and Persons, Bodies Politic and Corporate,  
 ‘ 5 Geo. IV. C who

' who, on behalf of themselves or in trust for others, now is or  
 ' are, or hereafter may be interested in or entitled unto any Part  
 ' of the National Debt redeemable by Law, which now carries an  
 ' Interest after the Rate of Four Pounds *per Centum per Annum*,  
 ' and is usually known by the name of " Four *per Cent*. Annuities,"  
 ' the Dividends of which are payable at the Bank of *England* on  
 ' the Fifth Day of *April* and Tenth Day of *October* in each Year,  
 ' and who shall not signify his, her or their Assent to accept  
 ' Three Pounds Ten Shillings *per Centum* Annuities, upon the  
 ' Terms and in the Manner hereinafter mentioned, shall on the  
 ' Tenth Day of *October* One thousand eight hundred and twenty  
 ' four receive the Sum of Thirty three Pounds Six Shillings and  
 ' Eight Pence *per Centum*, for every One hundred Pounds of  
 ' such Four Pounds *per Centum* Annuities which may be then  
 ' standing in his, her or their Name or Names, and One third  
 ' Part of the Capital of such Annuities shall, from the said Tenth  
 ' Day of *October* One thousand eight hundred and twenty four,  
 ' be considered as cancelled and paid off, and no Interest shall  
 ' from thenceforth accrue or become payable thereon: And have  
 ' also resolved, that Provision should be made by this House  
 ' for paying off such Proprietor or Proprietors of the said Four  
 ' Pounds *per Centum* Annuities, as shall not signify his, her or  
 ' their Assent to accept and receive a Share in Three Pounds Ten  
 ' Shillings *per Centum* Annuities in lieu thereof: And have also  
 ' resolved, that all and every Person or Persons, Bodies Politic or  
 ' Corporate, who shall hold or be possessed of any such Four  
 ' Pounds *per Centum* Annuities, and who shall, on or before the  
 ' Sixth Day of *April* One thousand eight hundred and twenty four,  
 ' signify in the Manner hereinafter directed, his, her or their  
 ' Assent to accept and receive Three Pounds Ten Shillings *per*  
 ' *Centum* Annuities, in lieu of his or their respective Share or  
 ' Shares in the said Four Pounds *per Centum* Annuities, shall for  
 ' every One hundred Pounds of such Four Pounds *per Centum*  
 ' Annuities receive One hundred Pounds Capital Stock in a new  
 ' Stock to be created, of Three Pounds Ten Shillings *per Centum*  
 ' Annuities, the Dividends or Interest of which shall be paid and  
 ' payable at the Bank of *England* on the Fifth Day of *April* and  
 ' Tenth Day of *October* in each and every Year, and the First  
 ' Payment of which shall be made on the Fifth Day of *April* One  
 ' thousand eight hundred and twenty five, and the said Annuities  
 ' shall be subject and liable to Redemption upon and at any Time  
 ' after the Tenth Day of *October* One thousand eight hundred and  
 ' twenty nine: And have also resolved, that all and every Person  
 ' or Persons, Bodies Politic or Corporate, possessed of any Part  
 ' of the said Four Pounds *per Centum* Annuities, and who shall  
 ' desire to signify his, her or their Assent to receive Three Pounds  
 ' Ten Shillings *per Centum* Annuities in lieu thereof, shall, on or  
 ' before the said Sixth Day of *April* One thousand eight hundred  
 ' and twenty four, but within the usual Hours of transacting  
 ' Business at the Bank of *England*, by themselves, or some  
 ' Agent or Agents for that Purpose duly authorized, signify to  
 ' the Governor and Company of the Bank of *England* such Assent  
 ' in Writing, under his, her or their Hand or Hands, or the Hand  
 ' or Hands of his, her or their Agent or Agents, together with the  
 ' Amount

Amount of his, her or their respective Share or Shares in the said Four Pounds *per Centum* Annuities, and which said Assent shall be entered in a Book or Books to be opened and kept by the said Governor and Company for that Purpose; and in case of any Transfer of such Share or Shares of such Annuities, or any Part or Parts thereof, after such Assent, the Part or Parts of such Annuities so transferred shall be entered in the said Book or Books of the said Governor and Company separately from the said Four Pounds *per Centum* Annuities, in respect of which no such Assent shall be signified; and every Person or Persons so assenting, or his, her or their Assigns, or the Executors or Administrators of such Assigns under any such Transfer, shall from the Tenth Day of *October* One thousand eight hundred and twenty four, be entitled to One hundred Pounds of such Three Pounds Ten Shillings *per Centum* Annuities, in lieu of every One hundred Pounds of their said Four *per Centum* Capital Stock: Provided always, that if any Person or Persons holding any such Four Pounds *per Centum* Annuities should not be within the Limits of the United Kingdom at any Time between the Twenty fourth Day of *February* One thousand eight hundred and twenty four, and the Sixth Day of *April* One thousand eight hundred and twenty four, but shall be in any other Part of *Europe*, it shall be lawful for such Person or Persons to signify such Assent at any Time before the First Day of *June* One thousand eight hundred and twenty four; and if any such Person or Persons shall not any Time between the Twenty fourth Day of *February* and the First Day of *June* One thousand eight hundred and twenty four, be within any Part of *Europe*, it shall be lawful for him, her or them to signify such Assent at any Time before the First Day of *March* One thousand eight hundred and twenty five; such Person or Persons proving to the Satisfaction of the Governor or Deputy Governor of the Bank of *England*, his, her or their Absence from the United Kingdom, or out of *Europe* as above specified; and that his, her or their Share or Shares of such Four Pounds *per Centum* Annuities stood in his, her or their Name or Names respectively, or in the Name or Names of any One or more Trustee or Trustees on his, her or their Behalf, in the Books of the Governor and Company of the Bank of *England*, on the Twenty fourth Day of *February* One thousand eight hundred and twenty four: Provided also, that such Person or Persons so absent from the United Kingdom, or out of *Europe*, shall signify such his, her or their Assent within Ten Days after his, her or their Return to the United Kingdom: And have also resolved, that the Interest and Dividends payable in respect of the said Three Pounds Ten Shillings *per Centum* Annuities shall be charged and chargeable upon, and shall be issued and paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, in the same Manner as the Interest and Dividends of the said Four Pounds *per Centum* Annuities now stand charged on the said Fund: And have also resolved, that all and every Person and Persons, Bodies Politic and Corporate, and their Successors, Executors, Administrators and Assigns, who on the Tenth Day of *October* One thousand eight hundred

' and twenty four shall be possessed of or entitled to any of the  
 ' said Four Pounds *per Centum* Annuities, and in respect of which  
 ' an Assent shall not have been signified within the Periods and  
 ' in the Manner hereinbefore expressed, to accept and take Three  
 ' Pounds Ten Shillings *per Centum* Annuities in lieu thereof,  
 ' they are and shall be hereby declared liable to be paid the  
 ' remaining Two third Parts of their said Capital Stock at such  
 ' Time or Times, and either in One Sum or in such Proportion  
 ' or Proportions as may be appointed by the Commissioners of  
 ' the Treasury, provided that Six Months' Notice of the Intention  
 ' to make any such Payment or Payments be published in the  
 ' *London Gazette*, and also affixed upon the Royal Exchange of  
 ' *London*; and provided also, that not less than One tenth Part  
 ' of the remaining Capital Stock shall be paid off at any one  
 ' Time: And have also resolved, that every Proprietor or Pro-  
 ' prietors of the Four Pounds *per Centum* Annuities aforesaid  
 ' shall receive the Dividends on the said Annuities due thereon  
 ' on the Tenth Day of *October* One thousand eight hundred and  
 ' twenty four: And have also resolved, that it shall be lawful  
 ' for the Accountant General of the Court of Chancery, and also  
 ' for the Accountant General of the Court of Exchequer re-  
 ' spectively, at any Time before the said Sixth Day of *April*  
 ' One thousand eight hundred and twenty four, to signify to the  
 ' Governor and Company of the Bank of *England*, on behalf of  
 ' any Suitor or Suitors, or others interested in any such Four  
 ' Pounds *per Centum* Annuities, standing in the Names of such  
 ' Accountants General respectively, their Assent to accept and  
 ' receive Shares in the said Three Pounds Ten Shillings *per*  
 ' *Centum* Annuities, in lieu of all such Four Pounds *per Centum*  
 ' Annuities standing in their Names respectively; and the said  
 ' Accountants General of the said Courts of Chancery and Ex-  
 ' chequer respectively shall be fully indemnified against all  
 ' Actions, Suits or Proceedings for or in respect of any Action;  
 ' Matter or Thing done by them respectively in pursuance  
 ' thereof: And have also further resolved, that all Executors,  
 ' Administrators, Guardians and Trustees of or for any Person  
 ' or Persons, and all Committees of the Estates of Idiots and  
 ' Lunatics, who as such shall have the Controul over any Share  
 ' or Shares of the said Four Pounds *per Centum* Annuities stand-  
 ' ing either in their own Name or Names, or in the Name or  
 ' Names of any Testator or Intestate, or of any Infant or Infants,  
 ' or Idiot or Idiots, or Lunatics or other Person or Persons, may  
 ' signify such Assent as aforesaid; and if either of any Two or  
 ' more of such Executors, Administrators, Guardians, Trustees  
 ' and Committees shall reside out of the United Kingdom, the  
 ' Period within which such Assent may be signified shall be  
 ' regulated by the Residence of the most distant of such Execu-  
 ' tors, Administrators, Guardians, Trustees and Committees, in  
 ' each Case; and all Executors, Administrators, Guardians, Trus-  
 ' tees and Committees signifying such Assent, shall be severally  
 ' and respectively indemnified in respect thereof: We, Your  
 ' Majesty's most faithful Commons, do therefore most humbly  
 ' beseech Your Majesty that it may be enacted; and be it enacted  
 ' by the King's most Excellent Majesty, by and with the Advice  
 ' and

and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That all and every Person and Persons, Bodies Politic and Corporate, who on Behalf of themselves, or in Trust for others, now is or are, or hereafter may be interested in or entitled unto any Part of the National Debt redeemable by Law, which now carries an Interest after the Rate of Four Pounds *per Centum per Annum*, and is usually known by the Name of the "Four *per Cent. Annuities*," the Dividends of which are payable at the Bank of England on the Fifth Day of *April* and Tenth Day of *October* in each Year, and who shall not signify his, her or their Assent to accept Three Pounds Ten Shillings *per Centum Annuities*, upon the Terms and in the Manner hereinafter mentioned, shall on the Tenth Day of *October* One thousand eight hundred and twenty four receive the Sum of Thirty three Pounds Six Shillings and Eight Pence *per Centum* for every One hundred Pounds of such Four Pounds *per Centum Annuities*, and so in Proportion for any greater or less Amount of such Four Pounds *per Centum Annuities*, which may be then standing in his, her or their Name or Names, and One third Part of the Capital of such *Annuities* shall, from the said Tenth Day of *October* One thousand eight hundred and twenty four, be considered as cancelled and paid off, and no Interest shall from thenceforth accrue or become payable thereon: Provided always, that the Payment at the Bank of any such Thirty three Pounds Six Shillings and Eight Pence *per Centum*, for the Use of the Person or Persons entitled thereto, shall be and be deemed to be a full Discharge of the Amount so paid, and that the Proprietors, or their Agents duly authorized shall be at liberty to demand and receive Payment from the Bank, upon Application for that Purpose, at any Time after the Tenth Day of *October* One thousand eight hundred and twenty four, of the Sum so paid for the Use of the Proprietor or Proprietors entitled thereto.

Persons entitled to 100*l.* Four *per Cent.*, who shall not assent to receive 3*l.* *per Cent.*, to receive, on 10th Oct. 1824, 3*l.* 6*s.* 8*d.* in discharge of One third Part of such Stock.

II. And be it further enacted, That all and every Person or Persons, Bodies Politic or Corporate, who shall hold or be possessed of any such Four Pounds *per Centum Annuities*, and who shall, on or before the Sixth Day of *April* One thousand eight hundred and twenty four, signify in the Manner hereinafter directed his, her or their Assent to accept and receive Three Pounds Ten Shillings *per Centum Annuities*, in lieu of his, her or their respective Share or Shares in the said Four Pounds *per Centum Annuities*, shall for every One hundred Pounds of such Four Pounds *per Centum Annuities* receive One hundred Pounds Capital Stock, in a New Stock, to be created and denominated Three Pounds Ten Shillings *per Centum Reduced Annuities*, and so in Proportion for any greater or less Amount, the Dividends or Interest of which shall be paid and payable at the Bank of England on the Fifth Day of *April* and Tenth Day of *October* in each and every Year, and the First Payment of which shall be made on the Fifth Day of *April* One thousand eight hundred and twenty five, and the said *Annuities* shall be subject and liable to Redemption upon and at any Time after the Tenth Day of *October* One thousand eight hundred and twenty nine.

Proprietors of 4*l.* *per Cent.*, on signifying their Assent on or before 6th April 1824, may receive 3*l.* *per Cent.*

Assent to be signified at the Bank in manner herein mentioned,

and entered in the Bank Books.

Person assenting entitled to 100*l.* 3*l.* per Cent. Annuities.

Persons out of the Kingdom allowed further Time to signify Assents as herein mentioned.

III. And be it further enacted, That all and every Person or Persons, Bodies Politic or Corporate, possessed of any Part of the said Four Pounds *per Centum* Annuities, and who shall desire to signify his, her or their Assent to receive Three Pounds Ten Shillings *per Centum* Annuities in lieu thereof, shall on or before the said Sixth Day of *April* One thousand eight hundred and twenty four, but within the usual Hours of transacting Business at the Bank of *England*, by themselves or some Agent or Agents for that Purpose duly authorized, signify to the Governor and Company of the Bank of *England* such Assent in Writing under his, her or their Hand or Hands, or the Hand or Hands of his, her or their Agent or Agents, together with the Amount of his, her or their respective Share or Shares in the said Four Pounds *per Centum* Annuities, and which said Assent shall be entered in a Book or Books to be opened and kept by the said Governor and Company for that Purpose; and in case of any Transfer of such Share or Shares of such Annuities, or any Part or Parts thereof, after such Assent, the Part or Parts of such Annuities so transferred shall be entered in the said Book or Books of the said Governor and Company separately from the said Four Pounds *per Centum* Annuities, in respect of which no such Assent shall be signified; and every Person or Persons so assenting, or his, her or their Assigns, or the Executors or Administrators of such Assigns under any such Transfer, shall, from the Tenth Day of *October* One thousand eight hundred and twenty four, be entitled to One hundred Pounds of such Three Pounds Ten Shillings *per Centum* Annuities, in lieu of every One hundred Pounds of their said Four Pounds *per Centum* Capital Stock.

IV. Provided always, and be it further enacted, That if any Person or Persons holding any such Four Pounds *per Centum* Annuities shall not be within the Limits of the United Kingdom at any Time between the Twenty fourth Day of *February* One thousand eight hundred and twenty four, and the Sixth Day of *April* One thousand eight hundred and twenty four, but shall be in any other Part of *Europe*, it shall be lawful for such Person or Persons to signify such Assent at any Time before the First Day of *June* One thousand eight hundred and twenty four; and if any such Person or Persons shall not, at any Time between the Twenty fourth Day of *February* and the First Day of *June* One thousand eight hundred and twenty four, be within any Part of *Europe*, it shall be lawful for him, her or them to signify such Assent at any Time before the First Day of *March* One thousand eight hundred and twenty five, such Person or Persons proving to the Satisfaction of the Governor or Deputy Governor of the Bank of *England*, his, her or their Absence from the United Kingdom, or being out of *Europe*, as above specified, and that his, her or their Share or Shares of such Four Pounds *per Centum* Annuities stood in his, her or their Name or Names respectively, or in the Name or Names of any One or more Trustee or Trustees on his, her or their Behalf, in the Books of the Governor and Company of the Bank of *England*, on the Twenty fourth Day of *February* One thousand eight hundred and twenty four: Provided also, that such Person or Persons so absent from the United Kingdom, or out of *Europe*, shall signify such



such his, her or their Assent within Ten Days after his, her or their Return to the United Kingdom.

V. And be it further enacted, That the Interest and Dividends payable in respect of the said Three Pounds Ten Shillings *per Centum* Annuities, shall be charged and chargeable upon, and shall be issued and paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, in the same Manner as the Interest and Dividends of the said Four Pounds *per Centum* Annuities now stand charged on the said Fund.

Interest of 3½. per Cents. charged on Consolidated Fund

VI. And be it further enacted, That all and every Person and Persons, Bodies Politic and Corporate, and their Successors, Executors, Administrators and Assigns, who on the Tenth Day of *October* One thousand eight hundred and twenty four shall be possessed of or entitled unto any of the said Four Pounds *per Centum* Annuities, and in respect of which an Assent shall not have been signified within the Periods and in the Manner hereinbefore expressed, to accept and take Three Pounds Ten Shillings *per Centum* Annuities in lieu thereof, shall be and they are hereby declared liable to be paid the remaining Two third Parts of their said Capital Stock at such Time or Times, and either in one Sum or in such Proportion or Proportions, as may be appointed by the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being, or any Three or more of them; provided that Six Months Notice of the Intention to make any such Payment or Payments be published in the *London Gazette*, and also affixed upon the Royal Exchange of *London*; and provided also, that not less than One tenth Part of the remaining Capital Stock shall be paid off at any one Time; and the Capital Stock so directed to be paid off shall, from the Time fixed for any such Payment, be considered as cancelled, and a Certificate thereof shall be transmitted by the Governor and Company of the Bank of *England* to the Commissioners for the Reduction of the National Debt.

Remaining Two thirds of Stock paid as Treasury shall appoint, not less than One tenth at one Time.

Six Months' Notice of Intention to pay, published as herein mentioned.

VII. And be it further enacted, That every Proprietor or Proprietors of the Four Pounds *per Centum* Annuities aforesaid shall receive the Dividends on the said Annuities due thereon on the Tenth Day of *October* One thousand eight hundred and twenty four.

Dividends on 4l. per Cents. paid.

VIII. And be it further enacted, That it shall be lawful for the Accountant General of the Court of Chancery, and also for the Accountant General of the Court of Exchequer respectively, at any Time before the Thirtieth Day of *June* One thousand eight hundred and twenty four, to signify to the Governor and Company of the Bank of *England*, on behalf of any Suitor or Suitors, or others interested in any such Four Pounds *per Centum* Annuities, standing in the Names of such Accountants General respectively, their Assent to accept and receive Shares in the said Three Pounds Ten Shillings *per Centum* Annuities, in lieu of all such Four Pounds *per Centum* Annuities standing in their Names respectively; and the said Accountants General of the said Courts of Chancery and Exchequer respectively shall be fully indemnified against all Actions, Suits or Proceedings, for or in respect of any Action, Matter or Thing done by them respectively in pursuance thereof.

Accountants General of Chancery and Exchequer may assent.

Executors, &c. may assent.

Proviso for such Executors, &c. as reside Abroad.

One Executor, &c. may assent for himself and the rest.

Books to be opened at the Bank of England for receiving the Entry of the New 3½ per Cents.

Bank to appoint a Cashier and an Accountant General.

IX. And be it further enacted, That all Executors, Administrators, Guardians and Trustees of or for any Person or Persons, and all Committees of the Estates of Idiots and Lunatics, who as such shall have the Controul over any Share or Shares of the said Four Pounds *per Centum* Annuities, standing either in their own Name or Names, or in the Name or Names of any Testator or Intestate, or of any Infant or Infants, or Idiots or Lunatics, or other Person or Persons, may signify such Assent as aforesaid at any Time before the Last Day of *April* One thousand eight hundred and twenty four; and if either or any Two or more of such Executors, Administrators, Guardians, Trustees, and Committees shall reside out of the United Kingdom, the Period within which such Assent may be signified shall be regulated by the Residence of the most distant of such Executors, Administrators, Guardians, Trustees and Committees in each Case: and all Executors, Administrators, Guardians, Trustees and Committees signifying such Assent shall be severally and respectively indemnified in respect thereof: Provided always, that an Assent for the Purposes aforesaid, signed by One of such Executors, Administrators, Guardians, Trustees or Committees, for and on behalf of himself and the others or other of them, shall be sufficient, and shall be binding and conclusive upon the others and other of them, and shall be acted upon by the said Governor and Company, as if the same had been signed by the whole of such Executors, Administrators, Guardians, Trustees and Committees, unless some One or more of them shall give Notice to the said Governor and Company, previous to the Expiration of the Time hereby given for signifying such Assent of his, her or their Dissent thereto.

X. And be it further enacted, That it shall and may be lawful for the said Governor and Company of the Bank of *England*, at any Time after the Sixth Day of *April* One thousand eight hundred and twenty four, to open Books for writing up and receiving the Entry into the Three Pounds Ten Shillings *per Centum* Annuities of any of the Four Pounds *per Centum* Annuities before described, belonging to any Proprietor or Proprietors who may have expressed his, her or their Assent to receive such Three Pounds Ten Shillings *per Centum* Annuities, and who may thereby have converted his, her or their Four Pounds *per Centum* Annuities into the said Annuities at the Rate of Three Pounds Ten Shillings *per Centum per Annum*; but the Dividend or Dividends of the said Four Pounds *per Centum* Annuities which would become due on the Tenth Day of *October* One thousand eight hundred and twenty four, shall be paid and payable to the Person or Persons in whose Name the said Three Pounds Ten Shillings *per Centum* Annuities may stand on the Tenth Day of *October* One thousand eight hundred and twenty four.

XI. And for the more easy and sure Payment of the Annuities established by this Act, it is hereby further enacted, That the said Governor and Company of the Bank of *England*, and their Successors, shall from time to time appoint and employ One or more sufficient Person or Persons within their Office in the City of *London* to be their Chief or First Cashier or Cashiers, and One other sufficient Person within the same Office to be their Accountant

ant General; and that the Monies from time to time and at any time being in the Receipt of the Exchequer, hereby made applicable to the Payment of the said Three Pounds Ten Shillings *per Centum* Annuities, shall, by Order of the said Commissioners of the Treasury, or any Three or more of them, or the Lord High Treasurer for the Time being, without any further or other Warrant to be sued for, had or obtained in that Behalf, be issued and paid at the said Receipt of Exchequer to the said First or Chief Cashier or Cashiers of the said Governor and Company of the Bank of England, and their Successors, for the Time being, by way of Imprest and upon Account for the Payment of the said Annuities; and that such Cashier or Cashiers, to whom the said Monies shall from time to time be issued, shall from time to time, without Delay, apply and pay the same accordingly, and render his or their Accounts thereof according to the due Course of the Exchequer.

XII. And it is hereby also enacted, That the said Accountant General for the Time being shall from time to time inspect and examine all Receipts and Payments of the said Cashier or Cashiers, and the Vouchers relating thereunto, in order to prevent any Fraud, Negligence or Delay.

Accountant General to examine Receipts and Payments.

XIII. And be it further enacted, That all the said Annuities, after the Rate of Three Pounds Ten Shillings *per Centum per Annum*, created by virtue of this Act, shall be deemed, reputed and taken to be One Capital or Joint Stock; and that all and every Person and Persons, and Bodies Politic and Corporate whatsoever, shall have and be deemed to have a proportional Interest and Share in the said Stock, and in the Annuity attending the same, at the Rate aforesaid; and that the said whole Capital Stock or Joint Stock, or any Share or Interest therein, and the proportional Annuity attending the same, shall be assignable and transferrable as this Act directs, and not otherwise; and that there shall be constantly kept in the Office of the said Accountant General for the Time being, within the City of London, a Book or Books wherein all Assignments or Transfers of the said Capital or Joint Stock, or any Part thereof, and the proportional Annuity attending the same at the Rate aforesaid, shall be entered and registered, which Entries shall be conceived in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers or if any such Party or Parties be absent, by his, her or their Attorney or Attornies thereunto lawfully authorized by Writing under his, her † their Hands and Seals, to be attested by Two or more credible Witnesses, and that the Person or Persons to whom such Transfer or Transfers shall be made, shall respectively underwrite his, her or their Acceptance thereof; and that no other Method of assigning or transferring the said Stock and the Annuities attending the same, or any Part thereof, or any Interest therein, shall be good and available in Law; and that no Stamp Duties whatsoever shall be charged on the said Transfers, or any of them.

All the Monies to be converted into Annuities by this Act to be one Joint Stock.

Books of Entry and Registry kept by Accountant General.

† Sic.

XIV. And be it further enacted, That all Persons and Corporations entitled to any such Annuity or Annuities of Three Pounds Ten Shillings *per Centum per Annum*, created by this Act, and his, her or their Administrators, Successors and Assigns respectively,

Annuities to be Personal Estate.

Not liable to Foreign Attachment.

Certificates of Amount of Stock exchanged or paid off, &c. sent to Commissioners for National Debt.

Bonds and Contracts to transfer 4l. per Cents. to be deemed satisfied by Transfer of the New 3½l. per Cents.

Lenders of 4l. per Cents. on Contract to replace, may on Notice demand 100l. Money for every 100l. Stock.

spectively, and all Persons and Corporations lawfully claiming under him, her or them, shall have good, sure, absolute and indefeasible Estates and Interests in the said respective Annuities, according to the true Tenor and Meaning of this Act, and shall be possessed thereof as of a Personal Estate, devisable as such, and which shall not be descendible to Heirs, nor liable to any Foreign Attachment by the Custom of *London* or otherwise; any Law, Custom or Usage to the contrary notwithstanding; but no Payment shall be made or Transfer allowed upon any Devise until such Devise shall have been duly entered at the Bank.

XV. And be it further enacted, That as soon after the Expiration of the respective Periods allowed by this Act for signifying Assent under this Act as the same can be done, Certificates shall be from time to time made out and transmitted to the Commissioners for the Reduction of the National Debt, by the proper Officer or Officers of the Bank of *England*, of the Amount of Four Pounds *per Centum* Annuities which shall have been exchanged into such Reduced Three Pounds Ten Shillings *per Centum* Annuities, or paid off under the Provisions of this Act, and of the Annual Interest which shall have ceased thereby, and also of the Capital Amount of such Reduced Three Pounds Ten Shillings *per Centum* Annuities created by such Exchange, and of the Annual Interest thereon.

XVI. And be it further enacted, That in every Case in which any Person or Persons shall at the Time of the passing of this Act be or remain bound by the Condition of any Bond or Obligation, or by the Terms of any Instrument in Writing, or by any Agreement or Contract, to transfer any Amount of Capital Stock in the said Four Pounds *per Centum* Annuities respectively, the Condition of every such Bond or Obligation, or the Terms of any such Instrument in Writing, or Agreement or Contract, shall be deemed in Law and Equity to be satisfied, by making a Transfer of an equal Amount of Capital Stock in the Reduced Three Pounds Ten Shillings *per Centum* Annuities; and that where any Party is by the Condition of any such Bond or Obligation, or the Terms of any such Instrument in Writing, or Agreement or Contract, bound or required to pay Half yearly Sums, equal to the Dividends, on any specified Amount of any such Four Pounds *per Centum* Annuities respectively, every such Bond, Obligation, Instrument, Agreement or Contract, shall be satisfied by the Payment of Half yearly Sums, equal to the Dividends of or upon the same Amount of the said Three Pounds Ten Shillings *per Centum* Annuities.

XVII. Provided always, and be it further enacted, That in every Case in which any such Four Pounds *per Centum* Annuities respectively shall have been transferred in the way of Loan, upon any Condition in any Bond or Instrument, or under or upon any Agreement or Contract for the Repayment of such Loan, by the replacing the Amount of Stock so transferred, it shall be lawful for the Person or Persons who shall have made any such Loan, or their Executors, Administrators or Assigns, to declare an Option, and give Notice thereof in Writing, and thereby require the Repayment of One hundred Pounds of lawful Money of *Great Britain*, for every One hundred Pounds Capital Stock of such  
Four

Four Pounds *per Centum* Annuities, transferable at the Bank of England, so transferred in the way of Loan as aforesaid, and so in Proportion for any greater or less Amount; and every Bond, Obligation, Instrument, Agreement or Contract, given, entered into or made upon any such Loan or Contract, shall be deemed in every such Case in Law and in Equity to entitle the Person or Persons, his, her or their Executors, Administrators or Assigns, to such Repayment in Money, and to demand and recover the same in any Court in which any Action, Suit, Process or Proceeding may be brought, instituted or carried on, upon any such Bond, Obligation, Instrument, Agreement or Contract; any Thing in any such Bond or Obligation, Instrument, Agreement or Contract to the contrary notwithstanding.

XVIII. And be it further enacted, That every Power of Attorney in force at the Time of passing this Act, for the Sale or Transfer of any such Four Pounds *per Centum* Annuities, in respect of which an Assent to accept Three Pounds Ten Shillings *per Centum* Annuities may not have been signified under the Provisions of this Act, shall remain and continue in full Force, unless legally revoked, for the Purpose of enabling the Attorney or Attornies therein named to give a legal Discharge for the Principal and Dividend of such Four Pounds *per Centum* Annuities, when paid off under the Provisions of this Act, or to assent to receive Three Pounds Ten Shillings *per Centum* Annuities in lieu of the said Four Pounds *per Centum* Annuities.

XIX. And be it further enacted, That all Powers of Attorney which may have been or hereafter may be granted, and which would have remained in force if this Act had not passed, for the Receipt of Dividends, or for Sale or Transfer of any Four Pounds *per Centum* Annuities, transferable at the Bank of England, and which under or by virtue of this Act have been or shall be converted into Three Pounds Ten Shillings *per Centum* Annuities, shall continue and remain in full Force and Effect, for receiving the Dividends which shall become due on the Three Pounds Ten Shillings *per Centum* Annuities created in lieu thereof, or for selling or transferring any such Three Pounds Ten Shillings *per Centum* Annuities, and also for receiving Dividends on any further Sum of such Three Pounds Ten Shillings *per Centum* Annuities, which the Parties by whom such Letters of Attorney were given may hereafter purchase or acquire, until such Powers are revoked or otherwise determined.

XX. And be it further enacted, That all Trusts, whether created by Will or otherwise, and which existed either in the Whole or in Part, and all Directions contained in any Will or Devise or Testamentary Paper which remain unexecuted at the Time of the passing of this Act, as to any Four Pounds *per Centum* Annuities which may under this Act be converted into Three Pounds Ten Shillings *per Centum* Annuities, or as to the Payment or Distribution of any Dividends thereon, or as to the Transfer of any such Annuities in any Events specified in any such Trusts or Will or Testamentary Paper, shall extend and be deemed and construed in all Cases and in all Courts of Law and Equity in the United Kingdom, or elsewhere in any Dominions or Territories belonging to His Majesty, to extend and to apply to all such Three Pounds

Powers of Attorney for Sale or Transfer of 4l. per Cent. Annuities in force, unless revoked.

So Powers of Attorney for receiving Dividends or Transfer of Four per Cents. to remain in force.

Trusts as to 4l. per Cents. shall extend to 3½. per Cents., an Directions for the Application of 4l. per Cents. carried into Effect by Application of the 3½. per Cents.

Ten

Ten Shillings *per Centum* Annuities, created in lieu of any Four Pounds *per Centum* Annuities, subject to or affected by any such Trusts or Devises or Wills or Testamentary Papers, for all Purposes, and in all Cases in which such Trusts or to which any such Directions can be made applicable: Provided always, that in all Cases in which any Proportions or Parts of any such Four Pounds *per Centum* Annuities are required to be transferred under any such Trusts, or under the Provisions of or Directions contained in any Will, Devise or Testamentary Paper, or any Proportion or Part of any Dividends arising from and out of any such Four Pounds *per Centum* Annuities are required to be paid or distributed, the Transfer of a like Amount of Three Pounds Ten Shillings *per Centum* Annuities, and the Payment and Distribution of Dividends at the Rate of Three Pounds Ten Shillings *per Centum*, instead of Four Pounds *per Centum*, upon the Capital, shall be and be deemed and taken, in all Courts and for all Purposes, to be a due Execution of such Trusts, or of the Directions contained in any Will or Testamentary Paper, and shall fully discharge the Trustee or Executor or Executors making the same, who are hereby declared to be and are hereby fully indemnified in respect of such Execution of any such Trusts and Executorship as aforesaid.

Trustees, &c.  
indemnified.

Questions as to  
Trusts in the  
4%. per Cents.  
may be decided  
by Courts of  
Chancery, Ex-  
chequer and  
Court of Ses-  
sion,

XXI. And be it further enacted, That in every Case in which any Question may have arisen or may arise upon the Execution of any Trusts, or upon any Distributions which may have been or may be made, or may remain to be made by any Trustees, Executors or Administrators, of or in relation to or arising out of any such Four Pounds *per Centum* Annuities, or of any Parts or Proportions of any such Four Pounds *per Centum* Annuities, which may have been vested in any Trustees, or which may have been distributable by any Executors or Administrators, or as to the Application of any Residue thereof, or as to the Distribution or Application of any Three Pounds Ten Shillings *per Centum* Annuities, transferred under the Provisions of this Act, in lieu of any Four Pounds *per Centum* Annuities, whether as to the Powers or Authorities of any such Trustees, Executors or Administrators, or as to the relative Interest of any Persons entitled under any such Trusts or under Wills to receive any Annuities charged upon or arising or payable out of the Proceeds of any such Four Pounds *per Centum* Annuities, and of any Persons interested in any Residue of any of such Four Pounds *per Centum* Annuities, whether under any specific Provision relating to any such Trusts, or contained in any Wills, or arising out of the Execution of any Wills by any Executors, or the Distribution of any Estates by any Administrators, and in all other Cases whatsoever in which any Question may arise in consequence of the Transfer of any such Four Pounds *per Centum* Annuities into Three Pounds Ten Shillings *per Centum* Annuities, it shall be lawful for any such Trustees, Executors or Administrators, and for Persons entitled to or interested in any such Four Pounds *per Centum* Annuities, or any Three Pounds Ten Shillings *per Centum* Annuities created in lieu thereof, or in any Proceeds of any such Annuities whether in Reversion or otherwise, to make Application to the High Courts of Chancery or  
to

to the Courts of Exchequer in *England* or *Ireland* respectively, or the Court of Sessions in *Scotland*, in a summary Way, either by Motion or Petition; and it shall be lawful for the High Courts of Chancery or for the Courts of Exchequer in *England* or *Ireland* respectively, or for the Court of Session in *Scotland*, to make general Orders in relation to any such Question, or special Orders, in a summary Way, upon any such Application, or as to any other Matter or Thing relating to any such Annuities, or to any Dividends thereof, or to any Three Pounds Ten Shillings *per Centum* Annuities which may be created in lieu thereof, or to the Application of any such Three Pounds Ten Shillings *per Centum* Annuities, or any Dividends thereof; and no Application, Petition or Affidavit, made by or on Behalf of any Trustees, Executors or Administrators, or Trustee, Executor or Administrator, or other Person or Persons interested in any of such Annuities, or any Dividends thereof respectively, nor any Order or Report made, or other Proceeding had in any or either of the said Courts respectively, in consequence of any Question which may arise out of any of the Provisions of this Act, in relation to the Four Pounds *per Centum* Annuities, or any Part or Share or Shares thereof, or in relation to any Three Pounds Ten Shillings *per Centum* Annuities which may be created under this Act, in lieu of the said Four Pounds *per Centum* Annuities, or the Dividends of such respective Annuities, nor any Copy or Copies of such Application, Petition, Affidavit, Order, Report or other Proceeding, shall be subject or liable to be stamped, or charged or chargeable with any Stamp Duties whatever, any Thing in any Act or Acts of Parliament to the contrary notwithstanding; and all Trustees, Executors, Administrators and other Persons acting under any Orders made by any or either of such Courts respectively, or whose Acts shall be confirmed by any or either of such Courts respectively, if done before any Application made to any or either of the said Courts respectively, shall be and are hereby fully indemnified against all Actions, Suits or Proceeding for or in respect of any Act, Matter or Thing done by them respectively in pursuance of or under any such Order, or which shall be confirmed by any such Order; and in case any Action, Suit or other Proceeding be commenced or instituted against any such Trustee, Executor, Administrator or other Person, for or in respect of any such Act, Matter or Thing, it shall be lawful for the Court in which such Action, Suit or Proceeding shall be commenced, or shall be pending, upon summary Application, to stay, and such Court is hereby required to stay such Action, Suit or Proceeding, and to make such Order relative to the Costs thereof as such Court shall think expedient.

either by Motion or Petition.

No Stamp Duties.

Indemnity to Trustees, Executors, &c.

Costs.

XXII. And be it further enacted, That it shall be lawful for the Commissioners for the Reduction of the National Debt, and they are hereby empowered and required to accept and receive Three Pounds Ten Shillings *per Centum* Reduced Annuities created by this Act, as the Consideration for the Purchase of Life Annuities; and for the Purpose of ascertaining the Price of such Stock or Annuities, the Cashier or Cashiers of the Bank of *England* shall, and they are hereby required, on every Day on which any of the said Annuities shall have been bought at the Bank of *England*,

New 3/4. per Centum Annuities may be accepted by the Commissioners of National Debt for Purchase of Life Annuities.

to

to cause an Account to be made out of the average Price thereof, according to the Regulations prescribed by any Act or Acts now in force for ascertaining the average Price of Three Pounds *per Centum* Bank Annuities, for enabling the Purchase of Life Annuities; which said Account shall be transmitted to the Officer appointed by the said Commissioners, to enable him to ascertain the respective Amounts of the like Annuities which may be purchased by the Transfer of such Three Pounds Ten Shillings *per Centum* Reduced Annuities, as aforesaid.

Mode of computing New  $3\frac{1}{4}$  per Cents for such Purchase.

XXIII. And be it further enacted, That when any Three Pounds Ten Shillings *per Centum* Reduced Annuities shall be transferred to the said Commissioners for the Purchase of Life Annuities, that such Three Pounds Ten Shillings *per Centum* Reduced Annuities shall be first converted by the Computation of the said Officers into Three Pounds *per Centum* Consolidated or Reduced Bank Annuities (at the Option of the Purchaser), according to the average Price of those Stocks, to be ascertained as hereinbefore directed; and the Life Annuities to be granted thereon shall be calculated and ascertained upon the Amount of Three Pounds *per Centum* Bank Annuities, including Fractions (if any) produced by such Conversion, according to the Provisions, Rules and Regulations prescribed by any Act or Acts now in force, enabling the said Commissioners to grant Life Annuities.

Banks of England and Ireland indemnified.

XXIV. And be it further enacted, That this Act shall be and is hereby declared to be a full and complete Indemnity and Discharge to the said Governor and Company of the Bank of *England*, and the Governor and Company of the Bank of *Ireland*, their Officers and Servants, and every of them, for all Things done or permitted to be done pursuant thereto; and that the same shall not be questioned or impeached in any Court of Law or Equity whatsoever, to their Prejudice or Detriment.

Act may be altered, &c. this Session.

XXV. 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.

[See Cap. 45. post.]

## C A P. XII.

An Act to facilitate in those Counties which are divided into Ridings or Divisions, the Execution of an Act of the last Session of Parliament, for consolidating and amending the Laws relating to the building, repairing and regulating of certain Gaols and Houses of Correction in *England* and *Wales*. [23d March 1824.]

4G.4. c.64.

§ 2.

‘ WHEREAS by an Act passed in the Fourth Year of the  
 ‘ Reign of His present Majesty, intituled *An Act for con-*  
 ‘ *solidating and amending the Laws relating to the building, repair-*  
 ‘ *ing and regulating of certain Gaols and Houses of Correction in*  
 ‘ *England and Wales*; it was (amongst other Things) enacted,  
 ‘ that there should be maintained at the Expence of every County  
 ‘ in *England* and *Wales*, one Common Gaol, and that the Regu-  
 ‘ lations and Provisions contained in the said Act should extend,

‘ in



' in manner therein mentioned, to every such Gaol: (a) And  
 ' Whereas in certain Counties in *England* there are distinct  
 ' Commissions of the Peace for the several Ridings and Divisions  
 ' into which such Counties are divided, and distinct Courts of  
 ' Sessions of the Peace are holden for each of such Ridings and  
 ' Divisions respectively, and in such Counties there are no Courts  
 ' of General or Quarter Sessions holden for the whole County at  
 ' large, in consequence whereof the Provisions and Regulations of  
 ' the said Act cannot in such Counties be carried into Execution :  
 ' For Remedy thereof, and in order to extend to such Counties  
 ' all the Benefits of the said Act ;' Be it therefore enacted by the  
 King's most Excellent Majesty, by and with the Advice and  
 Consent of the Lords Spiritual and Temporal, and Commons, in  
 this present Parliament assembled, and by the Authority of the  
 same, That in every County divided into Ridings or Divisions,  
 having distinct Commissions of the Peace, there shall be held  
 from time to time a Court of Sessions for the Gaol of such County,  
 of which Court all the Justices of the Peace of every Riding and  
 Division of such County shall be Members ; and any Two of such  
 Justices shall be able to hold such Court ; and such Court shall  
 possess and exercise all the Powers and Authorities respecting the  
 Common Gaol of such County, and all Matters relating thereto,  
 which are in and by the said recited Act vested in the Court of  
 General or Quarter Sessions of the Peace for any other County  
 of *England* ; and the Justices of the Peace for each of such Ridings  
 and Divisions are hereby authorized as fully and effectually to  
 perform and execute all the Provisions and Regulations of the  
 said recited Act, with respect to such County Gaol, as Justices of  
 the Peace for the County are in any other County of *England*  
 authorized to do with respect to the Gaol of their respective  
 Counties ; and the said Court of Gaol Sessions is hereby em-  
 powered to transact and do, within the Counties so divided, all  
 such Matters and Things appertaining to the Authority of Justices  
 of the Peace in Sessions assembled, with respect to the County  
 Gaol, as are in other Counties capable of being done by Justices  
 of the Peace in their General or Quarter Sessions assembled ;  
 and where by the said Act any Thing is ordered to be done  
 at any General or Quarter Sessions, or at any Adjournment  
 thereof, or at any subsequent General or Quarter Sessions or Ad-  
 journment thereof, respecting the County Gaol, then such Things  
 may be done at such Gaol Sessions, or at any Adjournment  
 thereof, or at One or more subsequent Gaol Sessions, in such  
 Ways and with such public Notices as in the said recited Act  
 they are ordered or directed to be done by the General or Quarter  
 Sessions or Adjournment thereof. (a) *The said Act 4 G. 4. c. 64.*  
*further extended, see Cap. 85. post.]*

In Counties di-  
 vided into Rid-  
 ings or Divi-  
 sions, a Court  
 of Sessions for  
 the Gaol shall  
 be held ; and  
 such Court shall  
 possess all the  
 Powers given  
 by the former  
 Act respecting  
 the Common  
 Gaol of such  
 County.

II. And be it further enacted, That the Sheriff of every County  
 so divided into Ridings or Divisions shall, within Fourteen Days  
 next after the passing of this Act, by Notice to be published in  
 the *London Gazette*, and in some of the public Newspapers most  
 usually circulated within his County, summon the Justices of  
 each of the Ridings or Divisions into which the same is divided,  
 to meet at some Place in or near the County Gaol, to be by him  
 specified in such Notice, and at a Time not exceeding One Month  
 after

Sheriff to give  
 Notice in the  
 London Ga-  
 zette, &c. of the  
 holding such  
 Court.

Chairman and Clerk to be appointed.

Power and Duty of such Court.

Continuance in Office by Clerk of Gaol Sessions.

Notice of holding Gaol Sessions in the public Newspapers.

Place for holding Sessions for the County Gaol.

Treasurer to be appointed,

to Account upon Oath.

Court to appoint Salaries.

after the first Publication of such Notice, and there to form a Court of Sessions for the County Gaol, for the Purpose of carrying into Execution the Regulations and Provisions of the said recited Act and of this Act; and the said Court being so constituted shall proceed to elect a Chairman and a Clerk; and the said Court, and the Chairman thereof, shall proceed to execute all those Matters and Things which were by the said recited Act directed to be done by the Court of Quarter Sessions of the Peace held at *Michaelmas* next after the passing thereof, and by the Chairman of that Court, and to do all such other Matters and Things as may be necessary or proper in regard to the County Gaol.

III. And be it further enacted, That the Clerk of the Gaol Sessions shall continue in his Office until another shall be elected in his Stead by the Court of Gaol Sessions, and shall, with respect to the said recited Act and this Act, have and enjoy all the Powers vested by the said recited Act in the Clerk of the Peace of any County.

IV. And be it further enacted, That the Clerk of the Gaol Session shall, on receiving a Precept commanding him so to do, signed by any Two Justices of the Peace acting for any of the Ridings or Divisions of the County, summon the Justices to meet in a Court of Gaol Sessions, by a Notice to be published at least Twice in some of the public Newspapers most usually circulated in the County, which Notice shall declare the Day, Hour and Place at which such Court is to be held; and also that the said Clerk, if the Court of Gaol Sessions shall be dissolved without Adjournment, or shall adjourn for a longer Time than Three Calendar Months, shall by a like Notice, to be issued of his proper Authority, without any Precept in that Behalf, summon a Court of Gaol Sessions to be held within Three Calendar Months next after such Dissolution or last Adjournment.

V. And be it further enacted, That the Sessions for the County Gaol shall be held in some Place in the Gaol, or within One Mile thereof, unless there shall be special Reasons for the contrary, which shall be expressed in the Precept to be directed to the said Clerk as aforesaid; and if it shall be held in the Gaol, or within such Distance thereof as aforesaid, all Matters done thereat touching the County Gaol shall be legal, though the Sessions be held in some Place not within the County.

VI. And be it further enacted, That the Court of Gaol Sessions shall also elect a Treasurer of the Monies applicable to the Repair of the County Gaol, who shall not be the Clerk of the said Court; and the said Treasurer shall receive and pay all Monies to be raised for the Repair of the County Gaol, or to be disbursed by Order of the Court, and shall give Discharges for the Monies received, and apply the same as by such Court shall be ordered, and shall keep a distinct Account of such Monies received and paid, and shall from time to time, when called on by the said Court, account upon Oath, if required, for all Monies so by him received, and deliver in all Vouchers respecting the same; and the said Court shall from time to time appoint such Salaries to such Clerk and Treasurer respectively as they shall think fit, to be paid out of the Monies aforesaid; and such Treasurer shall give

give such Security for the faithful Performance of his Duty, as the Court of Goal Sessions shall direct.

VII. And Whereas it is expedient that all the Expences incurred respecting any County Gaol, where the County is so divided as aforesaid, whether arising out of the Provisions of the said recited Act or of this Act, or otherwise, should be discharged out of the County Rates; and it is necessary to fix the Proportions in which the several Ridings or Divisions shall contribute to such Expences; and it may also be necessary from time to time to vary the said Proportions: Be it therefore further enacted, That where in any such County there are, at the Time of passing this act, any fixed Proportions in which such Expences are or have been paid and borne, such Proportions shall continue to be acted on, and the Contributions shall be paid accordingly, till some Alteration shall be made therein by the Court of Gaol Sessions; and that where there are now no such fixed Proportions, the said Court shall forthwith fix the Proportions in which the Contribution is to be made; and the said Court shall also have Power and Authority to alter the said Proportions from time to time; provided that no such Alteration shall be made, unless the Intention of making such Alteration shall be expressed in the Notice whereby the Court is summoned, and shall be published for One Month at the least before the Court shall be held.

Proportions of County Rates to be paid by each Riding or Division.

VIII. And be it further enacted, That when the Court of Gaol Sessions shall order an Alteration to be made in the Proportions in which the Ridings or Divisions of the County are to contribute towards the Expences of the County Gaol, or shall negative a Proposition for making such Alteration, and any Riding or Division shall be dissatisfied therewith, it shall be lawful for the Clerk of the Peace of such Riding or Division, being thereunto authorized by an Order of the Court of Quarter or Gaol Sessions of such Riding or Division, to apply to the Justices of Assize of the last preceding Circuit, or of the next succeeding Circuit, or to One of such Justices, who shall by Writing under their or his Hands or Hand nominate a Barrister at Law, not having any Interest in the Question, to arbitrate between the Ridings or Divisions; and such Arbitrators (a) shall summon the several Clerks of the Peace of the Ridings or Divisions interested in the Matter in Dispute to appear before him, at a Time to be by him appointed, and there to produce all Information touching the Matter in Dispute; and such Arbitrator may, if he shall see fit, adjourn the Hearing from time to time, and require all such further Information to be afforded by either of the Parties as shall appear to him meet and necessary; and shall, by his Award in Writing, determine the Proportions in which such Ridings or Divisions shall contribute towards the said Expences; and his Award shall be final and conclusive between the Parties for Ten Years, and until further Order shall be made thereon by the Court of Gaol Sessions; and such Arbitrators shall also assess the Courts † of the Arbitration, and shall direct by whom and out of what Fund the same shall be paid. (a) [One Arbitrator competent, Cap. 85. post. § 21.]

In case of Dispute as to such Proportions the same to be settled by Arbitrators appointed by the Justices or one Justice of Assize on Circuit.

Award final for Ten Years, and until further Order.

† Sic.

Order for Money to be transmitted to Treasurers of the several Ridings or Divisions.

IX. And be it further enacted, That when and so often as the Court of Gaol Sessions shall find it requisite to raise Money for the Purposes of the said recited Act or of this Act, they shall make an Order accordingly, and their Clerk shall forthwith transmit a Copy of such Order, signed by the Chairman, together with the Amount of the Sum of Money to be paid by virtue of it, according to the then existing Proportions, by each Riding or Division, to the Treasurers of the several Ridings or Divisions of the County; which Treasurers shall forthwith out of the Monies in their Hands, or if those Monies shall be insufficient, then so soon as sufficient Monies shall come to their Hands, pay the Sum required to the Treasurer of the County Gaol, and take his Receipt for the same. [See as to paying off such Monies, Cap. 85. post. § 20.]

Rates may be mortgaged for raising the Money.

X. And be it further enacted, That when the Monies necessary to be raised for the Purposes of the said recited Act or of this Act shall exceed One Half of the ordinary Aggregate Amount of all the Annual Assessments for the Rates of the several Ridings or Divisions of any such County, taken on an Average of all such Rates for the last Seven Years preceding, the Court of Gaol Sessions may and is hereby authorized to mortgage all the Rates of such County, by such Instrument, and in such Ways and Means, and under such Provisions of Repayment, and with the same Power of Assignment, as in the said recited Act are enacted respecting the Mortgage of any County Rates therein mentioned.

Rates on each Riding or Division to be charged in same Manner as Rates on Counties by recited Act.

XI. And be it further enacted, That the Court of Gaol Sessions shall and is hereby required to charge all the Rates upon the several Ridings and Divisions of the County, in the same Manner and for the same Purposes as in and by the said recited Act the Justices in their General or Quarter Sessions are authorized and required to charge the Rates of any County having One Rate for the Whole; and all the Ways, Means and Methods by the said recited Act directed and allowed, as to the Repayment of Monies borrowed and the Interest thereof, and the Accounts respecting the same, shall be kept and observed by the Court of Gaol Sessions, respecting the Monies borrowed on Account of the Gaol of any County so divided as aforesaid; provided that all the Monies to be raised on the several Ridings or Divisions of any such County, for repaying Money borrowed or the Interest thereof, shall be raised in the same Proportions as other Monies for the Purposes of the said recited Act or of this Act shall be raised at the Time of such Money being so raised.

Reports under 4G. 4. c. 64. § 23. laid before Gaol Sessions.

XII. And be it further enacted, That all Reports and Statements directed by the said recited Act to be made to the General or Quarter Sessions, shall be transmitted on or before the First Days of *January, April, July* and *October*, to the Clerk of the Gaol Sessions, and be by him laid before the Court at the Sessions.

Reports, &c. transmitted by Chairman of Court of Gaol Sessions to Secretary of State.

XIII. And be it further enacted, That the Chairman of the First Court of Gaol Sessions held after the First Day of *October* in each Year, shall, within Fourteen Days after the Determination of such Sessions, or any Adjournment thereof, transmit to One of His Majesty's Principal Secretaries of State such Account  
of

of Proceedings, and such Copies of Rules and Regulations, as in and by the said Act are ordered to be transmitted by the Chairman of the *Michaelmas* Quarter Sessions, and shall at the same Time, or within Three Months afterwards, transmit such Plans as in the said Act are mentioned.

XIV. And be it further enacted, That the Return directed to be made annually by the Keeper of every Prison, in the Form contained in the Schedule annexed to the said recited Act, marked (B.), shall be annually made by the Keeper of every Gaol of every County so divided as aforesaid, and delivered to the Clerk of the Gaol Sessions of such County, Two Weeks at least before the First Day of *October* in each Year; and that such Clerk shall on the said First Day of *October* prepare a General Report founded on the Report of the Visiting Justices and that of the Chaplain, and on the Certificates and Reports of the Keeper of the said Gaol, and on any other Report or Document respecting the said Gaol, and shall lay the same before the next Gaol Sessions; and such Report, when approved by such Sessions, shall be signed by the Chairman thereof, and shall be by him, together with a Copy of the Schedule (B.), transmitted to One of His Majesty's Principal Secretaries of State, for the Purposes in the said recited Act mentioned.

Returns from Keeper of Prisons to be delivered to Clerk of Gaol Sessions.

XV. And be it further enacted, That if any Matter or Thing be done within any County so divided as aforesaid, for which any Fine, Penalty or Forfeiture is by the said recited Act imposed and directed to be paid to the County Treasurer, every Conviction made in pursuance of the said recited Act for such Matter or Thing shall be made by One or more Justices of the Peace of the Riding or Division in which the Offence is committed; and all Forfeitures, Fines and Penalties thereon accruing, shall be paid to the Treasurer of the County Gaol for the Purposes of this Act.

By whom Convictions for Recovery of Fines, &c. to be made.

XVI. And be it further enacted, That in the Case of every County so divided as aforesaid, the Common Gaol of such County shall, for all Purposes relative to the Jurisdiction of Justices of the Peace, be deemed to be within and taken as Part of each of the Ridings and Divisions of which such County is composed; and every Justice of the Peace for each of such Ridings and Divisions shall have like Power and Authority to execute all Things appertaining to his Office therein, as in any Part of the Riding or Division to which his Commission specially extends.

Common Gaol of County to be deemed within each Riding or Division.

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

Public Act.

XVIII. 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. in the present Session.

## C A P. XIII.

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

[23d March 1824.]

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

Sentence of Transportation, &c. shall be notified by the Commander in Chief or the Adjutant General to any Justice of the King's Bench, &c. who shall make an Order for the Transportation of such Offenders.

IX. AND be it further enacted, That whenever His Majesty shall intend any Sentence of a Court Martial of Transportation to be carried into Execution, or shall be graciously pleased to extend His Mercy, upon Condition of Transportation, to any Offender liable to the Punishment of Death by the Sentence of a Court Martial, such Sentence, together with His Majesty's Pleasure upon the same, shall be notified in Writing by the Commander in Chief for the Time being of His Majesty's Forces in *Great Britain* and *Ireland*, or in the Absence of the Commander in Chief, then by the Adjutant General for the Time being, to any Justice of the King's Bench, Common Pleas, or Baron of the Exchequer of the Degree of the Coif in *England*, or to any Justice of the King's Bench, Common Pleas, or Baron of the Exchequer in *Ireland*; and thereupon such Justice or Baron shall make an Order for the Transportation of such Offender upon the Terms and for the Time which shall be specified in such Notification, and shall also make such other Order or Orders, and do all such other Acts consequent upon the same, as any such Justice or Baron is authorized to make or do by any Act or Acts of Parliament in force at the Time of making any such Orders in relation to the Transportation of Offenders; and such Order and Orders so to be made, and all such Acts as shall be so done as aforesaid, shall be obeyed and done by such Person in whose Custody such Offender shall at that Time be, and all other Persons whom it may concern, and shall be as effectual, and have all the same Consequences, as any Order made under the Authority of the said Act with respect to any Offender in the said Act mentioned; and every Sheriff, Gaoler, Keeper, Governor or Superintendent whom it may concern, and all Constables and other Persons, shall be bound to obey the aforesaid Order and Orders, be assistant in the Execution thereof, and be liable to the same Punishment for Disobedience, or interrupting the Execution of the same, as they would be if the same had been made under the Authority of the aforesaid Act; and every Person so ordered to be transported as aforesaid shall be subject respectively to all and every the Provision and Provisions made by Law, and now in force, concerning Persons convicted of any Crime, and sentenced to be transported, or receiving His Majesty's Pardon on Condition of Transportation.

Sheriffs, Gaoler, &c. to obey said Orders, and liable to Punishment.

General or other Courts Martial may sentence Non-commissioned Officers or Soldiers to

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

Place which such Court may appoint for that Purpose; and all Gaolers and Keepers of such Houses of Correction or Prison 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 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.

Imprisonment  
in any House  
of Correction  
or Gaol; &c.

Gaolers refus-  
ing to receive  
them.

Penalty 100*l*.

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

Officers to be  
sworn.

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

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

‘ So help you GOD.’

‘ I do swear, That I will duly administer Justice, according to the Rules and Articles for the better Government of His Majesty’s Forces, and according to an Act of Parliament now in force for the Punishment of Mutiny and Desertion, and other Crimes therein mentioned, without Partiality, Favour or Affection; and if any 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 the like Cases: And I further swear, That I will not divulge the Sentence of the Court until it shall be approved by His Majesty, or by some Person duly authorized by Him; neither will I, upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court Martial, unless required to give Evidence thereof as a Witness, by a Court of Justice or a Court Martial, in a due Course of Law.

‘ So help me GOD.’

And so soon as the said Oaths shall have been administered to the respective Members, the President of the Court is hereby

The Judge  
Advocate to be  
sworn.

authorized and required to administer to the Judge Advocate or the Person officiating as such, an Oath in the following Words :

The Oath.

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

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

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

Hours of Trial.

Offence but between the Hours of Eight of the Clock in the Morning and Four in the Afternoon, except in Cases which require an immediate Example, and except in the *East Indies*, where such Proceedings or Trial may be had between the Hours of Six in the Morning and Four in the Afternoon: Provided also, that all Witnesses duly summoned by the Judge Advocate, or the Person officiating as such, shall, during their necessary Attendance in such Courts, and in going to and returning from the same, be privileged from Arrest in like Manner as Witnesses attending any of His Majesty's Courts of Law are privileged; and that if any such Witness shall be unduly arrested, he shall be discharged from such Arrest by the Court out of which the Writ or Process issued by which such Witness was arrested; or if the Court out of which the Writ or Process issued be not sitting, then by any Judge of the Court of King's Bench in *London* or in *Dublin*, or Court of Session in *Scotland*, or Courts of Law in the *East* or *West Indies*, or elsewhere, according as the Case shall require, upon its being made appear to such Court or Judge, by Affidavit in a summary Way, that such Witness was arrested in going to or returning from or attending upon such Court Martial; and that all Witnesses so duly summoned as aforesaid, who shall not attend on such Courts, shall be liable to be attached in the Court of King's Bench in *London* or *Dublin*, or Court of Session or Sheriffs Depute or Stewarts Depute, or their respective Substitutes, within their several Shires and Stewartries in *Scotland*, or Courts of Law in the *East* or *West Indies*, or in any of His Majesty's Colonies, Garrisons or Dominions in *Europe* or elsewhere respectively, upon Complaint made to the said Courts of King's Bench

Witnesses attending Courts Martial to be privileged from Arrest.

Witnesses not attending liable to be attached.



**Bench, or Court of Session in Scotland, or Courts of Law in the East or West Indies, or elsewhere respectively, in like Manner as if such Witness had neglected to attend on a Trial in any criminal Proceeding in that Court.**

‘ XXX. And Whereas it may be expedient in certain Cases, and particularly in such Matters wherein any of His Majesty’s Marine Forces may be interested, that Officers of the Marines should be associated with Officers of the Land Forces, for the Purpose of holding Courts Martial; Be it enacted and declared, That when and as often as it may be necessary, it shall and may be lawful for Officers of the Land and Marine Forces to sit in conjunction upon Courts Martial, and to proceed in the Trial of any Officer or Soldier of the Land Forces, in like Manner, to all Intents and Purposes, as if such Courts Martial were composed of Officers of the Land Forces only, and whether the Commanding Officer by whose Orders such Court Martial is assembled belongs to the Land or to the Marine Forces; and the Officers of the Land and Marine Forces are in such Cases to take Rank according to the Seniority of their Commissions in either Service,

As often as shall be necessary, Officers of the Land and Marine Forces may sit in conjunction upon Courts Martial, taking Rank according to the Seniority of their Commissions.

‘ XXXI. And Whereas it may also be expedient that Officers of His Majesty’s Land Forces, when employed in conjunction with Officers in the Service of the United Company of Merchants of England trading to the East Indies, should in certain Cases be associated for the Purpose of holding Courts Martial; Be it enacted and declared, That when and as often as there may be occasion, it shall and may be lawful for Officers of His Majesty’s Land Forces, and of the Forces in the Service of the United Company of Merchants of England trading to the East Indies, to sit in conjunction at Courts Martial, and to proceed in the Trial of any Officer or Soldier, in like Manner, to all Intents and Purposes, as if such Courts Martial were composed of Officers of His Majesty’s Land Forces, or of Officers in the Service of the said United Company only; with this Distinction, that upon the Trial of any Officer or Soldier of His Majesty’s Land Forces, Regard shall be had to the Regulations and Provisions made by or in pursuance of this Act; and the Oaths administered to the several Members of the Courts Martial shall be in the Terms by this Act prescribed; and upon the Trial of any Officer or Soldier in the Service of the said United Company, Regard shall be had to the Regulations and Provisions made by or in pursuance of an Act passed in the Fourth Year of the Reign of His present Majesty, intituled *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*; notwithstanding any Officer in the Service of the said United Company may also have a Commission from His Majesty; and the Oaths administered to the several Members of the Court Martial shall be in the Terms prescribed by the same Act.

Officers of the King’s Forces and Officers in the East India Company’s Service may sit in conjunction at Courts Martial, &c.

4G. 4. c. 81.

LVIII. And be it further enacted, That all Horses of Officers and Men belonging to His Majesty’s Horse, Dragoons, Artillery or Commissariat, and also all Bât and Baggage Horses belonging to any of His Majesty’s other Forces, and also the Horses belong-

Horses belonging to the Horse or Dragoons, Artillery or Commissariat,

and also Bat  
and Baggage  
Horses, &c.  
how to be quar-  
tered in Ireland.

belonging to Staff and Field Officers in His Majesty's Forces when upon actual Service, not exceeding for each Officer the Number for which Forage is or shall be allowed by His Majesty's Regulations, shall and may be quartered and billeted in *Ireland* in the Inns, Livery Stables, Ale Houses, Victualling Houses and other Houses in which Officers and Soldiers are by this Act allowed to be quartered and billeted; and that they shall be received and furnished by the Owners or Occupiers of such Inns, Livery Stables, Ale Houses, Victualling Houses and other Houses in which they are so allowed to be quartered and billeted, with Stables, and also with Hay and Straw for such Horses, at the Rate of Eighteen Pounds of Hay and Six Pounds of Straw each Horse per Night, in Cases in which Hay and Straw shall not be supplied by Contract for such Horses, such Owners or Occupiers being paid for the same the several Rates that are or shall be established by the Lord Lieutenant or other sufficient Authority from time to time, the same to be regulated by the Average Rate of Contracts for Forage in *Ireland*.

When Horses  
shall be pro-  
vided with Hay  
and Straw by  
Contract, an  
Allowance of  
Four Pence per  
Week shall be  
paid for each  
Horse.

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

' LIX. And Whereas Innkeepers or others, on whom such Horses as before recited may have been billeted, have heretofore received an Allowance of Four Pence per Week for each such Horse for the Use of the Stable, when the Forage has been furnished by Contract; Be it enacted, That from and after the passing of this Act, the said Allowance of Four Pence per Week shall continue to be paid only during the Time when such Horses shall be provided with Hay and Straw by Contract, and not by such Innkeepers or other Owners or Occupiers as aforesaid.

LXXIV. 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, such further Sum of Four Pence, Three Pence or Two Pence respectively, or such Proportion of those Rates as may be deemed fair and reasonable, to 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, and specifying in their Order the Average Price thereof at the nearest Market Town, at the Time of fixing such additional

tional Rates: Provided always, that in Cases where the Day's March shall exceed Fifteen Miles, such further Compensation shall be made and paid in like Manner to the Owners of the said Carriages as shall be deemed reasonable by the Magistrate who granted the Warrant for impressing them, not exceeding the usual Rate and Hire of such Carriages: Provided always, that every Order of the Justices assembled at any General Session 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 of 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 authorised 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.

‘ LXXXIV. And Whereas in consequence of certain Exemptions from Toll expressly allowed by several Acts of Parliament for His Majesty's Forces on their March or on Duty, and for the Horses and Carriages attending them, Doubts have arisen whether in all Cases not so exempted, the Horses and Soldiers, and the Carriages and Horses belonging to His Majesty, or employed in His Service, and returning therefrom, may not be charged with the Payment of Tolls;’ Therefore, for obviating such Doubts, it is hereby enacted and declared, That all His Majesty's Officers and Soldiers, being in proper Staff or Regimental Uniform, and their Horses, on Duty or on their March, and all Carriages and Horses belonging to His Majesty, or employed in His Service, and returning therefrom, or employed in His Service, when conveying the Officers, Soldiers, Servants, Women, Children or other Persons of or belonging to His Majesty's Forces, or the Arms, Clothes, Accoutrements, Tents, Baggage and other Equipage of or belonging to His Majesty's Forces on their Marches, or any Ordnance or Barrack, or Commissariat or other Public Stores of or belonging to His Majesty or for the Use of His Majesty's Forces, or returning therefrom, were and are and shall be exempted from Payment of any Duties and Tolls otherwise demandable by virtue of any Act of Parliament already made or hereafter to be made for Persons, Horses or Carriages, or any Baggage

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

unless where it is provided that they are liable with others.

Baggage of any Troops embarking or disembarking from or upon any Pier, Wharf, Quay or Landing Place, or passing Turnpike Roads or Bridges, unless by such Act it has been or shall be expressly provided that the said Officers, Soldiers, Carriages and Horses are and shall be liable equally with others to the Duties and Tolls therein authorized to be demanded and taken: Provided always, that nothing herein contained shall exempt from the Payment of Tolls any Boats, Barges or other Vessels employed in conveying the Officers, Soldiers, Servants, Women, Children or other Persons of or belonging to His Majesty's Forces, or the Arms, Clothes, Accoutrements, Tents, Baggage and other Equipage of or belonging to His Majesty's Forces, or any Military Stores, along any Canal; but the same shall be liable to Toll in like Manner as other Boats, Barges and Vessels are liable thereto.

‘ LXXXV. And Whereas the respective Sums of Money by this Act appointed to be paid to the Constables by the Officers demanding such Carriages, Horses, Boats, Barges or Vessels may not in many Cases be sufficient to answer the Charge and Expence of providing the same, insomuch that the said Constables may frequently be at great Charges over and above what is received by them of the said Officers, to the great Burthen of the Townships of which they are Constables, or else the Persons providing such Carriages are grievously oppressed: For Remedy whereof, and that the said Overplus Charge may be borne by each County or Riding at the general Charge of such County or Riding, be it further enacted, That the Treasurer or Treasurers of such respective County or Riding shall, without Fee or Reward, pay unto such Constable all and every such reasonable Sum or Sums of Money so by him paid or laid out for such Carriages, Horses, Boats, Barges and other Vessels, over and above what was or ought to have been paid by the Officer requiring such Carriages, Horses, Boats, Barges and other Vessels, out of the public Stock of such County or Riding, according to such Rates, Orders, Rules and Directions as the Justices of the Peace in their Quarter Sessions assembled, within their respective Jurisdictions, shall from time to time during the Continuance of this Act make, direct and appoint (which Orders shall be made without Fee or Reward); Regard being always had to the Season of the Year, and the Length and Condition of the Ways by and through which such Carriages, Horses, Boats, Barges and other Vessels are to travel and pass.

Treasurer of the County to repay the Constables extraordinary Charges.

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

XCVII. And be it further enacted, That any Person who shall knowingly, wilfully and designedly make any false Representation of any Particular contained in the Oaths respectively marked (A.) and (B.) and Certificates marked (C.) and (D.) in the Schedule to this Act respectively contained and annexed, before the Justice of the Peace or Magistrate at the Time of his Attestation, for the Purposes of obtaining, and shall obtain any Enlisting Money or any Bounty for entering into His Majesty's Service, or any other Money, shall be deemed guilty of obtaining Money under false Pretence, within the true Intent and Meaning of an Act passed in the Thirtieth Year of the Reign of His Majesty King George the Second, intituled *An Act for the more effectual Punishment*

*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 the Production of such Certificate, and Proof of the Handwriting of the Justice of the Peace giving such Certificate, shall be sufficient Evidence of such Party having represented the several Particulars contained in the Oath sworn by him, and specified in the Certificate of the Justice, at the Time of his being attested; and that Proof by the Oath of One or more credible Witness or Witnesses that the Person so prosecuted hath freely and voluntarily declared or acknowledged that at the Time of his Enlistment he belonged to the Militia, or to any Regiment in His Majesty's Service, or to His Majesty's Navy or Marines, shall be deemed and taken as Evidence of the Fact so by him declared or acknowledged, without Production of any Roll or other Document to prove the same.*

CLIII. Provided always, and be it enacted, That if any Person shall harbour, conceal or assist any Deserter from His Majesty's Service, knowing him to be such, the Person so offending shall forfeit for every such Offence the Sum of Twenty Pounds; and upon Conviction, by the Oath of One or more credible Witness or Witnesses, before any of His Majesty's Justices of the Peace, the said Penalty of Twenty Pounds shall be levied, by Warrant under the Hand of such Justice of the Peace, by Distress and Sale of the Goods and Chattels of the Offender; one Moiety of the said Penalty to be paid to the Informer, and the other Moiety to be paid to the Agent of the Regiment or Corps to which any such Deserter did belong, and shall be credited by such Agent in his public Accounts, and a Report of the Penalty being adjudged shall be made to the Secretary at War by the Justices 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, Ammunition, Clothes, Caps or other Furniture belonging to the King, or any Meat, Drink, Beer or other Provisions, or any Sheets or other Articles used in Barracks, 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 Five Pounds; or if any Person shall buy or receive any Oats, Hay, Straw or other Forage provided

Persons concealing Deserters.

Penalty 20l.

Persons receiving any Arms, Clothes, &c. of Soldiers or Deserters, &c.

Penalty 5l.  
Buying Forage provided

vided for His Majesty's Service.

Penalty 5*l*.

How Penalties applied.

provided for the Use of any Horse or Horses belonging to His Majesty's Service, from any Dragoon or other Soldier, knowing him to be such, or shall move, procure, counsel, solicit or entice any Dragoon or other Soldier, knowing him to be such, to sell or otherwise dispose of any such Oats, Hay, Straw or other Forage as aforesaid, the Person so offending shall forfeit for every such Offence the Sum of Five Pounds; and upon Conviction, by the Oath of One or more credible Witness or Witnesses, before any of His Majesty's Justices of the Peace, the said respective Penalties of Five Pounds, and Five Pounds, shall be levied, by Warrant under the Hand of such Justice of the Peace, by Distress and Sale of the Goods and Chattels of the Offender, One Moiety of the said first mentioned Penalty of Five Pounds to be paid to the Informer, and One Moiety of the said last mentioned Penalty of Five Pounds to be paid to the Agent of the Regiment or Corps to which any such Deserter or Soldier did belong, who shall report the same to the Secretary at War, and credit the same in his public Accounts; and in case any such Offender who shall be convicted as aforesaid of having knowingly received any Arms, Ammunition, Clothes, Caps or other Furniture belonging to the King, or any such Meat, Drink, Beer or other Provisions, or Sheets, or other Articles used in Barracks, or any such Articles generally deemed Regimental Necessaries, or of having caused the Colour of such Clothes to be changed, or of having bought or received any Oats, Hay, Straw or other Forage provided for the Use of any Horse or Horses belonging to His Majesty's Service, from any Dragoon or other Soldier, knowing him to be such, or of having moved, procured, counselled, solicited or enticed any Dragoon or other Soldier, knowing him to be such, to sell or otherwise dispose of any such Oats, Hay, Straw or other Forage as aforesaid, contrary to the Intent of this Act, shall not have sufficient Goods and Chattels whereon Distress may be made to the Value of the Penalties recovered against him or her for such Offence, or shall not pay such Penalties upon such Conviction, or give sufficient Security for Payment thereof within the Space of Four Days from such Conviction, then and in such Case such Justice of the Peace shall and may, by Warrant under his Hand and Seal, either commit such Offender to the Common Gaol, there to remain without Bail or Mainprize for the Space of Three Months, or cause such Offender to be publicly or privately whipped, at the Discretion of such Justice.

Persons persuading Soldiers to desert, to be punished by Fine or Imprisonment, or both.

CLIV. 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 suffer such Punishment by Fine or Imprisonment, or both, as the Court before which the Conviction may take place shall adjudge.

Continuance of Act.

CLIX. And be it further enacted, That this Act shall be and continue in force within *Great Britain* from the Twenty fourth Day of *March* One thousand eight hundred and twenty four, until

until the Twenty fifth Day of *March* One thousand eight hundred and twenty five; and shall be and continue in force within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark* and *Isle of Man*; and the Islands thereto belonging, from the First Day of *April* One thousand eight hundred and twenty four until the First Day of *April* One thousand eight hundred and twenty five; and shall be and continue in force within the Garrison of *Gibraltar*, and in *Spain* and *Portugal*, from the Twenty fifth Day of *June* One thousand eight hundred and twenty four until the Twenty fifth Day of *June* One thousand eight hundred and twenty five; and shall be and continue in force in all other Parts of *Europe* where His Majesty's Forces may be serving, and in the *West Indies* and *America*, from the Twenty fifth Day of *July* One thousand eight hundred and twenty four to the Twenty fifth Day of *July* One thousand eight hundred and twenty five; and shall be and continue in force within the *Cape of Good Hope*, the *Isle of France* and *Bourbon*, and Islands thereto belonging, *Saint Helena* and the Western Coast of *Africa*, from the Twenty fifth Day of *October* One thousand eight hundred and twenty four to the Twenty fifth Day of *October* One thousand eight hundred and twenty five; and shall be and continue in force in all other Places from the Twenty fifth Day of *November* One thousand eight hundred and twenty five to the Twenty fifth Day of *November* One thousand eight hundred and twenty six.

## C A P. XIV.

An Act for the regulating of His Majesty's Royal Marine Forces while on Shore. [23d *March* 1824.]

[*This Act and the Schedules are the same as 4 G. 4. c. 12. and the Schedules thereto, except as to Dates and the Sections retained, and Schedule A. to this Act.*]

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

Deserters may be transported for Life, &c.

Unduly returning.

Death.

VIII. Pro-

His Majesty, where a capital Punishment is awarded by Court Martial, may order Offenders to be transported.

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

Oaths to be taken by Members of General Court Martial.

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

Oaths.

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

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

The Judge Advocate to be sworn.

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

The Oath.

‘ I *A. B.* do swear, That I will not, upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court Martial, unless required to do



‘ to give Evidence thereof as a Witness by a Court of Justice in  
 ‘ a due Course of Law. So help me GOD.’

And every such Court Martial is hereby authorized and directed to administer an Oath to every Witness who shall appear before them: And no Sentence of Death shall be given against any Offender by any such General Court Martial as aforesaid, unless Nine Officers present, or where the Court Martial shall consist of Seven Members, unless Five Officers present, shall concur therein; and if there be more Officers present than Thirteen or Seven respectively, then the Judgment shall pass by the Concurrence of Two Thirds of the Officers present; and no Proceeding or Trial shall be had upon any Offence but between the Hours of Eight of the Clock in the Morning and Four in the Afternoon, except in Cases which require an immediate Example: Provided also, that all Witnesses duly summoned by the Judge Advocate, or the Person officiating as such, shall, during their necessary Attendance in such Courts, and in going to and returning from the same, be privileged from Arrest in like Manner as Witnesses attending any of His Majesty's Courts of Law are privileged; and that if any such Witness shall be unduly arrested, he shall be discharged from such Arrest by the Court out of which the Writ or Process issued by which such Witness was arrested; or if the Court out of which the Writ or Process issued be not sitting, then by any Judge of the Court of King's Bench in *London* or in *Dublin*, or the Court of Sessions in *Scotland*, or Courts of Law in the *East* or *West Indies* or elsewhere, 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 duly summoned as aforesaid, who shall not attend on the Court Martial, whether the same be a General or Divisional Court Martial, or who attending shall refuse to be sworn or to give Evidence on any Court Martial, shall be liable to be attached in the Court of King's Bench in *London* or *Dublin*, or Court of Session in *Scotland*, or Courts of Law in the *East* or *West Indies* or elsewhere respectively, upon Complaint made to the said Courts of King's Bench or Court of Session in *Scotland*, or Courts of Law in the *East* or *West Indies* or elsewhere, in like Manner as if such Witness had neglected to attend on a Trial in any Criminal Proceeding in that Court.

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

XLI. And be it further enacted, That it shall and may be lawful for any Justice of the Peace for the County, Town or Place where any Non-commissioned Officer or Marine shall be quartered in that Part of *Great Britain* called *England*, in case such Non-commissioned Officer or Private Marine have either Wife or Child or Children, to cause such Non-commissioned Officer or Private Marine to be summoned before him, in the Town or Place where such Non-commissioned Officer or Marine shall be quartered;

Oath to be administered to Witnesses. In Sentences of Death, what Number of Officers shall concur, &c.

Hours of Trial.

Witnesses during their Attendance privileged from Arrest.

Witnesses not attending liable to be attached.

Not to exempt any on Shore from ordinary Process.

Any Justice may summon Marines having Wife or Children to make Oath of their last Settlement.

tered, in order to make Oath of the Place of his last legal Settlement (which Oath the said Justice is hereby empowered to administer); and such Non-commissioned Officer or Private Marine as aforesaid is hereby directed to obey such Summons, and to make Oath accordingly; and such Justice is hereby required to take the Examination of such Non-commissioned Officer or Private Marine in Writing, and to give an attested Copy of the Examination so taken before him to the Person so examined, to be by him delivered to his Commanding Officer, in order to be produced when required; which said Examination and such attested Copy shall be at any Time admitted in Evidence as to such last legal Settlement, before any of His Majesty's Justices of the Peace, or at any General or Quarter Session of the Peace, although such Non-commissioned Officer or Private Marine be dead or absent from the Kingdom: Provided always, that in case any Non-commissioned Officer or Private Marine shall be again summoned to make Oath as aforesaid, then on such Examination or such attested Copy being produced by him or by any other Person on his Behalf, such Non-commissioned Officer or Marine shall not be obliged to take any other or further Oath with regard to his legal Settlement, but shall leave a Copy of such Examination, or a Copy of such attested Copy of Examination, if required.

Rates of Carriage.

XLIII. 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; such further Sum of Four Pence, Three Pence or Two Pence respectively, or such Proportion of those Rates as may be deemed fair and reasonable, to 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, and specifying in their Order the Average Price thereof at the nearest Market Town 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

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 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.

‘ XLV. And Whereas in consequence of certain Exemptions  
 ‘ from Tolls expressly allowed by several Acts of Parliament for  
 ‘ His Majesty’s Forces on their March or on Duty, and for the  
 ‘ Horses and Carriages attending them, Doubts have arisen whe-  
 ‘ ther in all Cases not so exempted the Officers and Marines,  
 ‘ and the Carriages and Horses, Boats, Barges and other Vessels  
 ‘ belonging to His Majesty, or employed in his Service, and re-  
 ‘ turning therefrom, may not be charged with the Payment of  
 ‘ Tolls; Therefore, for obviating such Doubts, it is hereby enact-  
 ed and declared, That all His Majesty’s Officers, and Marines,  
 being in proper Uniform, and their Horses, on Duty or on their  
 March, and all Carriages, and Horses belonging to His Majesty,  
 or employed in His Service, and returning therefrom, and also  
 all Boats, Barges and other Vessels belonging to His Majesty, or  
 employed in His Service, when conveying the Officers, Marines,  
 Servants, Women, Children or other Persons of or belonging to  
 His Majesty’s Royal Marine Forces, or the Arms, Clothes, Ac-  
 coutrements, Tents, Baggage and other Equipage of or belong-  
 ing to His Majesty’s Royal Marine Forces on their Marches, or  
 returning therefrom, were and are and shall be exempted from  
 Payment of any Duties and Tolls otherwise demandable by virtue  
 of any Act of Parliament already made or hereafter to be made  
 for Persons, Horses, Carriage or Vessels passing Turnpike Roads,  
 Bridges, Rivers, Canals or Locks, unless by such Act it has  
 been or shall be expressly provided that the said Officers, Royal  
 Marines, Carriages, Horses and Vessels are and shall be liable  
 5 Geo. IV. E equally

Officers and  
 Marines, &c.  
 and Carriages  
 employed in  
 His Majesty’s  
 Service, ex-  
 empted from  
 Payment of  
 Toll.

equally with others to the Duties and Tolls therein authorized to be demanded and taken.

Reward for taking up Deserters.

LIV. 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, the Amount of which Reward shall be paid by the said Paymaster and charged against the Pay and Subsistence of every such Deserter, and shall be stopped and retained out of his Pay and Subsistence accordingly; provided always, that this Reward shall only be given in Cases in which the Lords Commissioners 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.

Apprehending Marines attempting to desert.  
Reward 10s.

LVII. 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 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 Twenty Shillings is hereinbefore 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.

Persons receiving the Arms, Clothes, &c. of Deserters, &c.

LIX. And be it further enacted, That if any Person shall knowingly detain, buy or exchange, or otherwise receive any Arms, Ammunition, Clothes, Caps or other Furniture belonging to the King, from any Marine or Marine Deserter, or any other Person, upon any Account or Pretence whatsoever, or any such Articles belonging to any Marine or Marine Deserter, as are generally deemed Regimental Necessaries according to the Custom of the Royal Marine Corps (being provided for the Marine, and paid for by the Deductions out of his Pay), or cause the Colour of such Clothes to be changed, every such Person so offending shall forfeit for every such Offence the Sum of Five Pounds; and upon Conviction by the Oath of One or more credible Wit-

Penalty 5l.

ness or Witnesses before any One or more of his Majesty's Justices of the Peace, the said Penalty shall be levied, by Warrant under the Hands of the said Justice or Justices of the Peace, by Distress and Sale of the Goods and Chattels of the Offender; one Moiety thereof to be paid to the Informer, and the other Moiety to be paid to the Paymaster of the Royal Marine Forces, who shall report the same to the Secretary of the Admiralty, and credit the same in his Public Accounts; and in case any such Offender, who shall be so convicted, shall not have sufficient Goods and Chattels whereon Distress may be made to the Value of the Penalty recovered against him or her for such Offence, or shall not pay such Penalty within Four Days after such Conviction, then and in such Case such Justice or Justices of the Peace shall and may, by Warrant under his or their Hand and Seal, or Hands and Seals, either commit such Offender to the Common Gaol, there to remain without Bail or Mainprize for the Space of Three Months, or cause such Offender to be publicly or privately whipped, at the Discretion of such Justice or Justices.

Distress.

If no Distress.

Imprisonment.

LX. And be it further enacted, That any Person taking a false Oath, in any Case wherein an Oath is required to be taken or authorized to be administered 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.

False Oath  
Perjury.

LXI. And Whereas Marines absent on Furlough granted to them by their Commanding Officers are sometimes prevented by Sickness or other unavoidable Casualty from returning to their Duty before the Expiration of the Time limited by such Furlough; and Doubts have arisen whether in such Cases the Extension of a Marine's Furlough by a Justice of the Peace be sanctioned by legal Authority, and effectual for preventing such Marine from being apprehended upon suspicion of his having deserted; Be it further enacted, That any Inspecting Field Officer, stationed on the Recruiting Service, or any Officer of the Rank of Captain or of superior Rank, or any Adjutant of Local Militia within the District; or in case there be no such Officer as aforesaid within a convenient Distance, then any Justice of the Peace may and he is hereby authorized to grant in Writing under his Hand an Extension of Furlough to any Non-commissioned Officer or Marine applying for the same on account of Sickness or other Casualty which shall on due Inquiry appear to render such Extension necessary; and that every such Officer or Justice of the Peace who shall grant to any Non-commissioned Officer or Marine an Extension of Furlough as aforesaid, shall immediately certify the same, with the Cause of its being so granted, to the Secretary of the Admiralty, and the Commandant of the Division to which the said Marine may belong; and that such Non-commissioned Officer or Marine during the Period to which his Furlough shall have been so extended as aforesaid, shall not be liable to be apprehended or otherwise molested on the Ground of his having deserted, or of criminally absenting himself from his Division: Provided always, that nothing in this Act contained shall be construed to exempt any Non-commissioned Officer or

Furlough extended in case of Sickness, &amp;c.

Provide when Extension of Furlough unduly obtained.

Marine, whose Furlough shall have been so extended as aforesaid, from being proceeded against and punished according to the Provisions of this Act, should it thereafter appear that such Non-commissioned Officer or Marine had obtained the Extension of his Furlough by false Representation made to such Officer or Justice of the Peace as aforesaid, or, in applying for and obtaining the same, had committed any Offence to the Prejudice of good Order and Military Discipline; Provided also, that no such Furlough shall be extended by any such Officer or Justice of the Peace for any longer Period than One Month, unless with the Approbation of the General Officer commanding the District where such Marine shall be.

Persuading  
Marines to  
desert.

LXIV. 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, and being thereof lawfully convicted, shall suffer such Punishment by Fine or Imprisonment, or both, as the Court before which the Conviction may take place shall adjudge.

Punishment.

Notice to  
Secretary of  
Admiralty  
of Expiration  
of Imprisonment.

LXX. And be it further enacted, That every Gaoler to whom any Notice shall have been given that any Person in his Custody for any Offence is a Marine, and liable to serve His Majesty on the Expiration of his Imprisonment, shall give One Month's Notice, or if there shall not be sufficient Time to give One Month's Notice, then a reasonable Notice to the Secretary of the Admiralty before the Day on which the Imprisonment of such Person will expire, according to his Commitment or Sentence, of the Period of Expiration of such Imprisonment.

Clause for Relief of Persons hastily enlisting themselves.

LXXI. Provided nevertheless, and it is hereby declared, That from and after the Twenty fourth Day of *March* One thousand eight hundred and twenty four, 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

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 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.), which Oaths respectively such Justice or Chief Magistrate is hereby authorized and required to administer; 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 retain 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, inquire the Christian and Surname and Place of Abode of such Recruit, and either take the same down in Writing, or give the same to the Non-commissioned Officer commanding the Recruiting Party, to be so taken down: Provided also, that it shall be lawful for any Justice of the Peace to discharge any Person who shall have hastily 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,

Non-commissioned Officer or Private enlisting Recruits, to enquire Name and Place of Abode.

Proceedings against Party receiving Enlisting Money and then absconding.

the Officer or Non-commissioned Officer commanding the Party shall produce to the Magistrate before whom the Recruit would regularly have been brought for Attestation, a Certificate of the Name and Place of Residence of such Person, and the Magistrate to whom the Certificate shall be produced shall, after satisfying himself that the Person who had absconded cannot be found and apprehended, transmit a Duplicate thereof to the Lords of the Admiralty or their Secretary, in order that in the Event of such Person being afterwards apprehended and reported as a Deserter, the 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.

Person 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.

LXXV. 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.) in the Schedule annexed to this Act, before the Justice of the Peace at the Time of his Attestation, for the Purpose of obtaining, and shall thereupon obtain any Enlisting Money, or any Bounty or Part of a Bounty, for enlisting into His Majesty's Royal Marines, or any other Money, shall be deemed guilty of obtaining Money under false Pretences, within the true Intent and Meaning of an Act passed in the Thirtieth Year of the Reign of His late Majesty King George the Second, intituled *An Act for the more effectual Punishment of Persons who shall attain or attempt to attain Possession of Goods or Money, by false or untrue Pretences; for preventing the unlawful Pawning of Goods; for the easy Redemption of Goods pawned; and for preventing Gaming in Public Houses by 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 that Proof by the Oath of One or more credible Witness or Witnesses that the Person so prosecuted hath freely and voluntarily declared or acknowledged that at the Time of his Enlistment he belonged to the Militia, or to any Corps or Regiment in His Majesty's Service, or to His Majesty's Royal Navy or Royal Marines, shall be deemed and taken as sufficient Evidence of the Fact so by him declared or acknowledged, without Production of any Roll or other Document to prove the same; 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.

LXXXIV. And



LXXXIV. And be it further enacted, That this Act and every Thing herein contained shall be and continue in force within *Great Britain* from the said Twenty fourth Day of *March* One thousand eight hundred and twenty four, until the Twenty fifth Day of *March* One thousand eight hundred and twenty five; and shall be and continue in force within *Ireland* from the First Day of *April* One thousand eight hundred and twenty four, until the First Day of *April* One thousand eight hundred and twenty five inclusive; and shall be and continue in force within the *Garrison of Gibraltar*, and in *Spain* and *Portugal*, from the Twenty fifth Day of *May* One thousand eight hundred and twenty four, until the Twenty fifth Day of *May* One thousand eight hundred and twenty five inclusive; and it shall be and continue in force in all other Parts of *Europe* where Royal Marine Forces may be serving, and in the *West Indies* and *North America* and *Cape of Good Hope*, from the Twenty fifth Day of *July* One thousand eight hundred and twenty four, to the Twenty fifth Day of *July* One thousand eight hundred and twenty five inclusive; and shall be and continue in force in all other Places from the Twenty fifth Day of *Septcember* One thousand eight hundred and twenty four, to the Twenty fifth Day of *September* One thousand eight hundred and twenty five inclusive.

Continuance of  
this Act.

SCHEDULE to which this Act refers.

SCHEDULE (A.)

Form of Oath.

‘ I do make Oath, That I am by Trade a  
‘ and to the best of my Knowledge  
‘ and Belief was born in the Parish of in the  
‘ County of ; and that I have no Rupture,  
‘ nor ever was troubled with Fits, and am no ways disabled by  
‘ Lameness or otherwise, but have the perfect Use of my Limbs;  
‘ and that I am not an Apprentice, and that I do not belong to  
‘ the Militia, or to any Regiment in his Majesty’s Service, or to  
‘ His Majesty’s Navy or Royal Marines. As witness my Hand  
‘ at the Day of  
‘ One thousand eight hundred and  
Sworn before me at this  
Day of One thousand eight  
hundred and }  
Witness present.

C A P. XV.

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 four. [23d March 1824.]

[This Act is the same as 4 G. 4. c. 3. except as to Dates. — For the Appropriation of these Duties, see Cap. 115. § 8. post.]

## C A P. XVI.

An Act to amend an Act passed in the last Session of Parliament, for the better Administration of Justice in the Equity Side of the Court of Exchequer in Ireland.

[23d March 1824.]

1 G. 4. c. 70.  
§ 20.

‘ WHEREAS by an Act passed in the last Session of Parliament, intituled *An Act for the better Administration of Justice in the Equity Side of the Court of Exchequer in Ireland*, it is enacted, that the Grants of the Office of Chief Remembrancer of the said Court, made to *Richard Marquess Wellesley* and *William Lord Maryborough*, and to *Richard Wellesley*, shall, from and after the passing of the said Act, absolutely cease and determine: And Whereas the Office of Keeper of the Records appertaining to the said Office in the said Court was also at the Time of the passing of the said Act vested in the said *Richard Marquess Wellesley* and *William Lord Maryborough*, for and during the Life of, and for the Benefit of the said Marquess *Wellesley*; and the said Office had also been granted in Reversion to the said *Richard Wellesley*;’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the 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 Grants of the said Office made to the said *Richard Marquess Wellesley* and *William Lord Maryborough*, and to the said *Richard Wellesley*, shall be deemed and taken to have ceased from the Eleventh Day of July last, being the Day of the passing of the said Act; and that the Chief Remembrancer of the said Court for the Time being shall be deemed and taken to have been, from the passing of the said Act, and shall henceforth be Keeper of the said Records, and shall enjoy all Privileges, Authorities and Jurisdictions whatsoever to the Office of Keeper of the said Records in any Manner belonging or appertaining; save that he shall not be entitled to receive any Fee or Fees whatever for any Act by him done in virtue of the said Office.

Grants of the Office of Keeper of the Records to cease;

and the Chief Remembrancer to be Keeper of the Records.

No Fees.

Account to be taken of the Fees of both the Officers of Chief Remembrancer and Keeper of the Records, by the Chief Justice of the King’s Bench, &c. for the Purpose of Compensation.

II. And 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 for the Time being, or any Two of them, shall, upon the Application of the said Marquess *Wellesley* and *Richard Wellesley*, or either of them, make Inquiry into and ascertain the Particulars of the Salaries, Fees and Emoluments which appertained to the said Offices, or either of them, at the Time of the passing of the said Act; excluding all Fees payable for Attendances given by the Deputy of the said Chief Remembrancer, and all Fees then received and retained according to the ancient Usage of the said Offices, or either of them, by any of the subordinate Officers or Clerks named in the said recited Act as a Remuneration for their Labour; and also excluding all Fees, or Addition to Fees, which shall (if any) appear to have been introduced by or subsequently to

to the Appointment of the said *Richard Marquess Wellesley* and *William Lord Maryborough* to the Offices aforesaid, or contrary to the Provisions of any Act of Parliament, or otherwise contrary to Law; and they shall calculate the Fees upon Office Sheets as payable upon Sheets of Ninety and not Seventy two Words; and they shall ascertain the average annual Amount of the said Salaries, Fees and Emoluments of the said Offices for the Seven Years, ending the First Day of *January* One thousand eight hundred and twenty two, and they shall also make Inquiry into and ascertain the average annual Amount of the Disbursements of the said Offices, for or in respect of Salaries to any of the said subordinate Officers or Clerks, Coals, Candles, Stationery and other incidental Expences, necessarily incurred by the Deputy for the Time being, for the said Seven Years, ending the First Day of *January* One thousand eight hundred and twenty two; 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 and 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 Hand and Seals, or under the Hands and Seals of Two of them, the average Amount of the Yearly Income of the said Offices 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 said 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, including in the said net Income the Produce of all Fees which the said Marquess was lawfully entitled to receive at the Time of the passing of the said Act, subject only to such Exclusions and Disbursements as aforesaid; 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

Average  
Amount to  
certified:

Certificate to be  
filed in the  
Auditor Gene-  
ral's Office,  
*Dublin* Castle.

After filing of  
such Certificate,  
Compensation  
shall be paid  
out of the Con-  
solidated Fund,  
Quarterly.

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 Offices, in full Compensation for the same; such annual Sum to commence from the Eleventh Day of *July* last, being the Day of the passing of the said Act, and 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 filing of the said Certificate, and in Proportion to the Time which shall have elapsed from the Eleventh Day of *July* last, being the Day of the passing of the said Act; and also to the Executors of the said Marquess *Wellesley* and *Richard Wellesley* such Proportion of any such Quarterly Payment as at the Time 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.

Compensation to Marquess *Wellesley*, &c. under recited Act repealed.

III. Provided always, That so much of the said recited Act as relates to the Compensation to be made to the said *Richard Marquess Wellesley* and *Richard Wellesley* successively, for the Loss of the said separate Office of Chief Remembrancer, shall be and the same is hereby repealed.

#### C A P. XVII.

An Act for the more effectual Suppression of the *African Slave Trade*. [31st *March* 1824.]

‘ WHEREAS it is expedient to make further Provision for the Suppression of the *African Slave Trade*, by enacting that Persons committing the Offences hereinafter specified shall be deemed and adjudged to be guilty of Piracy; Be it therefore enacted by the King’s most Excellent Majesty, by and with the 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 Subject or Subjects of His Majesty, or any Person or Persons residing or being within any of the Dominions, Forts, Settlements, Factories or Territories, now or hereafter belonging to His Majesty, or being in His Majesty’s Occupation or Possession, or under the Government of the United Company of Merchants of *England* trading to the *East Indies*, shall, except in such Cases as are in and by the Laws now in force permitted, after the First Day of *January* One thousand eight hundred and twenty five, upon the *High Seas*, or in any Haven, River, Creek or Place where the Admiral has Jurisdiction, knowingly and wilfully carry away, convey or remove, or aid or assist in carrying away, conveying or removing any Person or Persons as a Slave or Slaves, or for the Purpose of his, her or their being imported or brought as a Slave or Slaves into any Island, Colony, Country, Territory or Place whatsoever, or for the Purpose of his, her or their being sold, transferred, used or dealt with as a Slave or Slaves; or shall, after the said First Day of *January* One thousand eight hundred and twenty five, except in such Cases as are in and by the Laws now in force per-

Dealing in Slaves, on the High Seas, &c. deemed Piracy.

Exceptions.

permitted, upon the High Seas, or within the Jurisdiction aforesaid, knowingly and wilfully ship, embark, receive, detain or confine, or assist in shipping, embarking, receiving, detaining or confining on board any Ship, Vessel or Boat any Person or Persons, for the Purpose of his, her or their being carried away, conveyed or removed as a Slave or Slaves, or for the Purpose of his, her or their being imported or brought as a Slave or Slaves into any Island, Colony, Country, Territory or Place whatsoever, or for the Purpose of his, her or their being sold, transferred, used or dealt with as a Slave or Slaves, then and in every such Case the Person or Persons so offending shall be deemed and adjudged guilty of Piracy, Felony and Robbery, and being convicted thereof shall suffer Death without Benefit of Clergy, and Loss of Lands, Goods and Chattels, as Pirates, Felons and Robbers upon the Seas ought to suffer.

Death.

II. Provided always, and it is hereby further enacted and declared, That nothing in this Act contained, making and declaring the aforesaid Offences to be Piracies, Felonies and Robberies, shall be construed to repeal, annul or alter the Provisions and Enactments in any other Act or Acts contained, imposing Forfeitures and Penalties, or either of them, upon the same Offences, or to repeal, annul or alter the Remedies given for the Recovery thereof; but that the said Provisions and Remedies shall in all respects be deemed and taken to be and remain in full Force, as they existed immediately before the passing of this Act: Provided also, that nothing herein contained shall be construed to repeal, annul or alter any of the Enactments or Provisions contained in an Act passed in the Fifty first Year of His late Majesty, intituled *An Act for rendering more effectual an Act made in the Forty seventh Year of His Majesty's Reign, intituled 'An Act for the Abolition of the Slave Trade;'* except so far as such Enactments or Provisions are altered or varied by this Act; but that the said Act shall in all other respects remain in full force and effect.

Proviso for Acts relating to Slave Trade,

and for 51 G. 3. c. 23.

III. And be it further enacted and declared, That all and every the Offences hereinbefore specified shall and may be enquired of, either according to the ordinary Course of Law, and the Provisions of an Act passed in the Twenty eighth Year of the Reign of King *Henry* the Eighth, intituled *An Act for Pirates*, or according to the Provisions of an Act passed in the Forty sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the more speedy Trial of Offences committed in distant Parts upon the High Seas.*

Mode of trying Offences.

28 H. 8. c. 15.

46 G. 3. c. 54.

IV. 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, &amp;c. this Session.

[See Cap. 113. post.]

## C A P. XVIII.

An Act for the more effectual Recovery of Penalties before Justices and Magistrates on Conviction of Offenders; and for facilitating the Execution of Warrants by Constables.

[31st March 1824.]

WHEREAS by several Acts, certain Penalties and Forfeitures are imposed on Persons for Offences committed against the Directions of such Acts, which are directed to be recovered before any Justice or Justices of the Peace, or any Magistrate or Magistrates, within their respective Jurisdictions; and on Non-payment thereof, such Penalties and Forfeitures, together with the reasonable Costs and Charges attending the several Convictions, are directed to be levied by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of such Justice and Magistrate respectively: And Whereas no Power is given to such Justices and Magistrates, on Conviction of such Offenders, to detain him, her or them in Custody till Return is made to the Warrant of Distress, for the Purpose of ascertaining whether such Offenders have any Goods and Chattels to satisfy such Penalties, Forfeitures, Costs and Charges, whereby such Offenders frequently escape any Punishment for their Offences: For Remedy whereof, may it please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, whenever any Penalty or Forfeiture is or shall be directed to be recovered before any Justice or Justices of the Peace, or Magistrate or Magistrates for any County, Riding, Soke, City, Division or Place, and such Justice or Justices of the Peace, Magistrate or Magistrates, is or are authorized and empowered, on the Conviction of the Offender or Offenders, in Default of Payment of such Penalty or Forfeiture, together with the reasonable Costs and Charges attending such Conviction, to cause the same to be levied by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant or Warrants under the Hand and Seal of such Justice or Magistrate, or Hands and Seals of such Justices or Magistrates, together with the reasonable Costs of such Distress and Sale; and in case upon a Valuation being taken of the Goods and Chattels of the Offender or Offenders, sufficient Distress for the Payment of all such Penalties and Forfeitures and other Costs and Charges cannot be found, or in case it shall appear to such Justice or Justices, Magistrate or Magistrates, either by the Confession of the Offender or Offenders or otherwise, that the Offender or Offenders has or have not sufficient Goods or Chattels whereupon the same may be levied, within the Jurisdiction of such Justice or Justices, Magistrate or Magistrates, no Sale shall take place of the Goods and Chattels of such Offender or Offenders, but it shall be lawful for such Justice or Justices, Magistrate or Magistrates, to commit such Offender or Offenders

When a Penalty is directed to be recovered before a Justice, on Default of Payment Justice may distress on the Offender's Goods.

In default of sufficient Distress no Sale of Goods shall take place, but Offender may be committed, unless Security be given, &c.

to the Common Gaol or House of Correction, for such Time and in such Manner as in such Acts respectively mentioned and directed, then and in every such Case it shall and may be lawful to and for such Justice or Justices, Magistrate or Magistrates, at his or their Discretion, to order the Offender or Offenders so convicted to be kept and detained in safe Custody until Return shall be made to such Warrant or Warrants of Distress, unless such Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice or Justices, Magistrate or Magistrates, for his, her or their Appearance before him or them 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 Eight Days from the Time of taking such Security; and such Security such Justice or Justices, Magistrate or Magistrates is and are hereby empowered to take by way of Recognizance or otherwise, as to him or them shall seem right and proper; or in case it shall appear to the Satisfaction of such Justice or Justices, Magistrate or Magistrates, either by the Confession of the Offender or Offenders or otherwise, that he, she or they hath not or have not Goods or Chattels within the Jurisdiction of such Justice or Justices, Magistrate or Magistrates, sufficient whereon to levy all such Penalties and Forfeitures, Costs and Charges, such Justice or Justices, Magistrate or Magistrates, may at his or their Discretion, without issuing any Warrant of Distress, commit the Offender or Offenders for such Period of Time, and in such and like Manner, as if a Warrant of Distress had been issued and a *Nulla Bona* returned thereon.

Proviso for the Case of no Goods within the Jurisdiction.

‘ II. And Whereas by some Acts certain Penalties or Sums of Money are to be recovered before a Justice or Justices of the Peace, or a Magistrate or Magistrates, and he or they is and are authorized to issue forth his or their Warrant for levying such Penalties or Sums of Money by Distress and Sale of the Goods and Chattels of the Offender or Defendant; but no further Remedy is provided in case no sufficient Goods and Chattels can be found whereon to levy such Penalties or Sums of Money; For Remedy whereof, be it further enacted, That whenever it shall appear to any such Justice or Justices of the Peace, Magistrate or Magistrates, by whom any Penalty or Sum of Money is adjudged to be paid, upon the Return of any such Warrant of Distress, that no sufficient Goods and Chattels of the Offender or Defendant can be found whereon to levy the Sum adjudged to be paid, and all Costs and Charges, within the Jurisdiction of such Justice or Justices, Magistrate or Magistrates, or in case it shall appear to such Justice or Justices, Magistrate or Magistrates, either by the Confession of the Party or Parties, or otherwise, that he, she or they have not sufficient Goods and Chattels within the Jurisdiction of such Justice or Justices, Magistrate or Magistrates, sufficient whereon to levy such Sum of Money, Costs and Charges, such Justice or Justices, Magistrate or Magistrates, at his or their Discretion, and without issuing any Warrant of Distress, may proceed in such and the like Manner as if a Warrant of Distress had been issued and a *Nulla Bona* returned thereon; and it shall be lawful for such Justice or Justices, or Magistrate or Magistrates, to issue forth his or their Warrant for committing such Offender

In Cases where Penalties are directed to be recovered by Distress, but no Remedy provided where sufficient Distress cannot be found, Justices may commit the Offender, &c.

for a Term not exceeding Three Months.

If Offender, after Commitment to Prison, pay Amount of Penalty and Costs, he shall be discharged.

Justices empowered to commit to Prison without issuing Warrant of Distress in certain Cases.

Consent of Party.

Act not to extend to Scotland.

Constables may execute Warrants out of their Precincts, provided it be within the Jurisdiction of the Justice rant-

Offender or Defendant to the Common Gaol for any Term not exceeding Three Calendar Months, unless the Sum adjudged to be paid, and all Costs and Charges of the Proceedings, shall be sooner paid: Provided always, that the Amount of such Costs and Expences shall be specified in such Warrant of Commitment.

III. And be it further enacted, That in the Case of any Offender or Offenders committed to the Common Gaol or House of Correction for Default of Payment of such Penalty or Forfeiture, together with the reasonable Costs and Charges attending the Conviction, if such Offender or Offenders shall at any time, during the Period of his, her or their Imprisonment, pay or cause to be paid to the Governor or Keeper of the Prison, the full Amount of such Penalty, together with the Costs and Charges, it shall be lawful for such Governor or Keeper of such Prison, and he or they are hereby required forthwith to discharge such Offender or Offenders from his or their Custody.

IV. And Whereas Cases may occur where the Recovery of such Penalty or Forfeiture by Distress and Sale of the Goods and Chattels of the Offender or Offenders may appear to the Justice or Justices of the Peace, or Magistrate or Magistrates for any County, Riding, Soke, City, Division or Place, to be attended with Consequences ruinous, or in an especial Manner injurious to the Offender or Offenders and their Family or Families: Be it enacted, That the Justice or Justices, and Magistrate or Magistrates aforesaid, shall be empowered, and they are hereby authorized, in all Cases and upon all such Occasions as to them shall seem fit, and where such Consequences are likely to arise, to cause to be withheld the Issue of any Warrant or Warrants of Distress, and to commit the Offender or Offenders aforesaid immediately after Conviction, and in Default of Payment of the Penalty or Forfeiture, with Costs and Charges, to the Common Gaol or House of Correction, for such Time and in such Manner as are in such Acts respectively mentioned and directed: Provided always, that it be by the Desire or with the Consent in Writing of the Party or Parties upon whose Property the Penalty or Forfeiture is to be levied.

V. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend to that Part of the United Kingdom of *Great Britain* and *Ireland* called *Scotland*.

VI. And Whereas Warrants addressed to Constables, Headboroughs, Tithingmen, Borsholders, or other Peace Officers of Parishes, Townships, Hamlets or Places, in their Characters of and as Constables, Headboroughs, Tithingmen, Borsholders or other Peace Officers of such respective Parishes, Townships, Hamlets or Places, cannot be lawfully executed by them out of the Precincts thereof respectively, whereby Means are afforded to Criminals and others of escaping from Justice: For Remedy whereof, be it further enacted, That it shall and may be lawful to and for each and every Constable, and to and for each and every Headborough, Tithingman, Borsholder or other Peace Officer for every Parish, Township, Hamlet or Place, to execute any Warrant or Warrants of any Justice or Justices of the Peace, or of any Magistrate or Magistrates within any Parish, Township, Hamlet or Place, situate, lying or being within that Jurisdiction for



For which such Justice or Justices, Magistrate or Magistrates, shall have acted when granting such Warrant or Warrants, or when backing or indorsing any such Warrant or Warrants, in such and the like Manner as if such Warrant or Warrants had been addressed to such Constable, Headborough, Tithingman, Borsholder or other Peace Officer, specially by his Name or Names, and notwithstanding the Parish, Township, Hamlet or Place in which such Warrant or Warrants shall be executed, shall not be the Parish, Township, Hamlet or Place for which he shall be Constable, Headborough, Tithingman or Borsholder, or other Peace Officer, provided that the same be within the Jurisdiction of the Justice or Justices, Magistrate or Magistrates so granting such Warrant or Warrants, or within the Jurisdiction of the Justice or Justices, Magistrate or Magistrates by whom any such Warrant or Warrants shall be backed or indorsed.

ing or backing  
the same.

### C A P. XIX.

An Act to provide for the future Confinement of Male Convicts, removed from the General Penitentiary, and now on board Vessels in the River *Thames*. [12th April 1824.]

‘ WHEREAS an Act was passed in the last Session of Parliament, intituled *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;* 4G.4. c.82.  
 ‘ under and by virtue whereof certain Offenders have been removed from the said Penitentiary, and are now confined on board Vessels provided for that Purpose, and now lying in the River *Thames*: And Whereas it is expedient to place such of the said Offenders as are Males under the Management of the Superintendent and Overseers appointed or to be appointed under an Act passed in the Fifty sixth Year of His late Majesty’s Reign, intituled *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.* 56G.3. c.27.  
 Be it therefore enacted by the King’s most Excellent Majesty, by and with the 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 Vessels so provided for Male Offenders, under and by virtue of the said first recited Act, shall be under the Management of the said Superintendent and of Overseers appointed or to be appointed by His Majesty under and by virtue of the said Act of the Fifty sixth Year of His said late Majesty’s Reign; and that the said Male Offenders shall be subject to the same Treatment, Discipline, Correction, Clothing and Diet as other Offenders under and by virtue of the said last recited Act, and shall be confined on board the said Vessels or on board other Vessels provided or to be provided under the said last recited Act, until they shall become entitled to their Liberty.

Vessels with  
Male Offenders  
from Peniten-  
tiary to be under  
charge of  
Superintendent,  
&c. and  
subject to Pro-  
visions of  
56G.3. c.27.

## C A P. XX.

An Act to regulate the Conveyance of Packets containing re-issuable Country Bank Notes by the Post, and to charge Rates of Postage thereon; to prevent Letters and Packets being sent otherwise than by the Post; to punish Persons embezzling printed Proceedings in Parliament, or Newspapers; and to allow the President of the Commissioners of Revenue Enquiry to send and receive Letters and Packets free from the Duty of Postage. [12th April 1824.]

‘ WHEREAS it is expedient that Power be given to His Majesty’s Postmaster General to receive at the General Post Office in *London*, for Conveyance by the Post, under certain Regulations and Restrictions, Packets, containing such Promissory Cash Notes as have been issued by Country Bankers under their annual Licences, and paid at the Houses of their respective Agents in *London*, and which have thereby become re-issuable, to the Bank in the Town or Place only from which such Cash Notes were first issued; and that the Postmaster General be authorized to have, receive and take certain Rates of Postage for the Conveyance of such Packets:’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, it shall and may be lawful to and for His Majesty’s Postmaster General and his Deputy and Deputies, in his Discretion to receive at the General Post Office in *London*, Packets containing re-issuable Cash Notes only, issued by Country Bankers under annual Licence, and payable at the Houses of their respective Agents in *London*, which Cash Notes have been paid by such Agents in *London*, for Conveyance by the Post within *Great Britain* at his Discretion, to the Bank in the Town or Place from which such Cash Notes were first issued, and to no other Bank, Town or Place whatever; and to demand, have, receive and take for the Conveyance of such Packets, to and for the Use of His Majesty, His Heirs and Successors, Rates of Postage not exceeding One fourth Part of the Rates and Duties of Postage by Law established or which may hereafter be established for the Conveyance of Letters and Packets by the Post; any Law, Statute, Custom or Usage to the contrary notwithstanding.

Re-issuable Cash Notes issued by Country Bankers, and paid in *London*, may be conveyed by Post to the Banks whence first issued, at Rates herein mentioned.

Packets conveyed to exceed Six Ounces, &c.

II. Provided always, and be it further enacted, That no such Packet shall be conveyed under the Provisions in this Act unless the same shall exceed Six Ounces in Weight, and shall be superscribed “ Re-issuable Country Bank Notes only,” and certified by the Signature of the Agent or Agents of such Country Bank, or One of them, in his or their own Handwriting; and provided that the said Packets shall contain no Writing, Communication, Matter or Thing whatever.

Time of Delivery at Post Office regulated by

III. Provided always, and be it further enacted, That such Packets shall be delivered to the Postmaster General, or his Deputy or Deputies, at the General Post Office in *London*, at such Hours

Hours in the Day and under such Regulations as the Postmaster General for the Time being shall in his Discretion from time to time appoint, and such Packets shall also be delivered by the Deputy or Deputies of the Postmaster General in the Country under such Regulations and Restrictions as the Postmaster General for the Time being shall from time to time think fit to appoint.

Postmaster General.

IV. And be it further enacted, That it shall and may be lawful to and for His Majesty's Postmaster General, and his Deputy and Deputies, in his or their Discretion, to detain any such Packet, and in the Presence of the Sender or Senders thereof, or in his or their Absence, in case of Non-attendance after Notice in Writing left at his or their Place of Abode requiring his or their Attendance, to open, examine and search the same, in order to discover whether any Writing, Communication, Matter or Thing, other than re-issuable Notes only, shall be contained therein; and in case upon Examination thereof it shall be discovered that any such Writing, Communication, Matter or Thing, other than reissuable Notes, shall be contained therein, then the Sender or Senders of such Packets shall forfeit and pay the Sum of Two hundred Pounds, 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 *Great Britain*, where no Essoign, Protection, Privilege or Wager of Law shall be admitted; and it shall and may be lawful to and for His Majesty's Postmaster General or his Deputy or Deputies, to retain such Packet until such Penalty shall be recovered and paid.

Packets may be detained and examined,

finding any thing other than re-issuable Bank Notes in the Packet, Penalty 200l.

V. And be it further enacted, That One Moiety of the pecuniary Penalty hereby imposed shall be payable to His Majesty, His Heirs and Successors, and the other Moiety to any Person who shall inform and 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 *Great Britain*, wherein no Essoign, Protection or Privilege or Wager of Law shall be admitted.

Application of Penalties.

VI. And be it further enacted, That the Monies to arise by the several Rates and Duties as aforesaid (except the Monies which shall be necessary to defray such Expence as shall be incurred in the Management and Collection of the same) shall be paid into the Receipt of the Exchequer at *Westminster*, and carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Money arising by Rates to be carried to the Consolidated Fund.

VII. And Whereas, notwithstanding the Provisions in that Behalf made by an Act passed in the Ninth Year of the Reign of Her late Majesty Queen *Anne*, intituled *An Act for establishing a General Post Office for all His Majesty's Dominions, and for settling a weekly Sum out of the Revenues thereof for the Service of the War and other Her Majesty's Occasions*; and also by an Act passed in the Forty second Year of the Reign of His late Majesty *George* the Third, intituled *An Act for amending so much of an Act passed in the Seventh Year of the Reign of His present Majesty as relates to the secreting, embezzling or destroying any Letter or Packet sent by the Post*; and for the better Protection of such Letters and Packets; and for more effectually

9 Anne, c.10. § 3.

42 G. 3. c. 81. § 5. 6.

Letters not to be conveyed in any other Way than by the Post, on Penalty of 5l. for each Letter.

‘ *effectually preventing Letters and Packets being sent otherwise than by the Post, the Practice of sending and conveying by Stage Couches, Carts, Waggon, Ships, Vessels, Boats, Barges and other Conveyances, Letters and Packets which by virtue of the Laws relating to the Post Office ought to be sent by the Post, prevails to a considerable Extent, to the great Prejudice and Diminution of His Majesty’s Revenue;* Be it therefore further enacted, That from and after the passing of this Act, no Person or Persons whatsoever, or Body Politic or Corporate, in any Part of the United Kingdom of *Great Britain or Ireland*, or other His Majesty’s Dominions, where any Post is or shall be established under the Management of His Majesty’s Postmaster General, shall receive, take up, order, dispatch, convey, carry, recarry or deliver, or shall send or cause to be sent or conveyed, or tender or deliver in order to be sent or conveyed, otherwise than by the Post, or by and with the Authority and Consent of His Majesty’s Postmaster General for the Time being, or the Deputy or Deputies of such Postmaster General, or to the nearest or most convenient Post Town, to be from thence forwarded by the Post, any Letter or Letters, on Pain of forfeiting for each and every Letter, whether such Letter shall be received, taken up, ordered, dispatched, conveyed, carried, recarried or delivered, or sent or caused to be sent or conveyed, or tendered or delivered in order to be sent or conveyed, separately or by itself, or together with any other Letter or Letters, or other Matter or Thing whatsoever, the Sum of Five Pounds; one Moiety whereof to the Use of His Majesty, His Heirs and Successors, and the other Moiety to the Use of the Person who shall inform or sue for the same, to be sued for and recovered with full Costs of Suit, by any Person who shall and will inform and sue for the same, in any of His Majesty’s Courts of Record at *Westminster*, for Offences committed within that Part of the United Kingdom of *Great Britain and Ireland* called *England*, and in any of His Majesty’s Courts of Record in *Dublin* for Offences committed in *Ireland*, and before the Sheriff or Stewart Court of the Shire or Stewartry, within which the Party offending shall reside, or the Offence shall be committed, for Offences committed in *Scotland*.

Act not to extend to Letters to be delivered with Goods sent by Common Carriers or by Vessels; nor to Proceedings issuing out of Courts; nor to Letters sent by private Friends or by Messengers on private Affairs.

VIII. Provided always, and be it further enacted, That this Act shall not extend to subject any Person or Body Corporate to any such Penalty or Forfeiture as aforesaid, for receiving, taking up, ordering, dispatching, conveying, carrying, recarrying or delivering, or sending or causing to be sent or conveyed, or for tendering or delivering, or sending or causing to be sent or conveyed, or for tendering or delivering in order to be sent or conveyed, any Letter or Letters which shall respectively concern Goods sent by any common known Carrier of Goods, and shall be sent with and for the Purpose of being delivered with the Goods that such Letter or Letters do concern, without Hire or Reward, Profit or Advantage for the receiving or delivering the same; nor any Letter or Letters of Merchants, Owners of any Ships, Barques or Vessels of Merchandize, or any the Cargo or Lading therein, sent on board the same Ships, Barques or Vessels of Merchandize, to be delivered by the Masters of the same Ships, Barques or Vessels of Merchandize, or by any other Person

Person employed by them for the Carriage of such Letters, according to their respective Directions, without paying or receiving any Hire or Reward, Advantage or Profit for the same in anywise; nor any Commission or Return thereof, Affidavits, Writs, Process or Proceedings, or Return thereof, issuing out of any Court; nor any Letter sent by any private Friend in his or her Way of Journey or Travel, so as such Letter shall be delivered by such Friend to the Party to whom such Letter shall be directed; nor any Letter or Letters to be sent by any Messenger on Purpose for or concerning the private Affair of any Person.

Letter to be delivered by such Friend to the Party.

IX. And be it further enacted, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, the same shall be commenced within Twelve Months after the Fact committed, and not afterwards; and the Defendant or Defendants in such Action shall and may plead the General Issue, and give this Act and the Special Matter in Evidence, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear so to be done, or that such Action or Suit shall be commenced after the Time before limited for bringing the same, that then the Jury shall find for the Defendant or Defendants; and upon a Verdict for the Defendant, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have in any other Cases by Law.

Limitation of Actions for executing Act.

General Issue.

Treble Costs.

X. And Whereas serious Loss, Inconvenience and Injury may be sustained by the wilful embezzling or purloining of printed Votes or Proceedings in Parliament and printed Newspapers sent or to be sent by the Post within the United Kingdom of Great Britain and Ireland; Be it further enacted, That from and after the passing of this Act, if any Deputy, Clerk, Agent, Letter Carrier, Letter Sorter, Post Boy or Rider, or any other Officer or Person whatsoever employed or hereafter to be employed in receiving, stamping, sorting, charging, conveying or delivering Letters or Packets or in any other Business relating to the Post Office in the said United Kingdom, shall wilfully purloin, embezzle, secrete, or destroy, or shall wilfully permit or suffer any other Person or Persons to purloin, embezzle, secrete or destroy any printed Votes or Proceedings in Parliament, or printed Newspapers, or any other printed Paper whatsoever, sent or to be sent by the Post without Covers, or in Covers open at the Sides, each and every such Person or Persons so offending shall be deemed and taken to be guilty of a Misdemeanor, and be punished by Fine and Imprisonment, and such Offences shall and may be enquired of, tried and determined, either in the County where the Offence shall be committed, or where the Party shall or may be apprehended.

Persons employed in the Post Office embezzling Votes, Parliamentary Proceedings, or Newspapers, &c.

Misdemeanor.

XI. And Whereas by an Act passed in the Forty sixth Year of the Reign of His late Majesty King George the Third, intituled *An Act to authorize certain public Officers to send and receive Letters and Packets by the Post free from the Duty of Postage,*

46G.3. c.61.

1 &amp; 2 G. 4. c. 90.

President of the Commissioners appointed by the last recited Act empowered to send and receive Letters and Packages free from Postage.

‘ *Postage*, certain Public Officers therein named were authorized to send and receive Letters by the Post free from the Duty of Postage, in the United Kingdom, in the Manner and under the Restrictions therein mentioned: And Whereas it is expedient that the President or first named Commissioner appointed by or in pursuance of an Act passed in the First and Second Year of the Reign of His present Majesty, intituled *An Act to appoint Commissioners for enquiring into the Collection and Management of the Revenue in Ireland, and the several Establishments connected therewith*, should in like Manner send and receive Letters and Packets by the Post free from Postage;’ Be it therefore enacted, That from and after the passing of this Act it shall be lawful for the said President or first named Commissioner, appointed by or in pursuance of the said last recited Act, to send and receive Letters and Packets by the Post free from the Duty of Postage, within the United Kingdom, in the same Manner and under such Restrictions as the several Public Officers specified in the said recited Act are authorized by the Laws now in force to send and receive Letters and Packets free from Postage.

## C A P. XXI.

An Act to reduce the Duties on Importation of Raw and Thrown Silk, and to repeal the Prohibition on the Importation of Silk Manufactures, and to grant certain Duties thereon. [12th April 1824.]

‘ **W**HEREAS it is expedient to repeal the Duties hereinafter mentioned upon the Importation of Raw Silk and Thrown Silk, and to grant other Duties in lieu thereof: And Whereas it is also expedient to repeal the several Laws prohibiting the Importation of Foreign Wrought Silks, and other Articles of Foreign Silk Manufacture, and to impose certain Duties upon the Importation 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 Twenty fifth Day of *March* One thousand eight hundred and twenty four, the several Duties of Customs now due and payable upon the Importation of Raw Silk, and of Knubs or Husks of Silk, and of Waste or Floss Silk, and of Thrown Silk not dyed, and also the several Drawbacks now allowable upon the Exportation of the same, shall cease and determine; save and except in all Cases so far as shall relate to the recovering, allowing and paying any Arrears thereof, or to any Fine, Penalty or Forfeiture relating thereto respectively, which shall have become due or shall have been incurred on or before the said Twenty fifth Day of *March* One thousand eight hundred and twenty four; and that from and after the said Twenty fifth Day of *March* One thousand eight hundred and twenty four, there shall be raised, levied, collected and paid unto His Majesty, His Heirs and Successors, in lieu and instead of the Duties hereby repealed, the several Duties hereinafter mentioned; that is to say, upon Raw Silk, and upon Knubs or Husks of Silk, and

From March 25, 1824, Duties of Custom on Importation of Silk repealed; except as to Arrears;

other Duties imposed.

and upon Waste or Floss Silk, for every Pound Weight thereof, Three Pence; upon Thrown Silk not dyed, for every Pound Weight thereof, Seven Shillings and Six Pence.

II. And be it further enacted, That the Duties imposed by this Act, and no other, shall be payable on any of the said Goods which have been or may be warehoused, or otherwise secured, under the Authority of any Act of Parliament, without Payment of Duty upon the first Entry thereof, and which shall be taken out of any such Warehouse, wherein the same shall have been so secured, for the Purpose of being used and consumed in the United Kingdom, after the said Twenty fifth Day of *March* One thousand eight hundred and twenty four.

The new Duties payable upon warehoused Silk taken out for Home Consumption.

III. And be it further enacted, That from and after the Fifth Day of *April* One thousand eight hundred and twenty four, the several Bounties now allowed by Law on the Exportation of any Manufactures of Silk from the United Kingdom to Parts beyond the Seas, shall cease and determine, and be no longer payable; save and except in respect of any such Goods as shall have been duly shipped for Exportation on or before the said Fifth Day of *April* One thousand eight hundred and twenty four, or as shall have been deposited in Warehouses, in Manner hereinafter provided, on or before the Fifth Day of *April* One thousand eight hundred and twenty four, to be afterwards exported from thence.

Bounties on Exportation of Silk Manufactures to cease after *April* 5, 1824.

IV. And be it further enacted, That it shall be lawful for any Person to bring and deposit in any Warehouse to be approved by the Commissioners of the Customs, any of the several Sorts of Silk Manufactures (not being less in Quantity than Three hundred Pounds Weight,) and in entire Pieces, or such as have only been cut for the exhibiting Patterns thereof, in respect of which any Bounty is now by Law payable upon the Exportation thereof, to be kept and secured in such Warehouse in such Manner and under such Regulations as the Commissioners of Customs shall direct, for the Purpose of being afterwards exported to Parts beyond the Seas; and upon the due Exportation thereof, there shall be allowed to the Person exporting them the same Bounty as would have been allowed, if the same had been duly exported on or before the said Fifth Day of *April* One thousand eight hundred and twenty four.

Silk Manufactures for Exportation may be warehoused, and Bounty allowed under certain Regulations.

V. Provided always, and be it further enacted, That if any Person who shall have so deposited any such Silk Manufactures shall not be minded to export the same, it shall be lawful for such Person to take the same out of such Warehouse for Home Consumption within Thirty Days after the said Fifth Day of *April* One thousand eight hundred and twenty four; and thereupon there shall be paid to him by the Commissioners of Customs such Sum of Money as shall be equal to One Moiety of the Bounty which would be payable in respect of such Goods if the same were duly exported.

Time for taking out warehoused Goods for Home Consumption. Allowance.

VI. And be it further enacted, That it shall be lawful for any Person to bring and deposit, on or before the said Twenty fifth Day of *March* One thousand eight hundred and twenty four, in any Warehouse to be approved of by the Commissioners of Customs, any Raw Silk or any Thrown Silk, on which the Duties of Customs shall have been paid, (not being less in Quantity

Raw or Thrown Silk, on which Duties have been paid, may be warehoused before *March* 25, 1824.

tity than Three hundred Pounds Weight,) there to be kept and secured in such Manner as the Commissioners of Customs shall direct, until after the said Twenty fifth Day of *March* One thousand eight hundred and twenty four.

Allowances on such deposited Goods.

VII. And be it further enacted, That after the said Twenty fifth Day of *March* One thousand eight hundred and twenty four, there shall be paid by the Commissioners of Customs to the respective Persons who shall have so deposited any such Article of Raw or Thrown Silk, the several Allowances hereinafter mentioned, under such Regulations and in such Manner as the said Commissioners shall direct; that is to say, on Raw Silk imported from any Part, except the *British* Territories in the *East Indies*, and upon Silk thrown from Raw Silk so imported, for every Pound Weight, Five Shillings and Three Pence; on Raw Silk imported from the *British* Territories in the *East Indies*, and upon Silk thrown from Raw Silk so imported, for every Pound Weight, Three Shillings and Nine Pence; on Foreign Thrown Silk imported, not dyed, for every Pound Weight, Seven Shillings and Two Pence; on Waste Silk imported, or the Produce of Silk thrown in *Great Britain* or *Ireland*, for every Pound Weight, Three Shillings and Nine Pence.

Goods may be removed, by Commissioners of Customs, from one Warehouse to another, and there kept until duly exported.

VIII. Provided always, and be it further enacted, That if any Warehouse shall be approved by the Commissioners of Customs for the Purposes of this Act, other than such Warehouses as have already been approved for warehousing of Silk upon the Importation thereof, and any Person shall deposit therein any Articles of Silk Manufacture upon which any Bounty on the Exportation thereof is now payable, and such Person shall not elect to take the same out of such Warehouse for Home Consumption within the Time limited in this Act, it shall be lawful for the Commissioners of Customs to send or convey such Goods, after the Expiration of such Time, under Seals of Office, and under such Regulation as shall to them appear necessary for the Security of the same, from the Warehouse in which such Goods had been so deposited to some other Warehouse in which Silk Goods may be warehoused upon Importation, there to be kept and secured until the same shall be duly exported.

Regulations for Entry of Goods warehoused.

IX. And be it further enacted, That every Person who shall intend to deposit any Goods in Warehouse under the Provisions of this Act, shall first make Entry thereof with the proper Officer of the Customs at the Port or Place at which such are to be so deposited, and in such Entry the Goods so intended to be deposited shall be enumerated and described by the several Denominations and Descriptions according to which any Return of Duty, or any Allowance or Bounty is to be claimed under this Act; and the respective Quantities of each Sort of such Goods upon which such Claim is to be made shall also be stated therein; and such Entry shall be signed by the Person tendering the same, and shall be so tendered to such Officer of Customs, together with an exact Copy thereof, One Day at least before the Day on which the Goods shall be brought to the Warehouse.

Officer of Customs to retain Copy of Entry, and to write to

X. And be it further enacted, That such Officer of Customs shall retain such Copy, and shall write and sign upon such Entry an Order to the Warehouse Officer to receive and deposit such Goods



Goods in the Warehouse under his Charge, and shall deliver such Entry so signed to the Person who shall have made the same, and such Person shall thereupon indorse upon such Entry the Marks and Numbers of each Package, and all such Particulars of the Contents thereof as shall be necessary for ascertaining the Amount of Duty or Allowance to be returned or made in respect of the same.

Warehouse Of-  
ficer to receive  
the Goods.

XI. And be it further enacted, That if any Person or Persons depositing any Goods in any Warehouse, under the Provisions of this Act, shall not make Entry thereof with the proper Officer of the Customs, or shall not truly and fairly enumerate and describe in any Entry made in pursuance of this Act the Goods so deposited, by their several Denominations and Descriptions, and the Quantities of every Sort of Goods so deposited, such Goods and every Part thereof shall be forfeited, and may be seized by any Officer of Customs.

If due Entries  
not made,  
Goods forfeited.

XII. And be it further enacted, That all such Charges and Expences of warehousing any Silk in pursuance of this Act, and of conveying the same from the Warehouse in which it has been originally deposited to any other Warehouse, there to be kept and secured until the same is duly exported, as to the Commissioners of Customs shall seem reasonable, shall be paid and borne by the Person or Persons so warehousing the said Goods, before the said Goods are delivered from and out of the Warehouses in which they are deposited.

Charges and  
Expences to be  
paid by the  
Person ware-  
housing Goods.

XIII. And be it further enacted, That from and after the Fifth Day of July One thousand eight hundred and twenty six, all Acts of Parliament, and Parts of Acts of Parliament, whereby the Importation of Foreign Wrought Silk, or Articles of Foreign Silk Manufacture, is prohibited or restrained, shall be and the same are hereby repealed; and that from and after the said Fifth Day of July One thousand eight hundred and twenty six, there shall be raised, levied, collected and paid unto His Majesty, His Heirs and Successors, upon all Articles of Foreign Wrought Silk and Foreign Silk Manufacture, except Thrown Silk, a Duty of Customs at and after the Rate of Thirty Pounds for every One hundred Pounds of the Value thereof.

From July 5,  
1826, all Acts  
prohibiting Im-  
portation of  
Foreign Silk  
Manufacture  
repealed, and a  
Duty imposed  
of 30 per Cent.

XIV. 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 in the United Kingdom, and shall be carried to and made Part of the Consolidated Fund of the United Kingdom; except only as by this Act is specially provided, and shall be appropriated in like Manner, and to the same Services, as the Duties by this Act repealed would have been if this Act had not been passed.

Duties imposed  
by this Act to  
be paid into the  
Consolidated  
Fund.

XV. And be it further enacted, That the said Duties shall be under the Management of the Commissioners of Customs for the Time being.

Duties under  
Management of  
Customs.

XVI. And be it further enacted, That the several Forfeitures in this Act mentioned, may and shall be managed, kept, detained, proceeded against, sued for, prosecuted, condemned, distributed, recovered and applied, in England, Scotland and Ireland respectively, according to the Laws now in force relating to His Ma-

Forfeitures in-  
curred by this  
Act to be  
managed as  
heretofore.

jesty's Revenue of Customs and Excise, in such respective Parts of the United Kingdom, in so far as the same are or can be made applicable.

Act may be amended &c. this Session.

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

### C A P. XXII.

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

[12th April 1824.]

4 G. 4. c. 26.

Duties payable under recited Act on Articles the Manufacture of Great Britain and Ireland, on their Importation into either Country from the other, repealed.

‘ WHEREAS by an Act made in the last Session of Parliament, intituled *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*; certain progressively decreasing Duties in the said Act mentioned were made payable upon certain Articles in the said Act specified, being the Manufacture of *Great Britain* and *Ireland*, on their Importation into either Country from the other, for and during the several Periods in the said Act mentioned and specified, and to cease and determine at certain Times in the said Act mentioned: And Whereas it will be highly beneficial to the Intercourse between *Great Britain* and *Ireland*, that all Duties on the Articles in the said Act mentioned should at once cease and determine:’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the 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 four, all the Duties granted and made payable by the said recited Act upon or in respect of the several Articles in the said Act mentioned, being the Manufacture of *Great Britain* and *Ireland* respectively, on their Importation into either Country from the other, shall cease and determine, and shall no longer be paid or payable in *Great Britain* or *Ireland*, and all such Duties shall be and the same are hereby absolutely repealed; any Thing in the said recited Act, or in any other Act or Acts to the contrary thereof in any wise notwithstanding.

### C A P. XXIII.

An Act to amend an Act of the Fifty seventh Year of His late Majesty’s Reign, for abolishing certain Offices, and for regulating certain other Offices, in *Ireland*; so far as relates to the Commissioners of the Board of Works there.

[12th April 1824.]

57 G. 3. c. 62.

‘ WHEREAS by an Act made in the Fifty seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to abolish certain Offices, and to regulate certain other Offices, in Ireland*, it is among other Things enacted, that  
‘ from

from and after and upon the respective Terminations of the respective existing Interests in each and every of the Offices of Commissioners of the Board of Works in *Ireland*, and as each of the said Offices shall respectively become vacant upon the Termination of such Interests, each and every of the said Offices shall respectively be abolished; and that after the Offices of the said Commissioners shall become vacant, it shall and may be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, in concurrence with the Lord High Treasurer, or the Commissioners of His Majesty's Treasury for the Time being, to make such Arrangement as shall provide for the sufficient Execution of all Duties connected with the Superintendance of the Public Buildings under the Charge of the said Board of Works: And Whereas it would tend to the facilitating such Arrangement, if, on the Resignation or Vacation of the Office of any of the Commissioners of the said Board of Works, a certain Annual Allowance might be assigned in lieu of the Salary now payable to any such Commissioner; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That at any Time after the passing of this Act, it shall and may be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, with the Concurrence of the Lord High Treasurer, or Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three of them, and he and they is and are hereby authorised and empowered, upon the Resignation or Vacation of the Office of any of the Commissioners of the said Board of Works, to assign to any Person whose Office shall be so resigned or become vacant such Allowance or Annual Sum of Money, for and during the Term of the natural Life of such Person, as such Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, in concurrence with the Lord High Treasurer, or Commissioners of the Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three of them, shall think proper, not exceeding the Amount of One Half of the Salary payable to such Person at the Time of the Resignation or Vacation of such Office; and to direct the Payment of such Allowance or Annual Sum of Money out of the Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, arising in *Ireland*, at such Time, and in such Manner, and under such Regulations and Restrictions, as shall be specified in any Order or Orders of the said Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, and Lord High Treasurer or Commissioners of His Majesty's Treasurer, to be made for that Purpose.

II. Provided always, and be it enacted, That the Payment of any and every such Annual Allowance shall altogether cease and be suspended during any Period while the Person to whom such Annual Allowance shall be granted shall hold any Office, Place or Employment under His Majesty, or under the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, the Salary or Profits whereof shall be equal to or shall exceed the Salary which

Lord Lieutenant and Treasurer may grant an Allowance, not exceeding Amount of Half the Salary, to Commissioner resigning or his Office becoming vacant.

Such Allowance to be suspended on the Commissioners being appointed to any Office, with a Salary equal to that of such Commis-

was

sioner; and in proportion if to an Office with a less Salary.

was enjoyed by such Person as a Commissioner of the said Board of Works at the Time of the Resignation or Vacation of his Office; and that the Payment of a proportional Part of such Annual Allowance shall cease and be suspended during any Period while the Person to whom the same shall be granted shall hold any Office, Place or Employment under His Majesty, or under the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, the Salary or Profits whereof shall be less than the Salary which was enjoyed by such Person as a Commissioner of the said Board of Works, so that the Amount of such Annual Allowance, together with the Salary and Profits of any such Office, Place or Employment, shall not together exceed the Amount of the Salary enjoyed by such Person as a Commissioner of the said Board of Works at the Time of the Resignation or Vacation of his Office.

#### C A P. XXIV.

An Act for transferring several Annuities of Four Pounds *per Centum per Annum*, transferable at the Bank of *Ireland*, into Reduced Annuities of Three Pounds Ten Shillings *per Centum per Annum*.  
[12th April 1824.]

‘ Most Gracious Sovereign,

‘ **WE**, Your Majesty’s most dutiful and loyal Subjects, the  
‘ Commons of the United Kingdom of *Great Britain* and  
‘ *Ireland* in Parliament assembled, having taken into our serious  
‘ Consideration the present State of the National Debt, and being  
‘ desirous of lessening the Charge thereof, have resolved that  
‘ all and every Person and Persons, Bodies Politic and Corporate,  
‘ who, on Behalf of themselves or in Trust for others, now is or  
‘ are, or hereafter may be interested in or entitled unto any  
‘ Part of the National Debt redeemable by Law, which now carries  
‘ an Interest after the Rate of Four Pounds *per Centum*  
‘ *per Annum*, and is usually known by the Name of “Four  
‘ *per Cent*. Annuities and Government Debentures,” the Dividends  
‘ of which are payable at the Bank of *Ireland* on the Fifth Day  
‘ of *January* and the Fifth Day of *July* in each Year, and who  
‘ shall not signify his, her or their Assent to accept Three  
‘ Pounds Ten Shillings *per Centum* Annuities, upon the Terms  
‘ and in the Manner hereinafter mentioned, shall, on the Fifth  
‘ Day of *January* One thousand eight hundred and twenty five,  
‘ receive the Sum of Thirty three Pounds Six Shillings and  
‘ Eight Pence *per Centum* for every One hundred Pounds of  
‘ such Four Pounds *per Centum* Annuities which may be then  
‘ standing in his, her or their Name or Names, and One third  
‘ Part of the Capital of such Annuities and Debentures shall, from  
‘ the said Fifth Day of *January* One thousand eight hundred and  
‘ twenty five, be considered as cancelled and paid off, and no Interest  
‘ shall from thenceforth accrue or become payable thereon:  
‘ And have also resolved, that Provision should be made by  
‘ this House for paying off such Proprietor or Proprietors of the  
‘ said Four Pounds *per Centum* Annuities or Debentures as shall  
‘ not signify his, her or their Assent to accept and receive a  
‘ Share in Three Pounds Ten Shillings *per Centum* Annuities in  
‘ lieu thereof: And have also resolved, that all and every Person  
‘ and

and Persons, Bodies Politic or Corporate, who shall hold or be possessed of any such Four Pounds *per Centum* Annuities or Debentures, and who shall on or before the Sixth Day of *April* One thousand eight hundred and twenty four signify in the Manner hereinafter directed his, her or their Assent to accept and receive Three Pounds Ten Shillings *per Centum* Annuities in lieu of his, her or their respective Share or Shares in the said Four Pounds *per Centum* Annuities, or in lieu of the Debenture or Debentures holden by him, her or them, shall for every One hundred Pounds of such Four Pounds *per Centum* Annuities or Debentures receive One hundred Pounds Capital Stock in a new Stock to be created of Three Pounds Ten Shillings *per Centum* Annuities, the Dividends or Interest of which shall be paid and payable at the Bank of *Ireland* on the Fifth Day of *January* and Fifth Day of *July* in each and every Year, and the First Payment of which shall be made on the Fifth Day of *July* One thousand eight hundred and twenty five; and the said Annuities shall be subject and liable to Redemption upon and at any Time after the Fifth Day of *January* One thousand eight hundred and thirty: And have also resolved, that all and every Person and Persons, Bodies Politic or Corporate, possessed of any Part of the said Four Pounds *per Centum* Annuities, or any such Four Pounds *per Centum* Debentures, and who shall desire to signify his, her or their Assent to receive Three Pounds Ten Shillings *per Centum* Annuities in lieu thereof, shall, on or before the said Sixth Day of *April* One thousand eight hundred and twenty four, but within the usual Hours of transacting Business at the Bank of *Ireland*, by themselves, or some Agent or Agents for that Purpose duly authorized, signify to the Governor and Company of the Bank of *Ireland* such Assent in Writing, under his, her or their Hand or Hands, or the Hand or Hands of his, her or their Agent or Agents, together with the Amount of his, her or their respective Share or Shares in the said Four Pounds *per Centum* Annuities, or the Amount of his, her or their respective Debentures, as the Case may be, and which said Assent shall be entered in a Book or Books to be opened and kept by the said Governor and Company for that Purpose; and in case of any Transfer of such Share or Shares of such Annuities, or any Part or Parts thereof, or of any such Debenture, after such Assent, the Part or Parts of such Annuities or the Debenture or Debentures so transferred, shall be entered in the said Book or Books of the said Governor and Company separately from the said Four Pounds *per Centum* Annuities or Debentures in respect of which no such Assent shall be signified; and every Person or Persons so assenting, or his her or their Assigns, or the Executors or Administrators of such Assigns under any such Transfer, shall, from the Fifth Day of *January* One thousand eight hundred and twenty five, be entitled to One hundred Pounds of such Three Pounds Ten Shillings *per Centum* Annuities, lieu in of every One hundred Pounds of their said Four *per Centum* Capital Stock or Debentures: Provided always, that if any Person or Persons holding or possessing any such Four Pounds *per Centum* Annuities or Debentures shall not be within the Limits of the United Kingdom

at

' at any Time between the Twenty fourth Day of *February* One  
 ' thousand eight hundred and twenty four and the Sixth Day  
 ' of *April* One thousand eight hundred and twenty four, but  
 ' shall be in any other Part of *Europe*, it shall be lawful for such  
 ' Person or Persons to signify such Assent at any Time before  
 ' the First Day of *June* One thousand eight hundred and twenty  
 ' four ; and if any such Person or Persons shall not at any Time  
 ' between the Twenty fourth Day of *February* One thousand  
 ' eight hundred and twenty four, and the First Day of *June* One  
 ' thousand eight hundred and twenty four, be within any part  
 ' of *Europe*, it shall be lawful for him, her or them to signify  
 ' such Assent at any Time before the First Day of *March* One  
 ' thousand eight hundred and twenty five, such Person or Persons  
 ' proving to the Satisfaction of the Governor and Directors of  
 ' the Bank of *Ireland*, or any Two or more of them, his, her or  
 ' their Absence from the United Kingdom, or out of *Europe*, as  
 ' above specified, and that his, her or their Share or Shares of  
 ' such Four Pounds *per Centum* Annuities stood in his, her, or  
 ' their Name or Names respectively, or in the Name or Names of  
 ' any One or more Trustee or Trustees on his, her or their Be-  
 ' half, in the Books of the Governor and Company of the Bank  
 ' of *Ireland*, on the Twenty fourth Day of *February* One thou-  
 ' sand eight hundred and twenty four, or that such Person or  
 ' Persons was or were the Holder or Holders of such Debenture  
 ' or Debentures upon the said Twenty fourth Day of *February*  
 ' One thousand eight hundred and twenty four : Provided also,  
 ' that such Person or Persons so absent from the United King-  
 ' dom, or out of *Europe*, shall signify such his, her or their  
 ' Assent within Ten Days after his, her or their Return to the  
 ' United Kingdom : And have also resolved, that the Interest  
 ' and Dividends payable in respect of the said Three Pounds Ten  
 ' Shillings *per Centum* Annuities shall be charged and charge-  
 ' able upon, and shall be issued and paid out of the Consoli-  
 ' dated Fund of the United Kingdom of *Great Britain* and *Ire-*  
 ' *land*, in the same Manner as the Interest and Dividends of  
 ' the said Four Pounds *per Centum* Annuities or Debentures  
 ' now stand charged on the said Fund : And have also resolved,  
 ' that all and every Person and Persons, Bodies Politic and Cor-  
 ' porate, and their Successors, Executors, Administrators and  
 ' Assigns, who on the Fifth Day of *January* One thousand eight  
 ' hundred and twenty five shall be possessed of or entitled to any  
 ' of the said Four Pounds *per Centum* Annuities or Debentures,  
 ' and in respect of which an Assent shall not have been signified  
 ' within the Periods and in the Manner hereinbefore expressed,  
 ' to accept and take Three Pounds Ten Shillings *per Centum*  
 ' Annuities in lieu thereof, shall be and they are hereby declared  
 ' liable to be paid the remaining Two third Parts of their said  
 ' Capital Stock or Debentures, at such Time or Times, and either  
 ' in One Sum or in such Proportion or Proportions, as may be  
 ' appointed by the Commissioners of the Treasury, provided that  
 ' Six Months Notice of the Intention to make any such Payment  
 ' or Payments be published in the *Dublin Gazette*, and also affix-  
 ' ed upon the Royal Exchange of *Dublin* ; and provided also,  
 ' that not less than One tenth Part of the remaining Capital  
 ' Stock

' Stock or Debentures shall be paid off at any one Time: And  
 ' have also resolved, that every Proprietor or Proprietors of the  
 ' Four Pounds *per Centum* Annuities or Debentures aforesaid  
 ' shall receive the Dividends on the said Annuities, and the Inter-  
 ' est on such Debentures due thereon, on the Fifth Day of Ja-  
 ' nuary One thousand eight hundred and twenty five: And have  
 ' also resolved, that it shall be lawful for the Accountant General  
 ' of the Court of Chancery, and also for the Accountant General  
 ' of the Court of Exchequer in *Ireland* respectively, at any  
 ' Time before the said Sixth Day of *April* One thousand eight  
 ' hundred and twenty four, to signify to the Governor and Com-  
 ' pany of the Bank of *Ireland*, on Behalf of any Suitor or Suitors,  
 ' or others, interested in any such Four Pounds *per Centum* An-  
 ' nuities or Debentures standing in the Names of such Account-  
 ' ants General respectively, their Assent to accept and receive  
 ' Shares in the said Three Pounds Ten Shillings *per Centum*  
 ' Annuities in lieu of all such Four Pounds *per Centum* Annui-  
 ' ties or Debentures standing in their Names respectively; and  
 ' the said Accountants General of the said Courts of Chancery  
 ' and Exchequer respectively shall be fully indemnified against  
 ' all Actions, Suits or Proceedings for or in respect of any Action,  
 ' Matter or Thing done by them respectively in pursuance there-  
 ' of: And have also further resolved, that all Executors, Admi-  
 ' nistrators, Guardians and Trustees of or for any Person or Per-  
 ' sons, and all Committees of the Estates of Idiots and Lunatics,  
 ' who as such shall have the Controul over any Share or  
 ' Shares of the said Four Pounds *per Centum* Annuities or De-  
 ' bentures standing either in their own Name or Names, or in the  
 ' Name or Names of any Testator or Intestate, or of any Infant  
 ' or Infants, or Idiots or Lunatics, or other Person or Persons,  
 ' may signify such Assent as aforesaid; and if either of any Two  
 ' or more of such Executors, Administrators, Guardians, Trus-  
 ' tees and Committees shall reside out of the United Kingdom,  
 ' the Period within which such Assent may be signified shall be  
 ' regulated by the Residence of the most distant of such Execu-  
 ' tors, Administrators, Guardians, Trustees and Committees in  
 ' each Case; and all Executors, Administrators, Guardians,  
 ' Trustees and Committees signifying such Assent, shall be sever-  
 ' rally and respectively indemnified in respect thereof: We,  
 ' Your Majesty's most faithful Commons, do therefore most humbly  
 ' beseech Your Majesty that it may be enacted; and be it enacted  
 ' by the King's most Excellent Majesty, by and with the Advice  
 ' and Consent of the Lords Spiritual and Temporal, and Commons,  
 ' in this present Parliament assembled, and by the Authority of the  
 ' same, That all and every Person and Persons, Bodies Politic and  
 ' Corporate, who on Behalf of themselves, or in Trust for others,  
 ' now is or are, or hereafter may be interested in or entitled unto  
 ' any Part of the National Debt redeemable by Law, which now  
 ' carries an Interest after the Rate of Four Pounds *per Centum*  
 ' *per Annum*, and is usually known by the Name of the "Four  
 ' *per Cent. Annuities and Government Debentures*," the Dividends  
 ' of which are payable at the Bank of *Ireland* on the Fifth Day  
 ' of *January* and the Fifth Day of *July* in each Year, and who shall  
 ' not signify his, her or their Assent to accept Three Pounds Ten  
 ' Shillings

Persons entitled  
 to 100*l.* Four  
 per Cents, who  
 shall not assent  
 to receive 3*l.*  
 per Cents, to  
 receive, on 5th  
 Jan. 1825, 33*l.*  
 6*s.* 8*d.* in dis-  
 charge of One  
 third Part of  
 such Stock.

Shillings *per Centum* Annuities, upon the Terms and in the Manner hereinafter mentioned, shall, on the Fifth Day of *January* One thousand eight hundred and twenty five, receive the Sum of Thirty three Pounds Six Shillings and Eight Pence *per Centum* for every One hundred Pounds of such Four Pounds *per Centum* Annuities or Debentures, and so in Proportion for any greater or less Amount of such Four Pounds *per Centum* Annuities or Debentures which may be then standing in his, her or their Name or Names, or be holden by him, her or them, and One third Part of the Capital of such Annuities and Debentures shall, from the said Fifth Day of *January* One thousand eight hundred and twenty five, be considered as cancelled and paid off, and no Interest shall from thenceforth accrue or become payable thereon: Provided always, that the Payment at the Bank of *Ireland* of any such Thirty three Pounds Six Shillings and Eight Pence *per Centum*, for the Use of the Person or Persons entitled thereto, shall be and be deemed to be a full Discharge of the Amount so paid, and that the Proprietors, or their Agents duly authorized, shall be at Liberty to demand and receive Payment from the Bank, upon Application for that Purpose, at any Time after the Fifth Day of *January* One thousand eight hundred and twenty five, of the Sum so paid for the Use of the Proprietor or Proprietors entitled thereto.

Proprietors of  
4l. per Cents on  
signifying their  
Assent may re-  
ceive 3½l. per  
Cents.

II. And be it further enacted, That all and every Person or Persons, Bodies Politic or Corporate, who shall hold or be possessed of any such Four Pounds *per Centum* Annuities or Debentures, and who shall, on or before the Sixth Day of *April* One thousand eight hundred and twenty four, signify in the Manner hereinafter directed his, her or their Assent to accept and receive Three Pounds Ten Shillings *per Centum* Annuities, in lieu of his, her or their respective Share or Shares in the said Four Pounds *per Centum* Annuities, or in lieu of the Debenture or Debentures holden by him, her or them, shall, for every One hundred Pounds of such Four Pounds *per Centum* Annuities or Debentures, and so in Proportion for any greater or less Amount of such Annuities or Debentures, receive One hundred Pounds Capital Stock, in a new Stock to be created, and denominated "*Irish* Three Pounds Ten Shillings *per Centum* Reduced Annuities," the Dividends or Interest of which shall be paid and payable at the Bank of *Ireland* on the Fifth Day of *January* and Fifth Day of *July* in each and every Year, and the First Payment of which shall be made on the Fifth Day of *July* One thousand eight hundred and twenty five; and the said Annuities shall be subject and liable to Redemption upon and at any Time after the Fifth Day of *January* One thousand eight hundred and thirty.

Assents to be  
signified at the  
Bank,

III. And be it further enacted, That all and every Person or Persons, Bodies Politic or Corporate, possessed of any Part of the said Four Pounds *per Centum* Annuities, or of any such Four Pounds *per Centum* Debentures, and who shall desire to signify his, her or their Assent to receive Three Pounds Ten Shillings *per Centum* Annuities in lieu thereof, shall on or before the said Sixth Day of *April* One thousand eight hundred and twenty four, but within the usual Hours of transacting Business at the Bank of *Ireland*, by themselves or some Agent or Agents for that Purpose duly



It is authorized, signify to the Governor and Company of the Bank of Ireland such Assent in Writing, under his, her or their Hand or Hands, or the Hand or Hands of his, her or their Agent or Agents, together with the Amount of his, her or their respective Share or Shares in the said Four Pounds *per Centum* Annuities, or the Amount of his, her or their respective Debentures, as the Case may be, and which said Assent shall be entered in a Book or Books to be opened and kept by the said Governor and Company for that Purpose; and in case of any Transfer of such Share or Shares of such Annuities, or any Part or Parts thereof, or of any such Debentures after such Assent, the Part or Parts of such Annuities, or of the Debenture or Debentures so transferred, shall be entered in the said Book or Books of the said Governor and Company separately from the said Four Pounds *per Centum* Annuities, in respect of which no such Assent shall be signified; and every Person or Persons so assenting, or his, her or their Assigns, or the Executors or Administrators of such Assigns under any such Transfer, shall, from the Fifth Day of *January* One thousand eight hundred and twenty five, be entitled to One hundred Pounds of such Three Pounds Ten Shillings *per Centum* Annuities, in lieu of every One hundred Pounds of the said Four Pounds *per Centum* Capital Stock or Debentures.

and entered in the Bank Books.

Person assenting entitled to 100l. 3 $\frac{1}{4}$ l. *per Cent* Annuities.

IV. Provided always, and be it further enacted, That if any Person or Persons holding or possessing any such Four Pounds *per Centum* Annuities or Debentures shall not be within the Limits of the United Kingdom at any Time between the Twenty fourth Day of *February* One thousand eight hundred and twenty four and the Sixth Day of *April* One thousand eight hundred and twenty four, but shall be in any other Part of *Europe*, it shall be lawful for such Person or Persons to signify such Assent at any Time before the First Day of *June* One thousand eight hundred and twenty four; and if any such Person or Persons shall not, at any Time between the Twenty fourth Day of *February* One thousand eight hundred and twenty four and the First Day of *June* One thousand eight hundred and twenty four, be within any Part of *Europe*, it shall be lawful for him, her or them to signify such Assent at any Time before the First Day of *March* One thousand eight hundred and twenty five, such Person or Persons proving to the Satisfaction of the Governor and Directors of the Bank of *Ireland* or any Two or more of them, his, her or their Absence from the United Kingdom, or being out of *Europe* as hereinbefore specified, and that his, her or their Share or Shares of such Four Pounds *per Centum* Annuities stood in his, her or their Name or Names respectively, or in the Name or Names of any One or more Trustee or Trustees, on his, her or their Behalf, in the Books of the Governor and Company of the Bank of *Ireland*, on the Twenty fourth Day of *February* One thousand eight hundred and twenty four, or that such Person or Persons was or were the Holder or Holders of such Debenture or Debentures on the said Twenty fourth Day of *February* One thousand eight hundred and twenty four: Provided also, that such Person or Persons so absent from the United Kingdom, or out of *Europe*, shall signify such his, her or their Assent within Ten Days after his, her or their Return to the United Kingdom.

Persons out of the Kingdom allowed further Time to signify Assents as here- in mentioned.

Proof of Absence to be given.

V. And

Interest of  $3\frac{1}{2}$  per Cents. charged on Consolidated Fund.

Remaining Two Thirds of Stock to be paid at such Time as the Treasury shall appoint, but not less than One Tenth at one Time.

Six Months Notice of Intention to pay published in Dublin Gazette and affixed on Royal Exchange.

Dividends on 4l. per Cents. to be paid on 5th Jan. 1825.

Accountants General of Chancery and Exchequer may assent.

† Sic.

Executors, &c. may assent.

V. And be it further enacted, That the Interest and Dividends payable in respect of the said Three Pounds Ten Shillings *per Centum* Annuities shall be charged and chargeable upon, and shall be issued and paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, in the same Manner as the Interest and Dividends of the said Four Pounds *per Centum* Annuities and Debentures now stand charged on the said Fund.

VI. And be it further enacted, That all and every Person and Persons, Bodies Politic and Corporate, and their Successors, Executors, Administrators and Assigns, who on the Fifth Day of *January* One thousand eight hundred and twenty five shall be possessed of or entitled unto any of the said Four Pounds *per Centum* Annuities or Debentures, and in respect of which an Assent shall not have been signified within the Periods and in the Manner hereinbefore expressed, to accept and take Three Pounds Ten Shillings *per Centum* Annuities in lieu thereof, shall be and they are hereby declared liable to be paid the remaining Two third Parts of their said Capital Stock or Debentures, at such Time or Times, and either in One Sum or in such Proportion or Proportions as may be appointed by the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being, or any Three or more of them, provided that Six Months Notice of the Intention to make any such Payment or Payments be published in the *Dublin Gazette*, and also affixed upon the Royal Exchange of *Dublin*; and provided also, that not less than One tenth Part of the remaining Capital Stock or Debentures shall be paid off at any One Time; and the Capital Stock so directed to be paid off shall, from the Time appointed for any such Payments in *Ireland*, be considered as cancelled, and a Certificate thereof shall be transmitted by the Governor and Company of the Bank of *Ireland* to the Commissioners for the Reduction of the National Debt.

VII. And be it further enacted, That every Proprietor or Proprietors of the Four Pounds *per Centum* Annuities or Debentures aforesaid shall receive the Dividends on the said Annuities, and the Interest on such Debentures due thereon, on the Fifth Day of *January* One thousand eight hundred and twenty five.

VIII. And be it further enacted, That it shall be lawful for the Accountant General of the Court of Chancery, and also for the Accountant General of the Court of Exchequer in *Ireland* respectively, at any Time before the Thirtieth Day of *June* One thousand eight hundred and twenty four, to signify to the Governor and Company of the Bank of *Ireland*, on Behalf of any Suitor or Suitors, or others interested in any such Four Pounds *per Centum* Annuities or Debentures standing in the Names of such Accountants General respectively, their Assent to accept and receive Shares in the said Three Pounds Ten Shillings *per Centum* Annuities, in lieu of all such Four Pounds *per Centum* Annuities or Debentures standing in their Names respectively; and the said Accountants General of the said Courts of Chancery and Exchequer respectively shall be fully indemnified against all Actions, Suits or Proceedings for or in respect of any Action, † Matter or Thing done by them respectively in pursuance thereof.

IX. And be it further enacted, That all Executors, Administrators,

trators, Guardians and Trustees, of or for any Person or Persons, and all Committees of the Estates of Idiots and Lunatics, who as such shall have the Controul over any Share or Shares of the said Four Pounds *per Centum* Annuities or Debentures, standing either in their own Name or Names, or in the Name or Names of any Testator or Intestate, or of any Infant or Infants, or Idiots or Lunatics, or other Person or Persons, may signify such Assent as aforesaid at any Time before the Last Day of *April* One thousand eight hundred and twenty four; and if either of any Two or more of such Executors, Administrators, Guardians, Trustees and Committees shall reside out of the United Kingdom, the Period within which such Assent may be signified shall be regulated by the Residence of the most distant of such Executors, Administrators, Guardians, Trustees and Committees in each Case; and all Executors, Administrators, Guardians, Trustees and Committees, signifying such Assent, shall be severally and respectively indemnified in respect thereof: Provided always, that an Assent for the Purposes aforesaid, signed by One of such Executors, Administrators, Guardians, Trustees or Committees, for and on Behalf of himself and the others or other of them, shall be sufficient, and shall be binding and conclusive upon the others and other of them, and shall be acted upon by the said Governor and Company of the Bank of *Ireland*, as if the same had been signed by the whole of such Executors, Administrators, Guardians, Trustees and Committees, unless some One or more of them shall give Notice to the said Governor and Company, previous to the Expiration of the Time hereby given for signifying such Assent, of his, her or their Dissent thereto.

Proviso for Executors, &c. residing Abroad.

One Executor, &c. may assent for himself and the rest.

X. And be it further enacted, That it shall and may be lawful for the said Governor and Company of the Bank of *Ireland*, at any Time after the Sixth Day of *April* One thousand eight hundred and twenty four, to open Books for writing up and receiving the Entry into the said Three Pounds Ten Shillings *per Centum* Reduced Annuities, of any of the Four Pounds *per Centum* Annuities before described, belonging to any Proprietor or Proprietors who may have expressed his, her or their Assent to receive such Three Pounds Ten Shillings *per Centum* Annuities, and who may thereby have converted his, her or their Four Pounds *per Centum* Annuities into the said Annuities, at the Rate of Three Pounds Ten Shillings *per Centum per Annum*; but the Dividend or Dividends of the said Four Pounds *per Centum* Annuities which would become due on the Fifth Day of *January* One thousand eight hundred and twenty five shall be paid and payable to the Person or Persons in whose Name the said Three Pounds Ten Shillings *per Centum* Annuities may stand on the Fifth Day of *January* One thousand eight hundred and twenty five.

Books to be opened at the Bank of *Ireland* for receiving the Entry of the new 3½. per Centa.

XI. And for the more easy and sure Payment of the Annuities established by this Act, be it further enacted, That the said Governor and Company of the Bank of *Ireland*, and their Successors, shall from time to time appoint and employ One or more sufficient Person or Persons within their Office in the City of *Dublin* to be their Chief or First Cashier or Cashiers, and One other sufficient Person within the same Office to be their Accountant General; and that the Monies from time to time necessary for

Bank to appoint a Cashier and an Accountant General.

56 G. 3. c. 98.  
§ 6.

Payment of the said Three Pounds Ten Shillings Annuities shall, by Warrant of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, countersigned by the Vice Treasurer of *Ireland* for the Time being, in Manner directed by an Act made 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 Kingdom*, be issued and paid according to the Course of the said Exchequer to the said First or Chief Cashier or Cashiers of the said Governor and Company of the Bank of *Ireland*, and their Successors for the Time being, for the Payment of the said Annuities; and that such Cashier or Cashiers, to whom the said Monies shall from time to time be issued, shall from time to time without Delay apply and pay the same accordingly, and render his or their Accounts thereof according to the due Course of the said Exchequer.

Accountant  
General to ex-  
amine Receipts  
and Payments.

XII. And be it further enacted, That the said Accountant General of the said Bank of *Ireland* for the Time being shall from time to time inspect and examine all Receipts and Payments of the said Cashier or Cashiers, and the Vouchers relating thereunto, in order to prevent any Fraud, Negligence or Delay.

All the Monies  
to be converted  
into Annuities  
by this Act to  
be one Joint  
Stock.

XIII. And be it further enacted, That all the said Annuities, after the Rate of Three Pounds Ten Shillings *per Centum per Annum*, created by virtue of this Act, shall be deemed, reputed and taken to be one Capital or Joint Stock, and that all and every Person and Persons, and Bodies Politic and Corporate whatsoever, shall have and be deemed to have a proportional Interest and Share in the said Stock, and in the Annuity attending the same, at the Rate aforesaid; and that the said whole Capital Stock or Joint Stock, or any Share or Interest therein, and the proportional Annuity attending the same, shall be assignable and transferable as this Act directs, and not otherwise; and that there shall be constantly kept in the Office of the said Accountant General of the said Bank of *Ireland* for the Time being, within the City of *Dublin*, a Book or Books wherein all Assignments or Transfers of the said Capital or Joint Stock, or any Part thereof, and the proportional Annuity attending the same, at the Rate aforesaid, shall be entered and registered, which Entries shall be conceived in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers, or if any such Party or Parties be absent, by his, her or their Attorney or Attornies, thereunto lawfully authorized by Writing under his, her or their Hands and Seals, to be attested by Two or more credible Witnesses; and that the Person or Persons to whom such Transfer or Transfers shall be made, shall respectively underwrite his, her or their Acceptance thereof, and that no other Method of assigning or transferring the said Stock, and the Annuities attending the same, or any Part thereof, or any Interest therein, shall be good and available in Law; and that no Stamp Duties whatsoever shall be charged in the said Transfers, or any of them.

Books of Entry  
kept.

Annuities to  
be Personal  
Estate.

XIV. And be it further enacted, That all Persons and Corporations entitled to any such Annuity or Annuities of Three Pounds Ten Shillings *per Centum per Annum*, created by this Act,

and his, her or their Administrators, Successors and Assigns respectively, and all Persons and Corporations lawfully claiming under him, her or them, shall have good, sure, absolute and indefeasible Estates and Interests in the said respective Annuities, according to the true Tenor and Meaning of this Act, and shall be possessed thereof as of a Personal Estate, devisable as such, and which shall not be descendible to Heirs, any Law, Custom or Usage to the contrary notwithstanding; but no Payment shall be made or Transfer allowed upon any Devise until such Devise shall have been duly entered at the Bank of Ireland.

Devise thereof to be entered.

XV. And be it further enacted, That so soon after the Expiration of the respective Periods allowed by this Act for signifying Assent under this Act as the same can be done, Certificates shall be from time to time made out and transmitted to the Commissioners for the Reduction of the National Debt, by the proper Officer or Officers of the Bank of Ireland, of the Amount of Four Pounds *per Centum* Annuities which shall have been exchanged into such Three Pounds Ten Shillings *per Centum* Reduced Annuities, or paid off under the Provisions of this Act, and of the Annual Interest which shall have ceased thereby, and also of the Capital Amount of such Three Pounds Ten Shillings *per Centum* Reduced Annuities created by such Exchange, and of the Annual Interest thereon.

Certificates of Amount of Stock exchanged or paid off, &c. to be sent to Commissioners for Reduction of the National Debt.

XVI. And be it further enacted, That in every Case in which any Person or Persons shall at the Time of the passing of this Act be or remain bound by the Condition of any Bond or Obligation, or by the Terms of any Instrument in Writing, or by any Agreement or Contract, to transfer any Amount of Capital Stock in the said Four Pounds *per Centum* Annuities, the Condition of every such Bond or Obligation, or the Terms of any such Instrument in Writing, or Agreement or Contract, shall be deemed in Law and Equity to be satisfied by making a Transfer of an equal Amount of Capital Stock in the said Reduced Three Pounds Ten Shillings *per Centum* Annuities; and that where any Party is by the Condition of any such Bond or Obligation, or the Terms of any such Instrument in Writing or Agreement or Contract, bound or required to pay Half Yearly Sums equal to the Dividends on any specified Amount of any such Four Pounds *per Centum* Annuities, every such Bond, Obligation, Instrument, Agreement or Contract, shall be satisfied by the Payment of Half Yearly Sums equal to the Dividends of or upon the same Amount of the said Three Pounds Ten Shillings *per Centum* Annuities.

Bonds and Contracts to transfer 4l. per Cents. to be deemed satisfied by Transfer of the New 3½ per Cents.

XVII. Provided always, and be it further enacted, That in every Case in which any such Four Pounds *per Centum* Annuities shall have been transferred in the Way of Loan, upon any Condition in any Bond or Instrument, or under or upon any Agreement or Contract for the Repayment of such Loan, by the replacing the Amount of Stock so transferred, it shall be lawful for the Person or Persons who shall have made any such Loan, or their Executors, Administrators or Assigns, to declare an Option, and give Notice thereof in Writing, and thereby require the Repayment of One hundred Pounds *Irish* Currency for every One hundred Pounds Capital Stock of such Four Pounds *per Centum* Annuities, transferable at the Bank of Ireland, so trans-

Lenders of 4l. per Cents. on Contract to replace, may no Notice demand 100l. Money for every 100l. Stock.

ferred in the way of Loan as aforesaid, and so in proportion for any greater or less Amount; and every Bond, Obligation, Instrument, Agreement or Contract, given, entered into or made upon any such Loan or Contract, shall be deemed in every such Case in Law and in Equity to entitle the Person or Persons, his, her or their Executors, Administrators or Assigns, to such Repayment in Money, and to demand and recover the same in any Court in which any Action, Suit, Process or Proceeding may be brought, instituted or carried on upon any such Bond, Obligation, Instrument, Agreement or Contract; any Thing in any such Bond or Obligation, Instrument, Agreement or Contract to the contrary notwithstanding.

Powers for Sale to continue in force for Sale or Transfer of 4l. per Cent. Annuities.

XVIII. And be it further enacted, That every Power of Attorney in force at the Time of passing this Act, for the Sale or Transfer of any such Four Pounds *per Centum* Annuities, in respect of which an Assent to accept Three Pounds Ten Shillings *per Centum* Annuities may not have been signified under the Provisions of this Act, shall remain and continue in full Force, unless legally revoked, for the Purpose of enabling the Attorney or Attornies therein named to give a legal Discharge for the Principal and Dividend of such Four Pounds *per Centum* Annuities, when paid off under the Provisions of this Act, or to assent to receive Three Pounds Ten Shillings *per Centum* Annuities in lieu of the said Four Pounds *per Centum* Annuities.

Powers for Dividends or Transfer of Four per Cents. to remain in force for Dividends, or for transferring 3½. per Cents.

XIX. And be it further enacted, That all Powers of Attorney which may have been or hereafter may be granted, and which would have remained in force if this Act had not passed, for the Receipt of Dividends, or for Sale or Transfer of any such Four Pounds *per Centum* Annuities transferable at the Bank of Ireland, and which under or by virtue of this Act have been or shall be converted into Three Pounds Ten Shillings *per Centum* Annuities, shall continue and remain in full Force and Effect for receiving the Dividends which shall become due on the Three Pounds Ten Shillings *per Centum* Annuities created in lieu thereof, or for selling or transferring any such Three Pounds Ten Shillings *per Centum* Annuities, and also for receiving Dividends on any further Sum of such Three Pounds Ten Shillings *per Centum* Annuities which the Parties by whom such Letters of Attorney were given may hereafter purchase or acquire, until such Powers are revoked or otherwise determined.

Trusts as to 4l. per Cents. to extend to 3½. per Cents. and Directions as to the Application of 4l. per Cents. shall be carried into effect by the Application of the 3½. per Cents.

XX. And be it further enacted, That all Trusts, whether created by Will or otherwise, and which existed either in the whole or in part, and all Directions contained in any Will or Devise or Testamentary Paper which remain unexecuted at the Time of the passing of this Act, as to any Four Pounds *per Centum* Annuities which may under this Act be converted into Three Pounds Ten Shillings *per Centum* Annuities; or as to the Payment or Distribution of any Dividends thereon, or as to the Transfer of any such Annuities in any Events specified in any such Trusts or Will or Testamentary Paper, shall extend and be deemed and construed, in all Cases and in all Courts of Law and Equity in the United Kingdom, or elsewhere in any Dominions or Territories belonging to His Majesty, to extend and to apply to all such Three Pounds Ten Shillings *per Centum* Annuities created in lieu of

of such Four Pounds *per Centum* Annuities, subject to or affected by any such Trusts or Devises or Wills or Testamentary Papers, for all Purposes, and in all Cases in which such Trusts, or to which any such Directions, can be made applicable: Provided always, that in all Cases in which any Proportions or Parts of any such Four Pounds *per Centum* Annuities are required to be transferred under any such Trusts or under the Provisions of, or Directions contained in any Will, Devise or Testamentary Paper, or any Proportion or Part of any Dividends arising from and out of any such Four Pounds *per Centum* Annuities, are required to be paid or distributed, the Transfer of a like Amount of such Three Pounds Ten Shillings *per Centum* Annuities, and the Payment and Distribution of Dividends at the Rate of Three Pounds Ten Shillings *per Centum*, instead of Four Pounds *per Centum* upon the Capital, shall be and be deemed and taken, in all Courts and for all Purposes, to be a due Execution of such Trusts, or of the Directions contained in any Will or Testamentary Paper, and shall fully discharge the Trustee or Executor or Executors making the same, who are hereby declared to be and are hereby fully indemnified in respect of such Execution of any such Trusts and Executorship as aforesaid.

XXI. And be it further enacted, That in every Case in which any Question may have arisen or may arise upon the Execution of any Trusts, or upon any Distributions which may have been or may be made or may remain to be made by any Trustees, Executors or Administrators, of or in relation to or arising out of any such Four Pounds *per Centum* Annuities, or of any Parts or Proportions of any such Four Pounds *per Centum* Annuities, which may have been vested in any Trustees, or which may have been distributable by any Executors or Administrators, or as to the Application of any Residue thereof, or as to the Distribution or Application of any Three Pounds Ten Shillings *per Centum* Annuities, transferred under the Provisions of this Act, in lieu of any Four Pounds *per Centum* Annuities, whether as to the Powers or Authorities of any such Trustees, Executors or Administrators, or as to the relative Interest of any Persons entitled under any such Trusts or under Wills to receive any Annuities charged upon or arising or payable out of the Proceeds of any such Four Pounds *per Centum* Annuities, and of any Persons interested in any Residue of any such Four Pounds *per Centum* Annuities, whether under any specific Provision relating to any such Trusts, or contained in any Wills, or arising out of the Execution of any Wills by any Executors, or the Distribution of any Estates by any Administrators, and in all other Cases whatsoever in which any Question may arise in consequence of the Transfer of any such Four Pounds *per Centum* Annuities into Three Pounds Ten Shillings *per Centum* Annuities, it shall be lawful for any such Trustees, Executors or Administrators, and for Persons entitled to or interested in any such Four Pounds *per Centum* Annuities, or any Three Pounds Ten Shillings *per Centum* Annuities created in lieu thereof, or in any Proceeds of any such Annuities, whether in Reversion or otherwise, to make Application to the High Courts of Chancery, or to the Courts of Exchequer in *England* or *Ireland* respectively, or the Court of Session in *Scotland*, in a summary

Questions as to Trusts in the 4l. per Centa. may be decided by Courts of Chancery, Exchequer, and Court of Session,

either on Motion or Petition.

Way, either by Motion or Petition; and it shall be lawful for the High Courts of Chancery or for the Courts of Exchequer in *England* or *Ireland* respectively, or for the Court of Session in *Scotland*, to make General Orders in relation to any such Question, or special Orders, in a summary Way, upon any such Application, or as to any other Matter or Thing relating to any such Annuities, or to any Dividends thereof, or to any such Three Pounds Ten Shillings *per Centum* Annuities, which may be created in lieu thereof, or to the Application of any such Three Pounds Ten Shillings *per Centum* Annuities, or any Dividends thereof; and no Application, Petition or Affidavit made by or on Behalf of any Trustees, Executors or Administrators, or Trustee, Executor or Administrator, or other Person or Persons interested in any of such Annuities, or any Dividends thereof respectively, nor any Order or Report made, or other Proceeding had in any or either of the said Courts respectively, in consequence of any Question which may arise out of any of the Provisions of this Act, or either of them, in relation to such Four Pounds *per Centum* Annuities respectively, or any Part or Share or Shares thereof, or in relation to any such Three Pounds Ten Shillings *per Centum* Annuities which may be created under this Act in lieu of the said Four Pounds *per Centum* Annuities, or the Dividends of such respective Annuities, nor any Copy or Copies of such Application; Petition, Affidavit, Order, Report or other Proceeding, shall be subject or liable to be stamped, or charged or chargeable with any Stamp Duties whatever, any Thing in any Act or Acts of Parliament to the contrary notwithstanding; and all Trustees, Executors, Administrators and other Persons acting under any Orders made by any or either of such Courts respectively, or whose Acts shall be confirmed by any or either of such Courts respectively, if done before any Application made to any or either of the said Courts respectively, shall be and are hereby fully indemnified against all Actions, Suits or Proceedings for or in respect of any Act, Matter or Thing done by them respectively, in pursuance of or under any such Order, or which shall be confirmed by any such Order; and in case any Action, Suit or other Proceeding be commenced or instituted against any such Trustee, Executor, Administrator or other Person, for or in respect of any such Act, Matter or Thing, it shall be lawful for the Court in which such Action, Suit or Proceeding shall be commenced, or shall be pending, upon summary Application to stay, and such Court is hereby required to stay such Action, Suit or Proceeding, and to make such Order relative to the Costs thereof as such Court shall think expedient.

No Stamp Duties.

Indemnity to Trustees, Executors, &c.

Stay of Proceedings.

Banks of England and Ireland indemnified.

Act may be altered, &c. this Session.

XXII. And be it further enacted, That this Act shall be and is hereby declared to be a full and complete Indemnity and Discharge to the Governor and Company of the Bank of *England*, and the Governor and Company of the Bank of *Ireland*, their Officers and Servants, and every of them, for all Things done or permitted to be done pursuant thereto; and that the same shall not be questioned or impeached in any Court of Law or Equity whatsoever, to their Prejudice or Detriment.

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. [See Cap. 45. post.]



## C A P. XXV.

An Act to repeal so much of an Act passed in the Ninth Year of the Reign of King *William* the Third, as relates to Burials in suppressed Monasteries, Abbeys or Convents in *Ireland*; and to make further Provision with respect to the Burial, in *Ireland*, of Persons dissenting from the Established Church.

[15th April 1824.]

WHEREAS by an Act of the Parliament of *Ireland*, passed in the Ninth Year of the Reign of King *William* the Third, intituled *An Act for banishing all Papists exercising any Ecclesiastical Jurisdiction, and all Regulars of the Popish Clergy, out of the Kingdom*; it is amongst other Things enacted, that no Person whatsoever should, from and after the Twentieth of *December* One thousand six hundred and ninety seven, bury any Dead in any suppressed Monastery, Abbey or Convent, not made use of for celebrating Divine Service according to the Liturgy of the Church of *Ireland* by Law established, or within the Precincts thereof, under pain of forfeiting Ten Pounds, to be recovered as therein mentioned: And Whereas it is expedient that the said Provision should be repealed; Be it enacted by the King's most Excellent Majesty, by and with the 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 Provision shall, from and after the passing of this Act, stand and be repealed: Provided always, that nothing herein contained shall authorize the burying any Dead in any suppressed Monastery, Abbey or Convent, or within the Precincts thereof, where the same have not been within Ten Years usually employed for such Purposes, unless with the Permission of the Proprietor of the Place on which the suppressed Monastery, Abbey or Convent is situated.

9 W. 3. (1.)

As to burying in Monasteries, &c. repealed.

Not to authorize burying in Places not so used for 10 Years, &c.

II. And Whereas the Easement of Burial in the Churchyards of Protestant Churches has been long enjoyed by all Classes of His Majesty's Subjects; but such Burial may not by Law be allowed, unless the Burial Service ordained by the Liturgy of the Church of *Ireland* as by Law established shall be celebrated thereat by the Rector, Vicar, Curate or other officiating Minister of the Church of *Ireland*, in whose Churchyard such Burial shall be had, or by some Person in Holy Orders of the Church of *Ireland*, duly authorized by him: And Whereas such Minister of the Church of *Ireland* may not by Law dispense with the Celebration of such Service, or permit the Substitution of any other Service in lieu thereof; to the End thereof that all Classes of His Majesty's Subjects may be permitted to have the said Easement of Burial according to the Rites of the several Religions professed by them: Be it enacted, That from and after the passing of this Act it shall and may be lawful for the Officiating Minister of the Church of *Ireland* by Law established, in each and every Parish in *Ireland*, upon Application being made to him in Writing by any Clergyman or Minister of any Church or Congregation not being of the Established Church of *Ireland*,

Officiating Parish Ministers may grant Permission to Clergymen not of the Church of *Ireland* to perform Burial Service.

duly authorized by Law to officiate in such Church or Congregation, stating the Death of any Member or Members of such Church or Congregation, for Permission to perform the Burial Service at the Grave of such Person or Persons in the Churchyard of such Parish, according to the Rites of such Church or Congregation, to grant Permission accordingly: Provided always, that such Permission for the Performance of such Burial Service at the Grave, according to the Rites of such Church or Congregation, shall be in Writing; and that in order to prevent any Interruption of, or Interference with the Celebration of any of the Rites of the Church of *Ireland* by Law established, such Interment and Service shall be had and celebrated at such Time only as shall be appointed in such Permission by such Officiating Minister of the Church of *Ireland*.

Such Permission to be in Writing, &c.

If Permission withheld Cause to be declared by Officiating Minister in Writing.

III. And be it further enacted, That if such Permission shall in any Case be withheld, the Cause of withholding the same shall be specially and distinctly declared, in Writing, by such Officiating Minister of the Church of *Ireland*, One Part of which written Declaration shall forthwith be delivered to the Person making such Application as aforesaid, and One other Part thereof shall be forthwith transmitted to the Bishop of the Diocese in which such Churchyard shall be situated, and shall be by him transmitted forthwith, signed by the Register of such Diocese, to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*.

In what case not necessary for Officiating Minister to celebrate Burial Service.

IV. And be it further enacted, That it shall not be necessary for such Officiating Minister of the Church of *Ireland* to celebrate, nor shall he celebrate the Burial Service ordained by the Liturgy of the Church of *Ireland* as by Law established, at the Interment of any Person not being of the Established Church of *Ireland*, unless at the Desire of the Person so applying, at the Interment of such Person, specified in the Application and Permission; any Law, Canon or Usage to the contrary notwithstanding.

Obstructing Burial Service, Misdemeanor.

V. And be it further enacted, That if after such Permission granted as aforesaid, any Person or Persons shall obstruct or interrupt the Performance of the said Burial Service at the Grave of the Person specified in such Permission, such Person or Persons so obstructing or interrupting shall be deemed guilty of a Misdemeanor, and shall be liable to be prosecuted therefor.

#### C A P. XXVI.

An Act to remove Doubts as to certain Property formerly vested in the Barrack Department. [15th April 1824.]

1 & 2 G. 4. c. 69. ' WHEREAS an Act passed in the First and Second Year  
' of the Reign of His present Majesty, intituled *An Act*  
' for vesting all Estates and Property occupied for the Ordnance  
' Service, in the Principal Officers of the Ordnance; and for  
' granting certain Powers to the said Principal Officers: And  
' Whereas Doubts have arisen as to the Execution of certain of  
' the Powers of the said Act by the Barons of the Exchequer in  
' *Ireland*: And Whereas another Act passed in the last Session  
' of Parliament, intituled *An Act for vesting all Estates and Pro-*  
' perty

erty occupied for the Barrack Service, in any Part of the United Kingdom, in the Principal Officers of His Majesty's Ordnance; and for granting certain Powers to the said Principal Officers in relation thereto: And Whereas since the passing of the last recited Act, the Office of Comptroller of the Barrack Department has been abolished, and Doubts have consequently arisen whether any Messuages, Lands, Tenements or Hereditaments which had been sold, or which were at the Time of passing the last recited Act under Contract to be sold, or which had been put up to sale, whether by Public Auction or otherwise, by the then Comptroller of the Barrack Department in Great Britain, or any Commissioner of Barracks in Ireland, can now be legally and effectually sold, conveyed or otherwise assured, and whether any Sum of Money remaining in the Hands of the Accountant General of the Court of Chancery in Trust, in the Cause *Weeley* against the Commissioners of the Affairs of Barracks, and which was ordered to be paid to *Osborn Markham* Esquire, who was at the Time of such Order the Comptroller of the Barrack Department, can now be demanded and received for the Public Service: For Remedy whereof, be it therefore declared and enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Powers and Authorities which are by the said first recited Act given to the Barons or Judges of His Majesty's Courts, may and shall be performed and exercised by the Barons and Judges of His Majesty's Courts at *Dublin* and *Edinburgh* for the Time being, although such Barons and Judges may not be of the Degree of the Coif; any Thing in the said first recited Act to the contrary notwithstanding.

II. And be it further enacted, That from and after the passing of this Act, the Manors, Messuages, Lands, Tenements and Hereditaments which were at the Time of passing the said last recited Act under Contract to be sold or put up to Sale, whether by Public Auction or otherwise, by the Comptroller of the Barrack Department in *Great Britain*, or any Commissioner of Barracks in *Ireland*, and which were then vested in the Comptroller, or which were in any Manner held by any Person or Persons whatever, for or for the Use of His Majesty, His Heirs and Successors, for the Service of the Barrack Department, whether the same were holden in Fee or for any Life or Lives, or any Term or Terms of Years, or any other or lesser Interest; and all Erections and Buildings thereon, together with the Rights, Members, Easements and Appurtenances to the same respectively belonging (other than and except such Messuages, Lands, Tenements and Hereditaments as are of Copyhold Tenure), shall become and be, and be deemed and taken to be, vested in the Principal Officers of His Majesty's Ordnance for the Time being, and their Successors in the said Office, according to the respective Nature and Quality of the Estate and Interest of the said Comptroller or Commissioner in the said Messuage, Lands, Tenements and Hereditaments, and the several Estates and Interests of and in the same Hereditaments respectively, in Trust for His Majesty,

3 G. 4. c. 108.

Powers of 1 & 2 G. 4. c. 69. to Barons, &c. may be exercised by Barons, &c. at *Dublin* and *Edinburgh*, though not of the Coif.

All Property under Contract to be sold by the Comptroller of the Barrack Department, or any Commissioner of Barracks in *Ireland*, &c. shall be vested in the Principal Officers of the Ordnance, in Trust for His Majesty.

Majesty, His Heirs and Successors, to the Intent that all and every such Contracts or Sales, Contract or Sale, may be carried into Effect; but in case the same or any of them shall be rescinded or abandoned, then as to such Messuages, Lands, Tenements and Hereditaments, the Sale or Contracts for Sale whereof shall be rescinded or abandoned, in Trust for His Majesty, His Heirs and Successors, for the Service of the said Ordnance Department, or for such other Public Service or Services as His said Majesty, His Heirs or Successors shall from time to time, by any Order in Council, be pleased to direct.

Actions not to abate by reason of the Abolition of the Office of Comptroller or Commissioners of Barracks, &c.

III. And be it further enacted, That no Action, Suit or Proceeding commenced before the passing of the said last recited Act, or before the passing of this Act, by the Commissioners for the Affairs of Barracks, or by the Comptroller of the Barrack Department, shall abate or be deemed to have abated by reason of the Abolition of the said Office of Comptroller or Commissioners; but that any such Action, Suit or Proceeding shall and may, after the passing of this Act, be carried on and proceeded in by and in the Name of the said Principal Officers for the Time being, as they may deem fit; and that in every such Action or Suit the said Principal Officers for the Time being shall be called the Principal Officers of His Majesty's Ordnance, without naming them, or any of them; and no such Action or Suit shall abate by the Death, Resignation or Removal of such Principal Officers, or any of them; any Thing in any Act or Acts of Parliament or Law or Laws to the contrary thereof notwithstanding.

Powers of recited Acts in relation to Property vested in the Principal Officers of the Ordnance, &c. shall extend to all Property vested in them by this Act, &c.

IV. And be it further enacted, That all Powers, Authorities, Provisions, Regulations, Clauses, Matters and Things in the hereinbefore recited Acts of Parliament or either of them contained, in relation to any Messuages, Lands, Tenements and Hereditaments, vested by the said Acts or either of them in the Principal Officers of His Majesty's Ordnance, and also in relation to the Sale or Exchange of any Copyhold Messuages, Lands, Tenements and Hereditaments, shall extend and be construed to extend to all Messuages, Lands, Tenements and Hereditaments, as well in *Ireland* as in *Great Britain*, vested in the said Principal Officers by this Act, as also to any of the Copyhold Messuages, Lands, Tenements and Hereditaments, which shall have been surrendered to and vested in any Person or Persons, and his, her or their Heirs and Assigns, in Trust for His said Majesty, His Heirs and Successors, or in any other Manner holden for the Service of the Barrack Department, as fully and effectually to all Intents and Purposes as if such Powers, Authorities, Provisions, Regulations, Clauses, Matters and Things were respectively, severally and separately repeated and re-enacted in and made Part of this Act.

Treasurer of the Ordnance authorized to receive from the Accountant General in Chancery any Sum in his Hands in the

V. And be it further enacted, That it shall be lawful for the Treasurer of His Majesty's Ordnance for the Time being to, and such Treasurer is hereby authorized to demand and receive from the Accountant General of the High Court of Chancery, any Sum or Sums of Money which may remain or be in the Hands of the said Accountant General, in Trust, in the said Cause *Weekley* against the Commissioners for the Affairs of Barracks, which was ordered to be paid to the said *Osborn Markham*, and which was payable

ayable to but had not been received by the said *Osborn Markham* squire, the late Comptroller of the Barrack Department, before he ceased to be such Comptroller; and the said Accountant General is hereby authorized and required to pay the Sum of Forty six Pounds Fourteen Shillings and Nine Pence, or whatever other Sum may have remained due or payable to the said *Osborn Markham* in the said Suit, to the Treasurer of the Ordnance for the Time being; and the Receipt of the Treasurer of the Ordnance for the Time being shall be a good Discharge and Acquittance to the said Accountant General for the Payment of such Sum, without any Order or other Authority for paying the same; and the said late Comptroller of the Barrack Department is hereby fully acquitted and discharged from any Account as to the said Sum of Money; and the Treasurer of the Ordnance for the Time being shall, upon the Receipt of any such Sum or Sums of Money, carry the same to the Public Account of the Ordnance Department, for the Public Service of the said Department.

Cause Weeley  
v. Commissioners  
for Barracks, &c.

### C A P. XXVII.

An Act to explain and amend an Act of the Parliament of *Ireland*, passed in the Thirty eighth Year of the Reign of His Majesty King *George* the Third, for the better ascertaining the Amount, and securing the Payment of the Bills of Costs of Proctors, employed in carrying on and defending Suits, and transacting Business in the High Court of Admiralty, in His Majesty's Court of Prerogative, in the Court of Delegates, and in all Ecclesiastical Courts within the Kingdom of *Ireland*. [17th May 1824.]

WHEREAS by an Act passed in the Parliament of *Ireland*, in the Thirty eighth Year of His Majesty King *George* the Third, intituled *An Act for the better ascertaining the Amount, and securing the Payment of the Bills of Cost of Proctors employed in carrying on and defending Suits and transacting Business in the High Court of Admiralty, in His Majesty's Court of Prerogative, in the Court of Delegates, and in all Ecclesiastical Courts within the Kingdom of Ireland*, it was amongst other Things provided, that from and after the First Day of *June* One thousand seven hundred and ninety eight, no Proctor of His Majesty's Court of Prerogative, or of His Majesty's High Court of Admiralty, Court of Delegates, or of any Ecclesiastical Court in this Kingdom, should commence or maintain any Action or Suit at Law or otherwise, for the Recovery of any Fees, Charges or Disbursements, which should on or before the First Day of *June* One thousand seven hundred and ninety eight, or at any Time after the said Day be or become due or owing to him, in any Proceedings in any of the said Courts, until the Expiration of One Month or more after such Proctor should have delivered unto the Party or Parties to be charged therewith, or left for him, her or them, at his, her or their Dwelling House or last Place of Abode, a Bill of such Fees, Charges and Disbursements, written in a common legible Hand, and in the *English* Tongue (except Law Terms or Names

38 G.3. (I.)

of

Proctors of Courts in Ireland may write their Bills of Costs, &c. in the English Language.

‘ of such Proceedings in such Courts as are usually expressed in other Languages), and in Words at Length (except Time and Sums): And Whereas the said Provision hath been found inconvenient; and it is just and reasonable that the Law of Ireland should, with respect to the Mode of writing such Bills of Costs, be assimilated to the Law of England;’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, it shall and may be lawful to and for every Proctor of the aforesaid Courts in Ireland to write his Bills of Fees, Charges and Disbursements, with such Abbreviations as are now commonly used, in the English Language; any Thing in any former Law to the contrary notwithstanding.

### C A P. XXVIII.

An Act to amend an Act of the Third Year of His present Majesty’s Reign, for the Appointment of Constables in Ireland. [17th May 1824.]

3 G. 4. c. 103.

‘ WHEREAS an Act was made in the Third Year of the Reign of His present Majesty, intituled *An Act for the Appointment of Constables, and to secure the effectual Performance of the Duties of their Office, and for the Appointment of Magistrates in Ireland, in certain Cases*: And Whereas Doubts have arisen whether the Provisions of the Act extend to the Appointment of Constables in and for the County of Dublin; and it is essential that Constables should be appointed for the said County pursuant to the Provisions of the said Act:’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That at any Time after the passing of this Act, it shall and may be lawful to and for the Lord Lieutenant, or other Chief Governor or Governors of Ireland for the Time being, and he and they is and are hereby authorized and empowered, by Warrant under his or their Hand, to appoint One Chief Constable for each and every or any Barony or Half Barony, or other Division of a Barony, or for any Two or more Baronies lying together, in the County of Dublin; and also by Proclamation, to be inserted in the *Dublin Gazette*, to require the Magistrates in the Commission of the Peace for the said County of Dublin to be assembled in the City of Dublin, on a Day to be named in such Proclamation, and then and there to nominate such Number of Constables and Sub Constables in and for the said County of Dublin, as shall be specified in such Proclamation, not exceeding in the Whole a Number after the Rate of Sixteen for each Barony or Half Barony, or other Division of a Barony in this the said County of Dublin, to be stationed in and through the several Baronies and Half Baronies in the said County; and that the Magistrates of the said County of Dublin so assembled, Ten at least being present, shall proceed to name Constables and Sub Constables accordingly; and that when

Lord Lieutenant empowered to appoint Chief Constable for each Barony or Half Barony, or for any Two or more Baronies together, and to require Magistrates to meet and appoint Constables for the County.

Appointment in Vacancies.

When any Vacancy or Vacancies shall arise, the Chief Constable of the Barony or Half Barony, or other Division of a Barony in which such Vacancy shall arise, shall report the same to the Magistrates at the next ensuing Quarter Sessions for the said County of *Dublin*, and such Magistrates shall thereupon proceed to fill up such Vacancy or Vacancies, by appointing another or other Constable or Constables, or Sub Constable or Sub Constables, to fill any such Vacancy or Vacancies as aforesaid, except only in Cases otherwise provided for by this Act.

II. Provided always, and be it enacted, That in case of any Neglect or Omission by the Magistrates of the said County of *Dublin* to nominate and appoint any such Constables or Sub Constables, pursuant to the Directions of the said recited Act and this Act, it shall and may be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, to nominate and appoint such Constables or Sub Constables; and also that it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, from time to time, at his or their Pleasure, to remove all or any and every such Chief Constable or Chief Constables, and all or every or any such Constables or Sub Constables, and to give all such Directions with respect to the Salaries, Houses, Horses, Ammunition and all other Matters and Things of and for or belonging to such Chief Constables, Constables and Sub Constables, in and for the said County of *Dublin*, in like Manner as is authorized or required by the said recited Act with respect to any Chief Constables, Constables or Sub Constables, in and for any County in *Ireland*; and that the Magistrates of the said County of *Dublin* shall have all such Powers and Authorities with respect to the Appointment and Regulation of such Constables and Sub Constables, and with respect to the Appointment of any further Number of Constables within the said County, as by the said recited Act are given to or conferred on the Magistrates of any County in *Ireland*; and that all Chief Constables, Constables and Sub Constables for the said County of *Dublin*, to be appointed in pursuance of this Act, shall take such Oath, and shall be subject to all such Rules and Regulations, Qualifications, Restrictions, Disabilities, Penalties and Forfeitures, and shall have, use and exercise all such Power and Authorities, and shall exercise and perform the Duties of their several Offices, in like Manner to all Intents and Purposes as by the said recited Act is authorized, required or directed with relation to any Chief Constable, Constable or Sub Constable in any County in *Ireland*, and as if the said County of *Dublin* had been expressly included and mentioned in the said recited Act.

III. And be it further enacted, That it shall and may be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, from time to time, if he shall think fit so to do, to order and direct that any One or more of the Divisional Justices of the Police District of *Dublin* Metropolis, shall and may act as Superintendent or as Superintendents, or Inspector or Inspectors of the Chief Constables and Constables within the County of *Dublin*; and every such Justice so to be appointed to act as such Superintendent or Inspector of such Constables, shall have,

Powers of Lord Lieutenant and Magistrates, and Duty and Authority of Constables under recited Act, extended to County of *Dublin*.

Police Magistrates of *Dublin* may be appointed Superintendents of Constables in *Dublin* County.

use

use and exercise all such Powers and Authorities, and shall perform such Duties within the said County of *Dublin*, as by the said recited Act are vested in or required from any General Superintendent or Inspector of Constables appointed under the Authority of the said recited Act.

Quarter Sessions may nominate Persons qualified for Constables, as under 3 G. 4. c. 103. § 24. to succeed in case of Vacancies.

List of such Persons sent to Superintendent.

Superintendents may supply Vacancies of Constables from among Persons named in such Lists.

Oath to be taken by Constable.

And in such Case, Vacancies need not be certified to Sessions.

IV. And for the securing a Supply of proper Persons to fill the Office of Constables under the said recited Act and this Act. as the same shall from time to time become vacant; Be it enacted, That it shall and may be lawful for any Five Justices of the Peace for the said County of *Dublin*, or for any County in *Ireland*, at any General Quarter Sessions, or General Sessions of the Peace, regularly and duly assembled, and such Justices, at any such Sessions, are hereby authorized and required from time to time to nominate any Number of Persons, as fit and proper Persons for the supplying of such Vacancies, not exceeding in the whole the Number of Twenty such Persons in any One County. and being qualified to act as Constables in Manner required by the said recited Act of the Third Year of His present Majesty's Reign, and pursuant to the Rules and Regulations made and approved of under the Authority thereof; and a List of all such Persons so from time to time nominated at any such Session, shall, within Ten Days after the Last Day of every such Session respectively, be transmitted by the Clerk of the Peace to the General Superintendent or Inspector of the Chief Constables and Sub Constables acting for such County.

V. And be it further enacted, That it shall and may be lawful for any General Superintendent or Inspector of the Chief Constables and Constables appointed under the said Act or this Act in any County, and such Superintendent or Inspector is hereby authorized and empowered from time to time to appoint out of the Persons named in such List, according to the Order in which the Names shall be inserted in such List, to be Constables under the said recited Act in or for any Barony or Half Barony or other Division, in any County committed to the Superintendence and Inspection of such Superintendent and Inspector, in which any Vacancy or Vacancies shall arise by the Death or Removal of any Constable or Constables appointed under the said recited Act or this Act; and every Person so appointed shall be and become a Constable in and for any Barony, Half Barony or other Division of a Barony, in like Manner and under such Conditions, to all Intents and Purposes, as any Constable appointed under any of the Provisions of the said recited Act or this Act, and shall take such Oath as is required to be taken by Constables under the said recited Act, and shall have all such Powers and Authorities, and shall be subject and liable to all such Directions as any other Constable appointed under the said recited Act or this Act, and shall have such Salary as by the said recited Act is authorized to be paid to any Constable appointed under the said recited Act; and whenever any Vacancy or Vacancies shall be filled up by such Superintendent or Inspector, in such Manner as is authorized and required by this Act, it shall not be necessary for the Chief Constable of the Barony or Half Barony in which such Vacancy shall arise to report the same to the Magistrates at the Quarter Sessions of the County,



ounty, or for such Magistrates to fill up such Vacancy or Vacancies in Manner required by the said recited Act or this Act; any thing in the said recited Act or this Act to the contrary hereof in anywise notwithstanding.

VI. Provided always, and be it enacted, That in case it should happen that no Person should be nominated for the supplying of such Vacancies in Manner required by the said recited Act or this Act, by the Justices of the Peace at any Sessions, or in any † Case no List of Persons so nominated shall be transmitted to the Superintendent or Inspector of Constables in Manner required by this Act, or in case the Names of a sufficient Number of Persons for the supplying of any such Vacancies in any County, duly qualified as required by the said recited Act, shall not be contained in any such List, then and in either of such Cases it shall and may be lawful for such Superintendent or Inspector, and he is hereby authorized and empowered to nominate and appoint any Person or Persons to supply such Vacancy or Vacancies, being qualified according to the Directions of the said recited Act; and such Person or Persons so nominated and appointed by such Superintendent or Inspector, having first received the Approbation of the Lord Lieutenant or other Chief Governor or Governors of Ireland (to be signified by his or their Chief Secretary), shall be sworn, and shall be and become a Constable or Constables to all Intents and Purposes as any other Person or Persons appointed to be a Constable or Constables under the Provisions of the said recited Act or this Act.

On failure of Nomination by Sessions, &c. Superintendent may appoint Constables, to be approved of by Lord Lieutenant.

† Sic.

VII. And be it further enacted, That whenever any Penalty shall be imposed or inflicted under the said recited Act by any Magistrates upon any Chief Constable or other Constables, for neglecting or refusing to obey or execute any Warrant, or for any Neglect or Violation of Duty in his Office, it shall and may be lawful for such Magistrates, instead of directing that such Penalty shall be levied by the Distress and Sale of the Goods and Chattels of the Party so offending; and such Magistrates are hereby authorized and required, in all Cases where any Salary shall be due to such Constable, to certify the Conviction or Confession of such Offender, and the Amount of the Penalty imposed on such Offender, to the Chief Secretary of the Lord Lieutenant, or other Chief Governor or Governors of Ireland; and the Amount of any and every such Penalty shall and may be stopped and deducted out of the Salary due or growing due to such Constable, and shall be applied towards the Repayment of the Sums advanced out of the Consolidated Fund under the said recited Act, and shall be paid into the Receipt of His Majesty's Exchequer in Ireland, according to the Course of the said Exchequer, and then carried to Account accordingly.

Fines on Constables by Magistrates shall be deducted out of their Salaries, and carried to Consolidated Fund.

VIII. And be it further enacted, That if any Chief Constable or other Constable shall not, within One Week after he shall be dismissed from or shall cease to hold and exercise his Office, deliver over all and every Arms and Accoutrements, Horse, Saddle, Bridle, Clothing or Appointments supplied to him, under the Provisions of the said recited Act, to his Successor in such Office, if such there shall be, and if not, then to such Person and at such Time and Place as shall be directed by the Lord Lieutenant,

Constables refusing to deliver up Arms, Three Months Imprisonment, in lieu of Penalty under 3 G. 4. c. 103. § 15.

nant, or other Chief Governor or Governors of *Ireland* for the Time being, upon Conviction of such Offence before any Two or more Magistrates, upon the Oath of One or more credible Witnesses or Witnesses, or upon his own Confession, every such Offender, in lieu of forfeiting the Sum of Twenty Pounds, inflicted by the said recited Act in such Cases, shall be subject and liable to Imprisonment in the Common Gaol or House of Correction for any such Period, not exceeding the Term of Three Calendar Months, as such Magistrates shall think proper to direct; and it shall be lawful for such Magistrates, and they are hereby authorized and required to commit every such Offender accordingly.

On Petition of Constable appointed under recited Act or this Act, or under 54 G. 3. c. 131. stating his being maimed, &c. in Execution of his Duty, Lord Lieutenant may order Recompence to be paid out of Consolidated Fund, One half to be repaid by the County, as under 3 G. 4. c. 103. § 35.

IX. And be it further enacted, That upon the Petition of any Chief Constable or Constable or Sub Constable, appointed and acting under the Provisions of the said recited Act or this Act or appointed and acting under the Provisions of an Act made in the Fifty fourth Year of the Reign of His late Majesty King George the Third, intituled *An Act to provide for the better Execution of the Laws in Ireland, by appointing superintending Magistrates and additional Constables in certain Cases*, stating that such Constable has received any Maim, Wound or Hurt, or other grievous Injury, in the Execution or Performance of the Duty of his Office, whereby he shall be disabled from executing the Duty of his Office, and upon such Certificates as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall require or direct, it shall and may be lawful for such Lord Lieutenant or Chief Governor or other Governors of *Ireland*, to order that any such Sum or Sums as he or they shall think proper shall be paid as an Annual Remuneration or Superannuation to such Constable, not exceeding in any Case the Amount of Two Thirds of the Salary of such Constable, upon such Conditions and in such Manner as such Lord Lieutenant or other Chief Governor or Governors shall order and direct, and also to order that any such Sum or Sums shall from time to time be advanced and paid out of the Produce of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland* arising in *Ireland*; and that the Amount of One Moiety or Half Part of all such Sums shall be repaid by the County, City, Town, Barony or Half Barony for which such Constable shall have been appointed, in like Manner and under the like Regulations as by the said recited Act of the Third Year of the Reign of His present Majesty is directed with respect to the Payment of One Moiety of any Sums advanced for the Purpose of paying the Salary of any Constable under the said recited Act.

55 G. 3. c. 158. § 4.

X. And Whereas by an Act made in the Fifty fifth Year of the Reign of His late Majesty King George the Third, intituled *An Act to enable Grand Juries to present additional Sums for Constables in Ireland, and for the secure Conveyance of Prisoners*, it is amongst other Things provided, that it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, in his or their Discretion, on the Petition of any Constable appointed or continued under either of the Acts therein mentioned, supported by the Recommendation of the Grand Jury of the County within which such Constable shall

shall be appointed, and by such Certificates as such Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall require or direct, of the Continuance of the Service of such Constable, and of his having executed the Duty of his Office with Diligence and Fidelity, to order that such Constable shall and may be superannuated, and shall and may receive such Yearly Allowance, Remuneration and Superannuation, as to such Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall seem fitting and proper, upon the Conditions and not exceeding the Proportions in the said Act mentioned: And Whereas under the Provisions of the said Act the Proportion of Salary which any such Constable may so receive depends on his Age, his Infirmities of Mind or Body, and the Length of his Service: And Whereas there are in *Ireland* divers Persons who have been from time to time appointed Constables by Grand Juries under certain other Acts of Parliament; but Doubts are entertained whether such Persons are within the Provisions of the said last recited Act, by reason whereof it has happened that many Persons have been prevented from receiving such Superannuations, who have in Reason and Justice the strongest Claims thereto; For remedy whereof, be it enacted, That from and after the passing of this Act, it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, on the Petition of any Person holding, or having at any Time held the Office of a Constable or Sub Constable by or under the Appointment of any Grand Jury in *Ireland*, supported by such Recommendation and Certificates or Certificate as aforesaid respectively, to order that such Person shall and may be or remain superannuated, and shall and may receive such Yearly Allowance, Remuneration and Superannuation, as to such Lord Lieutenant or other Chief Governor or Governors shall seem fitting and proper, upon the Conditions and not exceeding the Proportions in the said Act mentioned: Provided always, that in estimating the Amount of any such Allowance and Superannuation, the Salary payable to Constables under the said last recited Act of the Fifty fifth Year of the Reign of His late Majesty shall be deemed, taken and considered as the Salary of such Person, and not any greater or other Salary which such Person may at any Time have had; and that in estimating the Length of Service of any such Person, all and every Time and Period during which such Person hath or shall have served in the Office of a Constable or Sub Constable, by or under the Appointment of the Grand Jury of his proper County, under any Act of Parliament whatsoever, shall and may be taken into Account and applied to his Credit, so as that he shall have the full Benefit thereof in such Computation of the Length of his Service.

XI. 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.

In what manner Grand Jury Constables shall be superannuated, and the Mode of calculating their Salary and Term of Service.

Act may be altered, &c. this Session.

## C A P. XXIX.

An Act to amend an Act of the last Session of Parliament, for making more effectual Regulations for the Election, and for securing the Performance of the Duties of County Treasurers in *Ireland*. [17th May 1824.]

4 G. 4. c. 33.

Irish Act,  
33 G. 2.

‘ WHEREAS by an Act made in the last Session of Parliament, intituled *An Act to make more effectual Regulations for the Election, and to secure the Performance of the Duties of County Treasurers in Ireland*, it is amongst other Things enacted, that 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, according to a certain Amount mentioned in the Schedule marked (A.) to the said Act annexed; and that it shall not be lawful for any Grand Jury, in any Case, to make Presentment of any Sum for any such Treasurer exceeding in the Whole the Amount of such Annual Salary, and that such Sum 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 to be incurred by such Treasurers in the Execution of their several Offices: And Whereas by an Act made in the Parliament of *Ireland* in the Thirty third Year of the Reign of King *George* the Second, intituled *An Act for the more equally assessing and better collecting of Public Money in Counties of Cities and Counties of Towns*, it is among other Things enacted, that all Money that shall be presented to be raised within Counties of Cities or Counties of Towns, shall be collected by the respective Treasurers of such Counties of Cities and Counties of Towns, or by Persons empowered by them respectively, and for whom they shall be respectively answerable; and it is also by the said last recited Act further enacted, that such Treasurers respectively shall be allowed Twelve Pence for every Pound which they shall actually collect and account for, in Manner required by the said recited Act; and that the Grand Juries shall, at the Assizes at which such Sums shall be so accounted for, present the same, to be levied and paid to such respective Treasurers, for their respective Trouble and Expence in collecting the Sum so accounted for: And Whereas the Amount of the Salary or Allowance, payable under the said recited Act of the last Session of Parliament to Treasurers of Counties of Cities and Counties of Towns, is altogether an inadequate and insufficient Remuneration to such Treasurers, who by the said recited Act of the Thirty third Year of King *George* the Second are required to collect the Grand Jury Cess in Manner and under the Regulations of the said last recited Act; and it is expedient that the said Allowance of Twelve Pence in the Pound, payable under the said last recited Act, should be paid to such Treasurers, in lieu of such Salary or Allowance payable under the said first recited Act; Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the

the Authority of the same, That the Treasurers of all Counties of Cities and Counties of Towns, who shall duly collect and account for all Monies presented to be raised in such Counties of Cities and Counties of Towns respectively, in Manner required by the said last recited Act, shall be allowed Twelve Pence for every Pound which they shall so actually collect and account for; and that the respective Grand Juries shall, at the Assizes at which such Sums shall be so accounted for as aforesaid, make Presentment for the Amount of such Sum of Twelve Pence in the Pound, to be levied and paid to such Treasurers for their respective Trouble and Expence in collecting the Sums so accounted for; and such Amount shall and may be received by any such Treasurer in lieu of any Salary to which any such Treasurer may be entitled as such Treasurer under the Provisions of the said recited Act of the last Session of Parliament; any Thing in the said recited Act to the contrary thereof in any wise notwithstanding.

Treasurers shall be entitled to 12d. per Pound for the Money collected and accounted for.

[Stat. 4 G. 4. c. 33. further amended c. 93. post.]

### C A P. XXX.

An Act to prevent the Stealing of Records, Deeds and Papers, in *Ireland*. [17th May 1824.]

‘ WHEREAS Difficulties have arisen in the Prosecution of Persons who have stolen, taken and carried away Deeds or other written Papers, Parchments or Pieces of Vellum, concerning the Proceedings in His Majesty’s Courts of Justice in *Ireland*, and concerning the Business of the Offices of the several Persons holding Offices or Employments under His Majesty in *Ireland*:’ For Remedy thereof, be it enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, any Person or Persons who shall, in *Ireland*, steal, take or secretly or forcibly carry away any Record, Deed, Security or Instrument, or any Paper, Parchment or Piece of Vellum, or any Part thereof, written or printed, or partly written and partly printed, in any wise relating to or concerning the Proceedings in His Majesty’s Courts of Justice in *Ireland*, or concerning the Business of any Person holding any Office or Employment under His Majesty, and remaining or deposited for safe Custody in any of the Offices appertaining to the said Courts of Justice, or in His Majesty’s Castle of *Dublin*, or in any of His Majesty’s Custom Houses, Post Offices or other Public Offices in *Ireland*, shall be guilty of Felony, and upon Conviction thereof, upon Indictment by due Course of Law, shall and may be transported for the Term of Seven Years, in the Manner prescribed by Law for the Transportation of Offenders; or shall and may be sentenced to Imprisonment with Hard Labour, and shall and may 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 imprisoned or transported, shall be subject and liable to all Laws concerning Offenders ordered to be transported or imprisoned.

Stealing Records or other Instruments relating to Proceedings, &c. in the King’s Courts, Felony

Punishment.

## C A P. XXXI.

An Act for fixing, until the Twenty fifth Day of *March* One thousand eight hundred and twenty five, the Rates of Sub-sistence to be paid to Innkeepers and others on quartering Soldiers. [17th *May* 1824.]

## C A P. XXXII.

An Act to amend an Act passed in the last Session of Parliament, intituled *An Act for amending the Laws respecting the Solemnization of Marriages in England.* [17th *May* 1824.]

4 G. 4. c. 76.

§ 13.

WHEREAS by an Act passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act for amending the Laws respecting the Solemnization of Marriages in England,* it is provided, 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 during the Repair or Rebuilding of the Church as aforesaid; but it is not provided that Marriages may be solemnized in such Place so licensed: And Whereas it is farther provided, that 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; but it is not provided that Marriages may be solemnized by Licence in such adjoining Church or Chapel as aforesaid: And Whereas it is provided, that all Marriages theretofore, but it is not provided that Marriages thereafter 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: And Whereas it is provided, that the Ministers who have so solemnized the same shall not be liable to any Ecclesiastical Censure, or to any other Proceeding or Penalty whatsoever; but it is not provided that the Ministers who shall thereafter solemnize such Marriages shall not be liable to such Censure or other Proceeding or Penalty: And Whereas it is expedient that Marriages heretofore and hereafter solemnized in such Place so licensed as aforesaid, during the Repair or Rebuilding of any Church or Chapel, or if no such Place shall be so licensed then in a Church or Chapel of some adjoining Parish or Chapelry, whether by Banns lawfully proclaimed, or by Licence lawfully granted, should not have their Validity questioned on account of their being so solemnized: And Whereas it is expedient that the Ministers who shall have so solemnized the same should not be liable to any Ecclesiastical Censure, or to any other Proceeding

‘ceeding whatsoever:’ Therefore be it enacted, and it is hereby enacted by the King’s most Excellent Majesty, by and with the 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 Marriages which have been heretofore solemnized or which shall be hereafter solemnized in any Place within the Limits of such Parish or Chapelry so licensed as aforesaid for the Performance of Divine Service during the Repair or Rebuilding of the Church of any Parish, or Chapel of any Chapelry, wherein Marriages have been usually solemnized, or if no such Place shall be so licensed, then in a Church or Chapel of any adjoining Parish or Chapelry in which Banns are usually proclaimed, whether by Banns lawfully published in such Church or Chapel, or by Licence lawfully granted, shall not have their Validity questioned on account of their having been so solemnized; nor shall the Ministers who have so solemnized the same be liable to any Ecclesiastical Censure, or to any other Proceeding whatsoever.

Proviso for Marriages where Churches &c. under Repair, &c.

No Ecclesiastical Censure.

II. And be it further enacted, That all Licences granted by any Archbishop, Bishop or other Ordinary or Person having Authority to grant such Licences for the Solemnization of Marriages in the Church of any Parish or Chapel of any Chapelry wherein Marriages have been usually solemnized, shall be deemed and taken to be Licences for the Solemnization of Marriages in any Place within the Limits of such Parish or Chapelry which shall be licensed by the Bishop of the Diocese for the Performance of Divine Service during the Repair or Rebuilding of any such Church or Chapel, or if no such Place shall be so licensed, then in the Church or Chapel of any adjoining Parish or Chapelry wherein Marriages have been usually solemnized.

Licences for Marriages in Churches, &c. extended to Places herein mentioned, while Church, &c. under Repair, &c.

III. And be it further enacted, That all Banns of Marriage proclaimed, and all Marriages solemnized according to the Provisions of this Act, in any Place licensed as aforesaid, within the Limits of any Parish or Chapelry, during the Repair or Rebuilding of the Church or Chapel of such Parish or Chapelry, shall be considered as proclaimed and solemnized in the Church or Chapel of such Parish or Chapelry, and shall be so registered accordingly.

Proviso for Banns proclaimed and Marriages solemnized in such licensed Places.

C A P. XXXIII.

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 five.

[17th May 1824.]

[This Act is the same as 4 G. 4. c. 59. except as to Dates and the Sections that are here inserted, and also except the Table A.]

‘WHEREAS 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 is to say), for the Pay of the said Regular Militia at the Rates following; (that is to say),

Secretary at War to issue the Money required for the Pay of the Regular Militia.

Rates of Pay.

For each Adjutant, Eight Shillings *per Diem* :

For each Paymaster, in Corps consisting of Three Companies and upwards, Six Shillings *per Diem* :

For each Paymaster, in Corps consisting of Two Companies, Five Shillings *per Diem* :

For each Paymaster, in Corps consisting of One Company, Four Shillings *per Diem* :

For each Surgeon, Six Shillings *per Diem* :

For each Quartermaster, where One had been appointed in a Corps while embodied at an Establishment of not less than Three hundred and Sixty Private Men, Five Shillings *per Diem* ; and at an Establishment of less than Three hundred and Sixty Private Men, Three Shillings *per Diem* :

For each Serjeant Major, having been Serjeant Major of a Provisional Battalion of Militia, Two Shillings and Sixpence *per Diem* :

For each Serjeant Major, where One is appointed in Corps consisting of Two or more Companies, One Shilling and Ten Pence *per Diem* :

For each 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, doing the Duty of Quartermaster Serjeant while no Quartermaster is appointed, One Shilling and Ten Pence *per Diem* :

For each Serjeant, One Shilling and Sixpence *per Diem* :

For each Corporal, One Shilling and Two Pence *per Diem* :

For each Drum Major, where One is appointed in Corps consisting of Three or more Companies, One Shilling and Sixpence *per Diem* :

For each Drummer, One Shilling *per Diem* :

Rates of Pay when absent on Furlough.

Provided always, that when any Serjeant, Corporal or Drummer shall be absent on Furlough or Licence, such Serjeant, Corporal or Drummer shall during such Absence receive Pay at the following Rates, instead of those above mentioned; (that is to say),

Every



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 Serjeant, doing the Duty of Quartermaster Serjeant while no Quartermaster is appointed, 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), 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, Quartermaster Serjeant, and Serjeant doing the Duty of Quartermaster Serjeant while no Quartermaster is appointed; 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 :

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.

XXVI. And be it further enacted, That in every County in England and Wales where the Regular Militia is or shall be raised, 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 to the several Clerks of the Subdivision Meetings at the Rate of One Pound One Shilling for each Meeting; and such further Allowance shall be made to such respective General and Subdivision Clerks for their Expences and Trouble in amending the Returns of Persons returned liable to serve in the Regular

Clothing.

Contingent Fund.

Allowances to Clerks of General and Subdivision Meetings in England and Wales.

Rates of Allowance.

use and exercise all such Powers and Authorities, and shall perform such Duties within the said County of *Dublin*, as by the said recited Act are vested in or required from any General Superintendent or Inspector of Constables appointed under the Authority of the said recited Act.

Quarter Sessions may nominate Persons qualified for Constables, as under 3 G. 4. c. 103. § 24. to succeed in case of Vacancies.

List of such Persons sent to Superintendent.

Superintendents may supply Vacancies of Constables from among Persons named in such Lists.

Oath to be taken by Constable.

And in such Case, Vacancies need not be certified to Sessions.

IV. And for the securing a Supply of proper Persons to fill the Office of Constables under the said recited Act and this Act, as the same shall from time to time become vacant; Be it enacted, That it shall and may be lawful for any Five Justices of the Peace for the said County of *Dublin*, or for any County in *Ireland*, at any General Quarter Sessions, or General Sessions of the Peace, regularly and duly assembled, and such Justices at any such Sessions, are hereby authorized and required from time to time to nominate any Number of Persons, as fit and proper Persons for the supplying of such Vacancies, not exceeding in the whole the Number of Twenty such Persons in any One County, and being qualified to act as Constables in Manner required by the said recited Act of the Third Year of His present Majesty's Reign, and pursuant to the Rules and Regulations made and approved of under the Authority thereof; and a List of all such Persons so from time to time nominated at any such Session, shall, within Ten Days after the Last Day of every such Session respectively, be transmitted by the Clerk of the Peace to the General Superintendent or Inspector of the Chief Constables and Sub Constables acting for such County.

V. And be it further enacted, That it shall and may be lawful for any General Superintendent or Inspector of the Chief Constables and Constables appointed under the said Act or this Act in any County, and such Superintendent or Inspector is hereby authorized and empowered from time to time to appoint out of the Persons named in such List, according to the Order in which the Names shall be inserted in such List, to be Constables under the said recited Act in or for any Barony or Half Barony or other Division, in any County committed to the Superintendence and Inspection of such Superintendent and Inspector, in which any Vacancy or Vacancies shall arise by the Death or Removal of any Constable or Constables appointed under the said recited Act or this Act; and every Person so appointed shall be and become a Constable in and for any Barony, Half Barony or other Division of a Barony, in like Manner and under such Conditions, to all Intents and Purposes, as any Constable appointed under any of the Provisions of the said recited Act or this Act, and shall take such Oath as is required to be taken by Constables under the said recited Act, and shall have all such Powers and Authorities, and shall be subject and liable to all such Directions as any other Constable appointed under the said recited Act or this Act, and shall have such Salary as by the said recited Act is authorized to be paid to any Constable appointed under the said recited Act; and whenever any Vacancy or Vacancies shall be filled up by such Superintendent or Inspector, in such Manner as is authorized and required by this Act, it shall not be necessary for the Chief Constable of the Barony or Half Barony in which such Vacancy shall arise to report the same to the Magistrates at the Quarter Sessions of the County.

ounty, or for such Magistrates to fill up such Vacancy or Vacancies in Manner required by the said recited Act or this Act; any thing in the said recited Act or this Act to the contrary hereof in anywise notwithstanding.

VI. Provided always, and be it enacted, That in case it should appear that no Person should be nominated for the supplying of such Vacancies in Manner required by the said recited Act or his Act, by the Justices of the Peace at any Sessions, or in any Case no List of Persons so nominated shall be transmitted to the Superintendent or Inspector of Constables in Manner required by this Act, or in case the Names of a sufficient Number of Persons for the supplying of any such Vacancies in any County, duly qualified as required by the said recited Act, shall not be contained in any such List, then and in either of such Cases it shall and may be lawful for such Superintendent or Inspector, and he is hereby authorized and empowered to nominate and appoint any Person or Persons to supply such Vacancy or Vacancies, being qualified according to the Directions of the said recited Act; and such Person or Persons so nominated and appointed by such Superintendent or Inspector, having first received the Approbation of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* (to be signified by his or their Chief Secretary), shall be sworn, and shall be and become a Constable or Constables to all Intents and Purposes as any other Person or Persons appointed to be a Constable or Constables under the Provisions of the said recited Act or this Act.

VII. And be it further enacted, That whenever any Penalty shall be imposed or inflicted under the said recited Act by any Magistrates upon any Chief Constable or other Constables, for neglecting or refusing to obey or execute any Warrant, or for any Neglect or Violation of Duty in his Office, it shall and may be lawful for such Magistrates, instead of directing that such Penalty shall be levied by the Distress and Sale of the Goods and Chattels of the Party so offending; and such Magistrates are hereby authorized and required, in all Cases where any Salary shall be due to such Constable, to certify the Conviction or Confession of such Offender, and the Amount of the Penalty imposed on such Offender, to the Chief Secretary of the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*; and the Amount of any and every such Penalty shall and may be stopped and deducted out of the Salary due or growing due to such Constable, and shall be applied towards the Repayment of the Sums advanced out of the Consolidated Fund under the said recited Act, and shall be paid into the Receipt of His Majesty's Exchequer in *Ireland*, according to the Course of the said Exchequer, and then carried to Account accordingly.

VIII. And be it further enacted, That if any Chief Constable or other Constable shall not, within One Week after he shall be dismissed from or shall cease to hold and exercise his Office, deliver over all and every Arms and Accoutrements, Horse, Saddle, Bridle, Clothing or Appointments supplied to him, under the Provisions of the said recited Act, to his Successor in such Office, if such there shall be, and if not, then to such Person and at such Time and Place as shall be directed by the Lord Lieutenant,

On failure of Nomination by Sessions, &c. Superintendent may appoint Constables, to be approved of by Lord Lieutenant.

† Sic.

Fines on Constables by Magistrates shall be deducted out of their Salaries, and carried to Consolidated Fund.

Constables refusing to deliver up Arms, Three Months Imprisonment, in lieu of Penalty under 3 G. 4. c. 103. § 15.

nant, or other Chief Governor or Governors of *Ireland* for the Time being, upon Conviction of such Offence before any Two or more Magistrates, upon the Oath of One or more credible Witness or Witnesses, or upon his own Confession, every such Offender, in lieu of forfeiting the Sum of Twenty Pounds, inflicted by the said recited Act in such Cases, shall be subject and liable to Imprisonment in the Common Gaol or House of Correction for any such Period, not exceeding the Term of Three Calendar Months, as such Magistrates shall think proper to direct; and it shall be lawful for such Magistrates, and they are hereby authorized and required to commit every such Offender accordingly.

On Petition of Constable appointed under recited Act or this Act, or under 54 G. 3. c. 131. stating his being maimed, &c. in Execution of his Duty, Lord Lieutenant may order Recommendation to be paid out of Consolidated Fund, One half to be repaid by the County, as under 3 G. 4. c. 103. § 36.

IX. And be it further enacted, That upon the Petition of any Chief Constable or Constable or Sub Constable, appointed and acting under the Provisions of the said recited Act or this Act, or appointed and acting under the Provisions of an Act made in the Fifty fourth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to provide for the better Execution of the Laws in Ireland, by appointing superintending Magistrates and additional Constables in certain Cases*, stating that such Constable has received any Maim, Wound or Hurt, or other grievous Injury, in the Execution or Performance of the Duty of his Office, whereby he shall be disabled from executing the Duty of his Office, and upon such Certificates as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall require or direct, it shall and may be lawful for such Lord Lieutenant or Chief Governor or other Governors of *Ireland*, to order that any such Sum or Sums as he or they shall think proper shall be paid as an Annual Remuneration or Superannuation to such Constable, not exceeding in any Case the Amount of Two Thirds of the Salary of such Constable, upon such Conditions and in such Manner as such Lord Lieutenant or other Chief Governor or Governors shall order and direct, and also to order that any such Sum or Sums shall from time to time be advanced and paid out of the Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* arising in *Ireland*; and that the Amount of One Moiety or Half Part of all such Sums shall be repaid by the County, City, Town, Barony or Half Barony for which such Constable shall have been appointed, in like Manner and under the like Regulations as by the said recited Act of the Third Year of the Reign of His present Majesty is directed with respect to the Payment of One Moiety of any Sums advanced for the Purpose of paying the Salary of any Constable under the said recited Act.

55 G. 3. c. 158. § 4.

X. And Whereas by an Act made in the Fifty fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to enable Grand Juries to present additional Sums for Constables in Ireland, and for the secure Conveyance of Prisoners*, it is amongst other Things provided, that it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, in his or their Discretion, on the Petition of any Constable appointed or continued under either of the Acts therein mentioned, supported by the Recommendation of the Grand Jury of the County within which such Constable shall

shall be appointed, and by such Certificates as such Lord Lieutenant or other Chief Governor or Governors of Ireland shall require or direct, of the Continuance of the Service of such Constable, and of his having executed the Duty of his Office with Diligence and Fidelity, to order that such Constable shall and may be superannuated, and shall and may receive such Yearly Allowance, Remuneration and Superannuation, as to such Lord Lieutenant or other Chief Governor or Governors of Ireland shall seem fitting and proper, upon the Conditions and not exceeding the Proportions in the said Act mentioned: And Whereas under the Provisions of the said Act the Proportion of Salary which any such Constable may so receive depends on his Age, his Infirmities of Mind or Body, and the Length of his Service: And Whereas there are in Ireland divers Persons who have been from time to time appointed Constables by Grand Juries under certain other Acts of Parliament; but Doubts are entertained whether such Persons are within the Provisions of the said last recited Act, by reason whereof it has happened that many Persons have been prevented from receiving such Superannuations, who have in Reason and Justice the strongest Claims thereto; For remedy whereof, be it enacted, That from and after the passing of this Act, it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being, on the Petition of any Person holding, or having at any Time held the Office of a Constable or Sub Constable by or under the Appointment of any Grand Jury in Ireland, supported by such Recommendation and Certificates or Certificate as aforesaid respectively, to order that such Person shall and may be or remain superannuated, and shall and may receive such Yearly Allowance, Remuneration and Superannuation, as to such Lord Lieutenant or other Chief Governor or Governors shall seem fitting and proper, upon the Conditions and not exceeding the Proportions in the said Act mentioned: Provided always, that in estimating the Amount of any such Allowance and Superannuation, the Salary payable to Constables under the said last recited Act of the Fifty fifth Year of the Reign of His late Majesty shall be deemed, taken and considered as the Salary of such Person, and not any greater or other Salary which such Person may at any Time have had; and that in estimating the Length of Service of any such Person, all and every Time and Period during which such Person hath or shall have served in the Office of a Constable or Sub Constable, by or under the Appointment of the Grand Jury of his proper County, under any Act of Parliament whatsoever, shall and may be taken into Account and applied to his Credit, so as that he shall have the full Benefit thereof in such Computation of the Length of his Service.

XI. 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.

In what manner Grand Jury Constables shall be superannuated, and the Mode of calculating their Salary and Term of Service.

Act may be altered, &c. this Session.

## C A P. XXIX.

An Act to amend an Act of the last Session of Parliament, for making more effectual Regulations for the Election, and for securing the Performance of the Duties of County Treasurers in *Ireland*. [17th May 1824.]

4 G. 4. c. 33.

‘ WHEREAS by an Act made in the last Session of Parliament, intituled *An Act to make more effectual Regulations for the Election, and to secure the Performance of the Duties of County Treasurers in Ireland*, it is amongst other Things enacted, that 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, according to a certain Amount mentioned in the Schedule marked (A.) to the said Act annexed; and that it shall not be lawful for any Grand Jury, in any Case, to make Presentment of any Sum for any such Treasurer exceeding in the Whole the Amount of such Annual Salary, and that such Sum 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 to be incurred by such Treasurers in the Execution of their several Offices: And Whereas by an Act made in the Parliament of *Ireland* in the Thirty third Year of the Reign of King George the Second, intituled *An Act for the more equally assessing and better collecting of Public Money in Counties of Cities and Counties of Towns*, it is among other Things enacted, that all Money that shall be presented to be raised within Counties of Cities or Counties of Towns, shall be collected by the respective Treasurers of such Counties of Cities and Counties of Towns, or by Persons empowered by them respectively, and for whom they shall be respectively answerable; and it is also by the said last recited Act further enacted, that such Treasurers respectively shall be allowed Twelve Pence for every Pound which they shall actually collect and account for, in Manner required by the said recited Act; and that the Grand Juries shall, at the Assizes at which such Sums shall be so accounted for, present the same, to be levied and paid to such respective Treasurers, for their respective Trouble and Expence in collecting the Sum so accounted for: And Whereas the Amount of the Salary or Allowance, payable under the said recited Act of the last Session of Parliament to Treasurers of Counties of Cities and Counties of Towns, is altogether an inadequate and insufficient Remuneration to such Treasurers, who by the said recited Act of the Thirty third Year of King George the Second are required to collect the Grand Jury Cess in Manner and under the Regulations of the said last recited Act; and it is expedient that the said Allowance of Twelve Pence in the Pound, payable under the said last recited Act, should be paid to such Treasurers, in lieu of such Salary or Allowance payable under the said first recited Act; Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the

Irish Act,  
33 G. 2.

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

C A P. XXXV.

An Act to continue, until the Fifth Day of July One thousand eight hundred and twenty five, the Acts for granting Bounties on the Exportation of refined Sugar from the United Kingdom, and for reducing the Size of the Packages in which refined Sugar may be exported.

[17th May 1824.]

WHEREAS an Act was passed in the Fifty eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act to repeal the several Bounties on the Exportation of refined Sugar from any Part of the United Kingdom, and to allow other Bounties in lieu thereof, until the Fifth Day of July One thousand eight hundred and twenty; and for reducing the Size of the Packages in which refined Sugar may be exported*: And Whereas another Act was 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-four, an Act made in the Fifty eighth Year of His late Majesty, to repeal the several Bounties on the Exportation of refined Sugar from the United Kingdom, and to allow other Bounties in lieu thereof; and to reduce the Size of the Packages in which refined Sugar may be exported*: And Whereas the said first recited Act is near expiring, and it is expedient that the said Act should be further continued: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall, from and after the Fifth Day of July One thousand eight hundred and twenty four, be further continued until the Fifth Day of July One thousand eight hundred and twenty five.

58 G.3. c.34.

1 G.4. c.64.

First recited Act further continued till July 5, 1825.

C A P. XXXVI.

An Act to amend and render more effectual the several Acts for the issuing of Exchequer Bills for Public Works.

[17th May 1824.]

WHEREAS an Act was made in the Fifty seventh Year of the Reign of His late Majesty King George the Third, intituled *An Act to authorize the Issue of Exchequer Bills and the Advance of Money out of the Consolidated Fund to a limited Amount, for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in Great Britain, in manner therein mentioned*, which said recited Act was amended by an Act made in the same Session of Parliament; and the said Two Acts were further amended, and the Powers of the Commissioners under the said Acts extended, by an Act made in the First Year of the Reign of His present Majesty, and

57 G.3. c.34.

57 G.3. c.124.

1 G.4. c.60.

## C A P. XXXI.

An Act for fixing, until the Twenty fifth Day of *March* One thousand eight hundred and twenty five, the Rates of Subsistence to be paid to Innkeepers and others on quartering Soldiers. [17th *May* 1824.]

## C A P. XXXII.

An Act to amend an Act passed in the last Session of Parliament, intituled *An Act for amending the Laws respecting the Solemnization of Marriages in England.* [17th *May* 1824.]

4 G. 4. c. 76.

§ 13.

‘ **W**HEREAS by an Act passed in the Fourth Year of the  
 ‘ Reign of His present Majesty, intituled *An Act for*  
 ‘ *amending the Laws respecting the Solemnization of Marriages in*  
 ‘ *England,* it is provided, 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 during the  
 ‘ Repair or Rebuilding of the Church as aforesaid; but it is not  
 ‘ provided that Marriages may be solemnized in such Place so  
 ‘ licensed: And Whereas it is farther provided, that 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;  
 ‘ but it is not provided that Marriages may be solemnized by  
 ‘ Licence in such adjoining Church or Chapel as aforesaid:  
 ‘ And Whereas it is provided, that all Marriages theretofore, but  
 ‘ it is not provided that Marriages thereafter 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: And Whereas it is  
 ‘ provided, that the Ministers who have so solemnized the same  
 ‘ shall not be liable to any Ecclesiastical Censure, or to any  
 ‘ other Proceeding or Penalty whatsoever; but it is not provided  
 ‘ that the Ministers who shall thereafter solemnize such Mar-  
 ‘ riages shall not be liable to such Censure or other Proceeding  
 ‘ or Penalty: And Whereas it is expedient that Marriages here-  
 ‘ tofore and hereafter solemnized in such Place so licensed as  
 ‘ aforesaid, during the Repair or Rebuilding of any Church or  
 ‘ Chapel, or if no such Place shall be so licensed then in a  
 ‘ Church or Chapel of some adjoining Parish or Chapelry,  
 ‘ whether by Banns lawfully proclaimed, or by Licence lawfully  
 ‘ granted, should not have their Validity questioned on account  
 ‘ of their being so solemnized: And Whereas it is expedient that  
 ‘ the Ministers who shall have so solemnized the same should not  
 ‘ be liable to any Ecclesiastical Censure, or to any other Pro-  
 ‘ ceeding



*er Centum per Annum*, by Annual or Half Yearly Instalments, in the Amount of the Principal Money advanced within the Period of Twenty Years at farthest from the advancing of any such Sums respectively.

II. And be it further enacted, That it shall be lawful for any Churchwarden or Chapelwarden or Overseer of or in any Parish, or District or Division of any Parish, in which any Rates shall be made under the Provisions of this Act, to collect, demand and receive, sue for, levy and recover all such Rates by all such Ways and Means as any Church Rates may by Law be collected, demanded, received, sued for, levied and recovered, as fully and effectually as if all Powers, Authorities, Provisions, Penalties and Forfeitures relating to the collecting, demanding, suing for, levying, receiving and recovering of any Church Rates or relating to any Refusal to pay any like Rates, were specially repeated and enacted in this Act; any Law, Statute, Usage or Custom to the contrary notwithstanding.

Such Rates to be levied as Church Rates may by Law be levied.

III. Provided always, and be it enacted, That whenever in any Parish in *England* or *Wales*, any Churchwardens and Overseers of such Parish or any Vestry, or any other Persons shall, under or by virtue of any Act or Acts specially applicable to such Parish, be authorized and empowered to make and levy any Rates for defraying the Expence of the building of any new Church or Chapel in any such Parish, it shall and may be lawful for the Churchwardens or Overseers of such Parish or any of the Persons authorized to make and levy such Rates, to apply to the Commissioners for the Execution of the said recited Acts, for any Loan or Advance for or towards the building such new Church or Chapel in such Parish; and it shall be lawful for such Commissioners to grant any such Loan or Advance upon the Security of such Rates, provided such Rates shall be sufficient to secure the Repayment of any Sum so advanced, with Interest after the Rate of Four Pounds *per Centum per Annum*, within the Period of Twenty Years from the Date of such Advance; and the Repayment of such Loan or Advance, with such Interest as aforesaid, within the said Period of Twenty Years, shall be secured by Mortgage or Assignment of such Rates in such Manner and Form as such Commissioners shall think proper to direct; any Thing in any other Act or Acts relating to the building, rebuilding or repairing of Churches or Chapels to the contrary in any wise notwithstanding.

Where Churchwardens and Overseers are authorized to levy Rates for building a new Church, they may apply to such Commissioners for a Loan to be repaid in 20 Years with Interest at Four per Cent

IV. And Whereas Applications have been made to the Commissioners for the Execution of the said recited Acts, for Advances to be made to certain Colleges for the Purpose of enabling them to increase the Number of Apartments for Students within such Colleges respectively; so as to avoid the Necessity of many Students having Lodgings out of such Colleges; but Doubts are entertained whether the said Commissioners are authorized to make Advances for such Purposes, and whether such Colleges can give any adequate Security for the Repayment of such Advances under the Provisions of the said recited Acts; Be it therefore enacted, That from and after the passing of this Act, upon any Application on Behalf of any College or Hall in either of the Universities of *Oxford* or *Cambridge*, made in Writing under

Loans may be made in like manner to Colleges in the Universities of

Oxford or Cambridge for increasing the Number of Apartments for Students, on Application to the Commissioners, and the Members of the College may mortgage the Profits of such Apartments as the Commissioners shall appoint for the Repayment within 20 Years with Interest at Four per Cent.

Such Mortgages good in Law.

Colleges not to mortgage their Revenues otherwise than to the Commissioners.

Two Commissioners may administer the

under the Common Seal of such College or Hall, (duly affixed by the Authority of such Person or Persons as may for the Time being be empowered, by the Statutes of any such College or Hall respectively, to use or affix such Common Seal to Leases or other Deeds or Instruments in Writing), it shall be lawful for the Commissioners for the Execution of the said recited Acts, and such Commissioners are hereby authorized and empowered to make any Loan or Advance under the Powers, Authorities, Provisions and Regulations of the said recited Acts, of any Sum or Sums in Exchequer Bills or Money for the building, rebuilding, enlarging, improving or fitting up any such additional or existing Rooms, Buildings and Offices as may by such Commissioners be deemed requisite and necessary for the Purpose of increasing the Accommodation of the Students of any such College or Hall respectively, in like Manner in every respect as if such Colleges and Halls had been included in the Provisions of the said recited Acts or any of them; and it shall be lawful for the Treasurer, Bursar or other proper Officer of any such College or Hall to receive any Sums so advanced for the Purposes aforesaid; and it shall be lawful for the proper Officers or Members of any such College or Hall respectively, and they are hereby authorized and required, under the Common Seal of any such College or Hall respectively, to mortgage, assign and make over the Rents and Profits which shall arise from such additional or existing Rooms so to be built, rebuilt, enlarged, improved and fitted up, or to mortgage, assign and make over any other Rents, Revenues or Receipts which shall be payable and belonging to any such College or Hall respectively or any Part of the same, to such Person or Persons and in such Manner and Form as the said Commissioners shall direct and appoint, so as to secure the Repayment of all Sums so advanced for such Purposes, with Interest thereon at the Rate of Four Pounds *per Centum per Annum*, by Annual or Half Yearly Instalments, on the Principal Money advanced, within the Period of Twenty Years at farthest from the advancing thereof, or at such Times not exceeding the said Period of Twenty Years, and in such Manner as the said Commissioners shall think fit to appoint; and all such Mortgages and Assignments shall be good and effectual in the Law, and binding on the said Colleges and Halls entering into the same, and their Successors, as Bodies Corporate; any Charter, Statute, Law, Rule or Regulation of or relating to any such College, or any general or particular Law, Statute, Usage or Custom to the contrary in any wise notwithstanding.

V. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to grant to any College or Hall, to which any such Advances shall be made under the Authority of this Act, any Power or Authority whatsoever to mortgage or pledge the Rents, Revenues or Receipts of any such College or Hall otherwise than to the said Commissioners for the Execution of the said recited Acts, in the Manner and for the Purposes in this Act mentioned and specified.

VI. And Whereas some of the Commissioners named and appointed in and by the said recited Act of the Third Year of His present

‘ present Majesty’s Reign, have not yet qualified by taking the  
 ‘ Oath by the said Act prescribed to be taken by the said Com-  
 ‘ missioners respectively, and Doubts have arisen as to the Per-  
 ‘ sons now authorized to administer such Oath;’ Be it therefore  
 enacted, That from and after the passing of this Act, it shall and  
 may be lawful for any Two Commissioners who have been sworn  
 under the Provisions of the said last recited Act, to administer  
 the said Oath to any of the said Commissioners who have not yet  
 taken the said Oath; any Thing in the said recited Act contained  
 to the contrary notwithstanding.

Oath required  
 by 3 G. 4. c. 86.  
 § 7. to those  
 who have not  
 already taken it.

VII. And be it further enacted, That any and every Loan or  
 Advance granted and made under the said recited Acts, or any  
 or either of them, or this Act, or under an Act made in the  
 Fourth Year of the Reign of His present Majesty, intituled *An  
 Act to authorize the Advance of Money by the Commissioners under  
 several Acts, for the Issue of Exchequer Bills for Public Works, for  
 building, rebuilding, enlarging or repairing of Gaols in England,* or  
 under this present Act, shall be subject to all the Powers, Pro-  
 visions, Limitations, Regulations and Conditions for the Grant and  
 the Recovery of any Loan or Advance contained in and in force  
 under the said recited Acts or any of them, except only so far  
 as the Powers, Provisions, Limitations, Regulations and Conditions  
 of the said recited Acts or any of them are repealed or altered or  
 extended by each other or by this present Act; and that the said  
 Commissioners shall have all such Powers and Authorities for the  
 Purpose of recovering or compelling Payment of any Loan or  
 Advance made by the said Commissioners under the said recited  
 Acts or any of them, or under this Act, as are given to the Com-  
 missioners appointed by the said recited Acts or any of them,  
 in respect of any Loan or Advance under the said recited Acts  
 or any of them, or in respect of any Default in the Payment of  
 any such Loan or Advance; and that all and every the Clauses  
 and Provisions in the said recited Acts or any of them contained  
 and in force for the Regulation of the said Commissioners, in or  
 relating to the Grant of any Loan or Advance, and for the Reco-  
 very and Receipt of any Loan or Advance when due and payable,  
 and for exempting Mortgages, Assignments and other Instruments  
 and Writings from being liable to any Stamp Duty or otherwise  
 howsoever, shall extend and be construed to extend to all Loans  
 and Advances respectively under the said recited Acts or any of  
 them, or under this Act, and shall be of the like Force and Effect  
 as if such Clauses and Provisions were particularly repeated and  
 re-enacted in the Body of this Act.

Loans subject  
 to Regulations  
 of recited Acts  
 and of 4 G. 4.  
 c. 63., and  
 Commissioners  
 shall have the  
 like Power to  
 recover Pay-  
 ment, as the  
 Commissioners  
 under the re-  
 cited Acts have.

Clauses in re-  
 cited Acts re-  
 lating to Loans  
 and Stamp  
 Duty extended  
 to this Act.

VIII. And be it further enacted, That this Act may be amend-  
 ed, altered or repealed by any Act to be passed in this Session of  
 Parliament.

Act may be  
 altered, &c. this  
 Session.

## C A P. XXXVII.

An Act to continue for Two Years, and to amend an Act of the Fifty sixth Year of His late Majesty, for establishing Regulations respecting Aliens arriving in or resident in this Kingdom, in certain Cases. [17th May 1824.]

56 G.3. c.86.

58 G.3. c.96.

1 G.4. c.105.

3 G.4. c.97.

First recited  
Act continued  
for Two Years.

Proviso for  
Aliens who  
have resided  
Seven Years.

‘ WHEREAS an Act was passed in the Fifty sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for establishing Regulations respecting Aliens arriving in and resident in this Kingdom, in certain Cases, for Two Years from the passing of this Act, and until the End of the Session of Parliament in which the said Two Years shall expire, if Parliament shall be then sitting*: And Whereas the said Act was by another Act passed in the Fifty eighth Year of the Reign of His said late Majesty, further continued for the Term of Two Years, and until the End of the Session of Parliament in which that Term should expire, if Parliament should be then sitting; and was, by another Act passed in the First Year of the Reign of His present Majesty, continued for the further Term of Two Years; and was, by another Act passed in the Third Year of the Reign of His present Majesty, continued for the further Term of Two Years: And Whereas the Provisions of the said first recited Act have been found beneficial, and it is expedient further to continue and to amend 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 the said first recited Act shall be and the same is hereby further continued in force, from the Expiration thereof, for the Term of Two Years.

II. Provided always, and be it further enacted, That nothing in the said first recited Act or in this Act contained shall extend or be construed to extend to any Alien who shall have been continually residing in this Kingdom for a Period of Seven Years.

## C A P. XXXVIII.

An Act to amend Two Acts for maintaining and keeping in Repair the Military and Parliamentary Roads in the Highlands of Scotland. [17th May 1824.]

4 G.4. c.56.  
§ 6.

39 G.3. c.135.

‘ WHEREAS by an Act passed in the Fourth Year of the Reign of His present Majesty, intituled *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*, the said Commissioners were authorized to notify to the Heritors and Commissioners of Supply of any County in which any of the aforesaid Roads and Bridges are situated, that the County Assessment levied by virtue of an Act passed in the Fifty ninth Year of the Reign of His 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

' 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, together with the Par-  
 ' liamentary Allowance thereby given, is insufficient for the due  
 ' Repair and Maintenance of the said Roads and Bridges situ-  
 ' ated in such County, and thereupon requiring the said Heritors  
 ' and Commissioners of Supply to meet and assemble for the  
 ' Purpose of considering whether they are willing and desirous  
 ' further to increase such County Assessment, or that Toll Gates  
 ' shall be erected and Tolls levied in aid of such County Assess-  
 ' ment, 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: And Whereas the above men-  
 ' tioned Notification was accordingly made by the Parliamentary  
 ' Commissioners to the Heritors and Commissioners of Supply  
 ' of the County of *Inverness*, to the Heritors and Commissioners  
 ' of Supply of the County of *Ross* (and of those Parts of the Coun-  
 ' ties of *Cromarty* and *Nairn* locally situate therein), to the  
 ' Heritors and Commissioners of Supply of the County of *Suther-*  
 ' *land*, and to the Heritors and Commissioners of Supply of the  
 ' County of *Caithness*: And Whereas the Heritors and Commis-  
 ' sioners of Supply of the said County of *Ross* (and of those  
 ' Parts of the Counties of *Cromarty* and *Nairn* locally situate  
 ' therein), at their Meeting of the Twenty ninth Day of *October*  
 ' last (specially holden in consequence of such Notification),  
 ' agreed upon a Resolution to increase the County Assessment  
 ' instead of erecting Toll Gates in aid thereof, and subsequently,  
 ' on the same Day, agreed upon an Amendment of such Reso-  
 ' lution thereby agreeing to the erecting of Toll Gates in aid of  
 ' such Assessment, which Resolution and Amendment thereof not  
 ' being consistent with each other, cannot be carried into Effect  
 ' by the Parliamentary Commissioners in Terms of the said Act:  
 ' May it therefore please Your Majesty that it may be enacted;  
 ' and be it enacted by the King's most Excellent Majesty, by  
 ' and with the Advice and Consent of the Lords Spiritual and  
 ' Temporal, and Commons, in this present Parliament assembled,  
 ' and by the Authority of the same, That it shall and may be law-  
 ' ful for the said Parliamentary Commissioners, and they are hereby  
 ' authorized to repeat and renew such Notification to the Heritors  
 ' and Commissioners of Supply of the said County of *Ross*, in the  
 ' Manner specified in the said Act, whereupon the said Heritors  
 ' and Commissioners of Supply shall be summoned to meet accord-  
 ' ingly for the Purpose of taking into Consideration such renewed  
 ' Notification, in so far as to determine whether they are willing  
 ' and desirous that the County Assessment shall be further in-  
 ' creased, so as to defray the total Expence of maintaining in  
 ' Repair the said Roads and Bridges beyond the Portion of such  
 ' Expence allotted to the County of *Ross* for that Purpose out  
 ' of the Parliamentary Allowance of Five thousand Pounds *per*  
 ' *Annun*; or whether the said Heritors and Commissioners of  
 ' Supply are willing and desirous that Toll Gates shall be erected  
 ' and Tolls levied upon any of the Roads or Bridges situated in  
 ' such County, in aid of the said County Assessment; and that  
 ' the Resolution agreed upon by the Heritors and Commissioners

In the Case of  
 Ross Parlia-  
 mentary Com-  
 missioners to  
 repeat and re-  
 new Notifica-  
 tion to Heri-  
 tors and Com-  
 missioners of  
 the County of  
 Ross.

Resolutions  
thereon trans-  
mitted to Par-  
liamentary  
Commissioners.

of Supply, or the Majority of them present at such Meeting, or any Adjournment thereof, shall forthwith be transmitted to the Parliamentary Commissioners, who shall thereupon proceed in the Manner directed by the said first recited Act.

In the Case of  
Sutherland.

‘ II. And Whereas the Heritors and Commissioners of Supply of the County of *Sutherland*, at their Meeting of the Twenty second Day of *September* last (specially holden in consequence of a Notification under the first recited Act), agreed upon a Resolution to increase the County Assessment to a limited Amount, and for One Year only, therein not fulfilling the Intentions of the said Act, which remains in full Force, and has Continuance for and during the Term of Twenty one Years from the passing thereof, and from thence to the End of the then next Session of Parliament;’ Be it therefore further enacted, That it shall and may be lawful for the said Parliamentary Commissioners, and they are hereby authorized to repeat and renew such Notification to the Heritors and Commissioners of Supply of the said County of *Sutherland*, in the Manner specified in the said Act, whereupon a Meeting of the said Heritors and Commissioners of Supply shall be summoned accordingly, for the Purpose of taking into Consideration such renewed Notification, in so far as to determine whether it will be fit and proper to increase the County Assessment so as to fulfil the Intentions of the said Act, or that Toll Gates shall be erected on any of the said Roads or Bridges situated in such County, in aid of the said County Assessment; and that the Resolution agreed upon by the Heritors and Commissioners of Supply, or the Majority of them present at such Meeting, or any Adjournment thereof, shall forthwith be transmitted to the Parliamentary Commissioners, who shall thereupon proceed in the Manner directed by the said first recited Act.

In the Case of  
*Caithness*.

‘ III. And Whereas the Heritors and Commissioners of Supply of the County of *Caithness*, at their Meeting of the Thirtieth Day of *September* last (specially holden in consequence of a Notification under the first recited Act), agreed upon a Resolution, that Toll Gates should be erected and Tolls levied in lieu of the County Assessment: And Whereas in the Opinion of the Parliamentary Commissioners, the Roads and Bridges in the said County of *Caithness* cannot be maintained in Repair by the Produce of such Tolls, added to the Portion allotted to the County of *Caithness*, out of the Parliamentary Allowance of Five thousand Pounds *per Annum*;’ Be it therefore further enacted, That the Resolution agreed upon at such Meeting of the Thirtieth Day of *September* last shall be null and void, and that it shall and may be lawful for the said Parliamentary Commissioners, and they are hereby authorized to repeat and renew such Notification to the Heritors and Commissioners of Supply of the said County of *Caithness* in the Manner specified in the said Act, whereupon a Meeting of the said Heritors and Commissioners of Supply shall be summoned accordingly, for the Purpose of taking into Consideration such renewed Notification; and that the Resolution agreed upon by the Heritors and Commissioners of Supply, or the Majority of them present at such Meeting, or any Adjournment thereof, shall forthwith be transmitted

mitted to the Parliamentary Commissioners, who shall thereupon proceed in the Manner directed by the said first recited Act.

‘ IV. And Whereas it may become expedient from a Change of Circumstances, during the Term of the said first recited Act, in any of the said Counties of *Inverness, Ross, Sutherland* and *Caithness*, to reconsider and alter the Resolution previously agreed upon by the Heritors and Commissioners of Supply at any Meeting specially holden in consequence of any Notification under the said first recited Act or this Act;’ Be it therefore enacted, That it shall and may be lawful for the Parliamentary Commissioners, upon Application of any One or more of the Heritors or Commissioners of Supply of any County, to notify and declare the Substance of such Application to the Convener of such County if they shall think fit, together with their own Opinion thereupon, whereupon the Convener shall within Three Months thereafter summon the Heritors and Commissioners of Supply to meet and assemble for the Purpose of taking into Consideration such Notification, and if at such Meeting they shall agree upon any Resolution different from the former Resolution, and if the Parliamentary Commissioners shall thereupon concur in Opinion with the Heritors and Commissioners of Supply that the former Resolution ought to be annulled and superseded by the latter Resolution, such former Resolution shall thenceforth be deemed null and void, and the latter Resolution shall be of full Force and Effect in lieu thereof: Provided nevertheless, that it shall remain liable to be superseded in like Manner, upon subsequent Application and Resolution of the Heritors and Commissioners of Supply to that Effect, if confirmed by the Concurrence of the Parliamentary Commissioners therein.

And in case of Change of Circumstances, Reconsideration allowed.

Proviso.

‘ V. And Whereas in the said first recited Act Part of the annual Parliamentary Allowance of Five thousand Pounds is said to be allotted to the several Counties in aid of the Expence of repairing the Military and Parliamentary Roads and Bridges therein respectively situate, but the said Allotment is not particularly specified and set forth;’ Be it therefore enacted, That the Sum of One thousand and sixty six Pounds shall be and shall be deemed to be allotted in aid of the Expence of the repairing such Roads and Bridges in the County of *Inverness*, the Sum of Four hundred and thirty eight Pounds in like Manner to the County of *Ross*, the Sum of Two hundred and twenty two Pounds in like Manner to the County of *Sutherland*, and the Sum of One hundred and fifteen Pounds in like Manner to the County of *Caithness*, besides which the Parliamentary Commissioners shall defray the entire Expence of Inspection and Management out of the said annual Allowance of Five thousand Pounds.

Annual Allowance to the several Counties.

‘ VI. And Whereas it is expedient that certain Clauses contained in the hereinbefore recited Act passed in the Fifty ninth Year of the Reign of His late Majesty should be repealed and superseded by certain other Clauses;’ Be it therefore enacted, That the Twenty third Section of the said Act (imposing a Penalty on Persons injuring or obstructing the Roads); also the Twenty fourth Section of the said Act (providing that Cattle shall not be allowed to run loose on the Roads); also the Twenty seventh Section of the said Act (directing in what Cases

59 G. 3. c. 135.  
§ 23.  
§ 24.  
§ 27.  
§ 28.

repealed.

And other  
Clauses sub-  
stituted;

to prevent  
Nuisances.

Proviso.

Penalty.

Owners of ad-  
joining Land to  
cut the Hedges  
and Branches  
of Trees ob-  
structing the  
Roads.

Not so doing,  
Inspector, &c.  
to complain to  
Sheriff De-  
pute, &c.

Proceedings  
thereon.

Trees, Bushes or Underwood are to be removed from the Sides of the Roads); also the Twenty eighth Section of the said Act (containing Regulations as to planting Trees); shall be repealed, and the same are hereby repealed accordingly, and the following Clauses shall be substituted in lieu thereof; Wherefore be it 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 Military or Parliamentary Road, and which may occupy One fourth Part of such Road only,) or any Dung, Ashes, Rubbish, Scourings of Ditches or any other Matter or Thing upon any such Road, or upon any Street of any Town or Village which forms a Part of such Road, or a Communication of Road between any such Roads, 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 Parliamentary Commissioners for the Repair of Highland Roads and Bridges, or their Inspector or other Person appointed by them, *brevi manu* to seize and carry off any such Matter as aforesaid, and dispose of the same in such Manner as they shall direct: Provided always, that when the Proprietor or Occupier of any Lands or Houses immediately adjoining any such 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 they the said Commissioners 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 so to offend.

VII. And be it further enacted, That the Owners or Occupiers of the Lands next adjoining to every Military or Parliamentary 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 Road shall not be prejudiced by the Shade thereof, and that the Sun and Wind may not be excluded from such Road to the Damage thereof; and that if such Owner or Occupier shall not, within Ten Days after Notice given by the Inspector or Sub Inspector 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 Inspector or Sub Inspector, and he is hereby required to make Complaint to the Sheriff Depute or Substitute, or some Justice of the Peace of the Shire wherein such Road shall lie, who shall summon the Occupier of such Land before him to answer the said Complaint; and if it shall thereupon appear, that such Occupier has not complied



with the Requisites of this Act in that Behalf, it shall and may be lawful for such Sheriff Depute or Substitute, or Justice, upon hearing the Inspector or Sub Inspector, and the Owner or 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 Hedges 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 Owner or 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 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 Inspector, in case of such Default made by such Owner or 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 Owner or 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: Provided always, that no Person or Persons shall be compelled, nor any Inspector or Sub Inspector 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 to the said Commissioners in keeping any such Road in Repair.

Penalties.

Time of cutting or pruning Hedges.

VIII. And be it further enacted, That if any Horse, Ass, Sheep, Swine or other Beast or Beasts of any Kind, shall be pastured or left or found straying on any Military or Parliamentary Road, or the Sides of 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 the Inspector or any Sub Inspector employed by the Parliamentary Commissioners, 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 to the Owner of such Animal or Animals, the said Inspector or Sub Inspector or other Person shall sell the same with the Authority of the Sheriff Depute or Substitute, or any Justice of the Peace for the Shire, 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.

No Animal to be pastured on the Roads.

Penalty.

IX. And be it further enacted, That every Person in ploughing

Side Ridges to be made.

ing any uninclosed Land adjoining any Military or Parliamentary Roads 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.

For Recovery  
of Penalties.

X. 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 Depute or Substitute, or any Justice of the Peace for the Shire wherein 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 Poining and Sale of the Goods and Effects of the Party offending, by Warrant under the Hand of such Sheriff Depute or Substitute, or Justice (which Warrant such Sheriff Depute or Substitute, or Justice, are hereby empowered to grant); and the Surplus (if any) after deducting such Expences, Penalties, Forfeitures and Fines, and the Charges of such Poining 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 Depute or Substitute, or Justice, to order the Offender so convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Poining, unless the Offender shall give sufficient Security to the Satisfaction of such Sheriff Depute or Substitute, or Justice, for his or her Appearance before such Sheriff Depute or Substitute, or Justice, on such Day as shall be appointed for the Return of such Warrant of Poining, which Security the said Sheriff Depute or Substitute, or Justice, 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 Depute or Substitute, or Justice, 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 wherein 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 shall be paid to the Inspector of Military and Parliamentary Roads and Bridges, to be by him paid over to the Law Agent of the Parliamentary Commissioners in aid of the Assessment levied for the Maintenance and Repair of such Roads and Bridges in the Shire wherein the Offence shall have been committed.

If Expences,  
Penalties, &c.  
not paid, Of-  
fender de-  
tained.

If no Goods,

Imprisonment.

Penalties paid  
to Inspector.

By summary  
Process, for  
Penalties of

XI. And be it further enacted, That in recovering the different Penalties imposed by this Act, or by the Act passed in the Fifty ninth Year of the Reign of His late Majesty, intituled *An Act to repeal*

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; it shall be lawful for the Sheriff Depute or Substitute, or Justice before whom any Complaint for the Recovery thereof may be brought, to proceed in a summary Way, and to grant Warrant for bringing before him for Examination the Parties complained of, 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: Provided always, that any Person who shall think himself or herself aggrieved by any Proceedings to be had before any Sheriff Depute or Substitute, or Justice of the Peace in the Execution of this Act, 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 wherein 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 Inspector of the said Parliamentary Commissioners, 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.*

59 G. 3. c. 135.  
and this Act.

Appeal  
allowed.

Judgment  
final.

XII. And be it further enacted, That all Prosecutions for the Penalties, Forfeitures and Fines imposed by this 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 of this Act given and granted, 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.

Prosecutions to  
be brought  
within Six  
Months.

### C A P. XXXIX.

An Act for amending former Acts relative to the *British Museum*. [17th May 1824.]

‘ **W**HEREAS by an Act passed in the Twenty sixth Year of the Reign of His late Majesty King George the Second, intituled *An Act for the Purchase of the Museum or Collection of Sir Hans Sloane, and of the Harleian Collection of Manuscripts, and for providing one general Repository for the better Reception and more convenient Use of the said Collections, and of the Cottonian Library, and of the Additions thereto; it was amongst other Things enacted, that the Archbishop of Canterbury, and other Persons therein named and described, should be Trustees for putting the said Act into Execution; and that they, or the major Part of them, in a General Meeting assembled, whereof the said Archbishop of Canterbury, the Lord Chancellor or Lord Keeper, and the Speaker of the House of Commons, should be Three, should in such Manner as they should think fit elect and nominate Fifteen other Persons to be associated to them in the Execution of the Trusts thereby in them reposed,*

26 G. 2. c. 22.  
§ 4.

‘ which

' which Fifteen Persons so elected and nominated should be and  
 ' continue for the Term of their natural Lives Trustees for putting  
 ' the said Act into Execution, with the like Power in all respects  
 ' as thereby was given to the Trustees thereinbefore first ap-  
 ' pointed; and it was by the said Act further enacted, that the said  
 ' Trustees thereby appointed should be a Body Corporate, and  
 ' have Succession for ever, by the Name of "The Trustees of the  
 ' *British Museum*;" and should also have Power, Capacity and  
 ' Ability to purchase, take, hold and enjoy, for the Purposes of  
 ' the said Act, as well Goods and Chattels, as Lands, Tenements  
 ' and Hereditaments, so as the Yearly Value of such Lands should  
 ' not exceed Five hundred Pounds above all Charges and  
 27 G. 2. c. 16. ' Reprizes: And Whereas an Act was passed in the Twenty  
 § 3. ' seventh Year of the Reign of His said late Majesty King  
 ' George the Second, intituled *An Act for making perpetual the  
 ' several Laws therein mentioned, and to empower a certain Number  
 ' of the Trustees of the British Museum to do certain Acts*: And  
 45 G. 3. c. 127. ' Whereas an Act was passed in the Forty fifth Year of the Reign  
 ' of His late Majesty King George the Third, intituled *An Act to  
 ' vest the Townleian Collection of ancient Sculpture in the Trustees  
 ' of the British Museum, for the Use of the Public*: And Whereas  
 56 G. 3. c. 99. ' an Act was passed in the Fifty sixth Year of the Reign of His  
 ' said late Majesty King George the Third, intituled *An Act to  
 ' vest the Elgin Collection of ancient Marbles and Sculpture in the  
 ' Trustees of the British Museum, for the Use of the Public*: And  
 ' Whereas the said *British Museum* hath been, since its Founda-  
 ' tion, greatly extended in various Departments of Literature,  
 ' Science and Art, as well by Royal Munificence as by Parlia-  
 ' mentary Grants and the Donations of Individuals, and splendid  
 ' Additions have been recently made thereto in the Departments  
 ' of Antiquities and Paintings; and it is therefore expedient that  
 ' the President of the Society of Antiquaries of *London* for the  
 ' Time being, and the President of the Royal Academy for the  
 ' Time being, should be added to the Number of Trustees  
 ' thereof: And Whereas it is expedient that any of the Trustees  
 ' elected at a General Meeting, and also that the several Family  
 ' Trustees in the said recited Acts or any of them mentioned,  
 ' should have Power to resign their Trust, and that the Places of  
 ' Trustees so resigning should be filled up as in case of Death:  
 ' And Whereas Gifts, Devices and Bequests of Lands, or Monies  
 ' arising out of Lands, might be made by munificent Individuals  
 ' for the Support and Extension of the said Museum, if the Trus-  
 ' tees thereof were enabled by Law to accept and hold the same;  
 ' and it is expedient that they should be enabled so to do: May  
 ' it therefore please Your Majesty that it may be enacted; and be  
 ' it enacted by the King's most Excellent Majesty, by and with  
 ' the Advice and Consent of the Lords Spiritual and Temporal, and  
 ' Commons, in this present Parliament assembled, and by the  
 ' Authority of the same, That the President of the Society of  
 ' Antiquaries of *London* for the Time being, and the President of  
 ' the Royal Academy for the Time being, shall from henceforth be  
 ' Trustees of the *British Museum*, in addition to the Trustees  
 ' mentioned in the said recited Acts or any of them, and with the  
 ' like Powers in all respects as are vested in the Trustees first ap-  
 ' pointed

Additional  
Trustees.

pointed by the said Act of the Twenty sixth Year of the Reign of His said late Majesty King George the Second, and their Successors.

II. And be it further enacted, That it shall be lawful for any of the Trustees for the Time being of the *British Museum*, who shall have been or may hereafter be elected or nominated a Trustee thereof, by any Writing under his Hand to be presented at any General Meeting of the said Trustees, to signify his Resignation of the Trusts in him reposed, and that such Resignation shall be accepted at such General Meeting; and thereupon, and after every such Resignation, the like Proceeding shall be had and taken for electing or nominating, as the Case may require, a Person to supply the Place of the Person having so resigned, as under the said recited Acts, or any of them, would or ought to have been had and taken, if such resigning Trustee had died.

Resignation of Trustees to be signified in Writing under their Hands accepted, and others chosen.

III. And be it further enacted, That the Trustees of the *British Museum* shall, for the Purposes of the several Acts relating to the same, and for the Enlargement, Improvement and better Endowment of the said Museum, and for any Purposes connected with the said Museum, have full Power, Capacity and Ability to purchase, take, hold and enjoy any Lands, Tenements and Hereditaments, and to accept any Gifts, Grants, Devises and Bequests of Lands, Tenements and Hereditaments, and of any Interest therein, and of any Money issuing out of or charged upon, or to arise from the Sale of Lands, Tenements and Hereditaments of and to any Value and Amount whatever; the Statutes of Mortmain, or any other Statute or Law to the contrary thereof in any wise notwithstanding.

Trustees may purchase Lands, notwithstanding Statutes of Mortmain, &c.

C A P. XL.

An Act to continue, until the Tenth Day of *October* One thousand eight hundred and twenty seven, an Act relating to Duties of Excise on Crown, Flint and Phial Glass, and to alter certain Laws of Excise relating to Flint Glass; and also an Act for suspending Part of the Duties on Sweets or Made Wines. [17th May 1824.]

WHEREAS an Act was passed in the Fifty ninth Year of the Reign of His late Majesty King George the Third, intituled *An Act to continue, until the Fifth Day of July One thousand eight hundred and twenty, certain Laws of Excise with regard to Crown Glass, and Flint and Phial Glass; and to alter certain Laws with regard to Flint Glass; which said Act was continued by subsequent Acts until the Twenty fifth Day of July One thousand eight hundred and twenty four: 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 recited Act, passed in the Fifty ninth Year aforesaid, shall be and the same is hereby further continued until the Tenth Day of ~~October~~ One thousand eight hundred and twenty seven.*

59 G. 3. c. 104.

Recited Act continued till 10th Oct. 1827.

II. And

57G.3. c.111.

Recited Act  
continued till  
10th Oct. 1827.

‘ II. And Whereas an Act was passed in the Fifty seventh Year of the Reign of His said late Majesty, intituled *An Act to suspend, until the Tenth Day of October One thousand eight hundred and nineteen, a Part of the Duties on Sweets or Made Wines*; which said Act was continued by another Act passed in the Fifty ninth Year of the Reign of His said late Majesty, until the Tenth Day of *October One thousand eight hundred and twenty four*: And Whereas it is expedient that the said Act should be further continued;’ Be it therefore further enacted, That the said recited Act, passed in the Fifty seventh Year aforesaid, shall be and the same is hereby further continued until the Tenth Day of *October One thousand eight hundred and twenty seven*.

## C A P. XLI.

An Act to repeal certain Duties on Law Proceedings in the Courts in *Great Britain* and *Ireland* respectively; and for better protecting the Duties payable upon Stamped Vellum, Parchment or Paper. [28th *May* 1824.]

From Oct. 10, 1824, Duties mentioned in Schedule annexed to cease; as also the Duties on Bonds on Commissions of Bankrupt; on Bonds on Replevy of Goods; and also on Copy of Wills or Power of Attorney, deposited in any Ecclesiastical Court.

Arrears excepted.

‘ **W**HEREAS it is expedient to repeal the several Stamp Duties payable for or in respect of the several Instruments hereinafter mentioned; Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Tenth Day of *October One thousand eight hundred and twenty four*, the several Stamp Duties or Sums of Money now payable in *Great Britain* and *Ireland* respectively, upon or for or in respect of the several Instruments, Matters or Things mentioned, described and set forth in the Schedule to this Act annexed; and also upon or for or in respect of any Bond to be given to the Lord Chancellor, Lord Keeper or Commissioners of the Great Seal of *Great Britain* or *Ireland* respectively, for the Time being, by any Creditor or Creditors petitioning for a Commission of Bankrupt; and also upon or for or in respect of any Bond to be given in *Great Britain* or *Ireland* to any Sheriff or other Person upon the Replevy of any Goods or Chattels; and also for or upon or in respect of the Assignment of any of such Bonds; and also for or upon or in respect of any Copy or Extract of any Will or Codicil deposited in any Ecclesiastical Court in *Great Britain* or *Ireland*; and also for or upon or in respect of any Letter or Power of Attorney or Proxy filed in any such Ecclesiastical Court; and also for or in respect of the Vellum, Parchment or Paper upon which any such Instrument, Matter or Thing, Bond, Assignment, Copy or Extract, Letter or Power of Attorney or Proxy, shall be written or printed, shall cease and determine; save and except such of the said respective Duties or Sums of Money, or so much and such Part or Parts thereof, as shall have become or shall or may be payable or become due before or upon the said Tenth Day of *October One thousand eight hundred and twenty four*, and remain in arrear or unpaid afterwards; all which Duties and Sums of Money, or any Part or Parts which shall remain so in arrear or unpaid as aforesaid, shall be recoverable

ble by the same Ways and Means, and with such and the same Penalties, and in such and the same Manner in all respects, as if this Act had not been made.

II. And be it further enacted, That it shall be lawful for all Persons having in their Possession any Stamped Vellum, Parchment or Paper not made use of, and which by the Operation of this Act shall have been or shall be rendered unfit for the Instruments, Proceedings, Matters or Things, for which the same was originally intended, to send such Stamped Vellum, Parchment or Paper to the Head Office of Stamps in *England, Scotland or Ireland* respectively, at any Time within Six Calendar Months from and after the said Tenth Day of *October* One thousand eight hundred and twenty four; and it shall be lawful for the Commissioners of Stamps in *Great Britain and Ireland* respectively to cause the Stamps upon such Vellum, Parchment or Paper to be cancelled, and to deliver out in lieu thereof other Stamps, as near as may be of equal Value in the Whole with the Stamps so cancelled, and, if necessary, to pay the Difference out of any Monies in the Hands of the Receiver General of the Stamp Duties in *Great Britain or Ireland* respectively.

Stamps rendered useless may be sent to the Stamp Office to be exchanged for others within Six Months after Oct. 10, 1824, and if necessary Commissioners may pay the Difference.

III. And Whereas it is expedient to make Provision for the better protecting the Duties payable to His Majesty, His Heirs and Successors, upon Stamped Vellum, Parchment or Paper; Be it therefore further enacted, That in any Suit, Prosecution or Proceeding to be brought against any Person or Persons, or Body or Bodies Politic or Corporate, for the taking or detaining, or for the losing, damaging or destroying of any Vellum, Parchment or Paper upon which any Stamp or Stamped Mark or Marks denoting any Duty or Duties imposed by Law hath been impressed or put, or for any other Cause of Action or Proceeding relating to the same respectively, such Suit, Prosecution or Proceeding shall and may be commenced, instituted and proceeded in in the Name of His Majesty, His Heirs and Successors, or in the Name of the Attorney or Solicitor General in *England or Ireland*, or of the Advocate or Solicitor General in *Scotland* respectively for the Time being, for and on Behalf of His said Majesty, His Heirs and Successors; and that in all such Suits, Prosecutions or Proceedings, the Property in such Vellum, Parchment or Paper so stamped, marked and impressed as aforesaid, shall be described to be and shall be deemed and taken to be in His Majesty, His Heirs and Successors, and that the Value of the same respectively shall be deemed and taken to be the Amount of the Value of the Vellum, Parchment and Paper, and of the Stamp Duty or Stamp Duties denoted by the Stamp or Stamps, Mark or Marks so impressed and put upon the same respectively; and further, that in every Prosecution for embezzling or stealing such Vellum, Parchment or Paper so stamped, marked and impressed as aforesaid, or for any other Offence for or relating to the same respectively, it shall be sufficient in the Indictment or Information to state and describe the Property in the same to be in His Majesty, His Heirs and Successors, which Property shall be deemed and taken to be vested in His said Majesty, His Heirs and Successors accordingly.

How Suits for the Protection of Stamp Duties may be brought.

What considered as sufficient Description of Property in Indictment, &c.

The

**The SCHEDULE to which this Act refers.**

**I. Proceedings in the High Court of Admiralty, and in the Courts of the Cinque Ports exercising Admiralty Jurisdiction, the High Court of Appeals in Prize Causes, and the High Court of Delegates in Admiralty Matters in England.**

	Duty.		
	£.	s.	d.
Affidavit - - to be filed, read or used in any Suit in any of the said Courts	0	5	0
Allegation - - in any of the said Courts	0	5	0
Answer - - in any of the said Courts	0	5	0
Appeal - - from any definitive Sentence or final Decree, or from any Interlocutory Decree or Order of any of the said Courts, or from the Court of Vice Admiralty, when interposed before a Notary Public in England	15	0	0
Attachment - - issuing out of any of the said Courts	1	10	0
Bail Bond or Recognizance - - taken in any Suit in any of the said Courts, or by Commission from the same	1	0	0
Citation - - issuing out of any of the said Courts	1	0	0
Commission - - issuing out of any of the said Courts in any Suit	0	5	0
Copy (i. e. Office Copy) - - of any Affidavit filed, read or used in any of the said Courts	0	5	0
Copy (i. e. Office Copy) - - of any Citation, Monition or Warrant issued out of any of the said Courts	0	5	0
Copy (i. e. Office Copy) - - of any Libel, Allegation, Answer, Interrogatories, Depositions or Inventory filed or exhibited in any of the said Courts	0	5	0
Copy (i. e. Office Copy) - - of any interlocutory Decree or Order, or of any definitive Sentence or final Decree made in any of the said Courts	0	5	0
Decree or Order Interlocutory - - made in any of the said Courts	1	0	0
Depositions - - taken in any of the said Courts, or by Commission from the same	0	5	0
Inhibition - - issuing out of any of the said Courts	1	0	0
Interrogatories - - filed or exhibited in any of the said Courts	0	5	0
Inventory - - filed or exhibited in any of the said Courts	0	5	0
Libel - - filed or exhibited in any of the said Courts	0	5	0
Monition - - issuing of the said Courts	1	0	0
Relaxation - - of any Attachment or Inhibition issued out of any of the said Courts	1	10	0
Sentence - - definitive or final Decree of any of the said Courts	1	10	0
Warrant - - issuing out of any of the said Courts	0	15	0
Warrant, Mandate or Authority - - given to any Proctor to commence, carry on or defend any Action, Suit or Prosecution in any of the said Courts, for the Memorandum or Minute thereof, to be entered or filed of Record	0	5	0



I. Proceedings in the Ecclesiastical Courts, and in the High Court of Delegates in Ecclesiastical Matters in England.

	Duty.		
	£.	s.	d.
Affidavit - - to be filed, read or used in any Suit in any of the said Courts	0	5	0
Allegation - - in any of the said Courts	0	5	0
Answer - - in any of the said Courts	0	5	0
Appeal - - from any definitive Sentence or final Decree, or from any interlocutory Decree, or Order of the Court of Arches, or the Prerogative Court of Canterbury or York	15	0	0
Citation - - issuing out of any of the said Courts	0	5	0
Commission - - issuing out of the said Courts in any Suit	0	5	0
Copy ( <i>i. e.</i> Office Copy) - - of any Affidavit filed, read or used in any of the said Courts	0	5	0
Copy ( <i>i. e.</i> Office Copy) - - of any Citation or Monition issued out of any of the said Courts	0	5	0
Copy ( <i>i. e.</i> Office Copy) - - of any Libel, Allegation, Answer, Interrogatories, Depositions or Inventory filed or exhibited in any of the said Courts	0	5	0
Copy ( <i>i. e.</i> Office Copy) - - of any interlocutory Decree or Order, or of any definitive Sentence or final Decree of any of the said Courts	0	5	0
Decree - - final or definitive Sentence in any of the said Courts	0	5	0
Depositions - - taken in any of the said Courts, or by Commission from the same	0	5	0
Inhibition - - issuing out of any of the said Courts	0	5	0
Interrogatories - - filed or exhibited in any of the said Courts	0	5	0
Inventory - - filed or exhibited in any Suit in any of the said Courts	0	5	0
Libel - - filed or exhibited in any of the said Courts	0	5	0
Monition - - issuing out of any of the said Courts	0	5	0
Sentence - - definitive or final Decree of any of the said Courts	0	5	0
Warrant, Mandate or Authority - - given to any Proctor to commence, carry on or defend any Suit or Prosecution in any of the said Courts, for the Memorandum or Minutes thereof to be entered or filed of Record	0	5	6

III. Proceedings in the Courts of Law and Equity at Westminster, including the Court of the Duchy of Lancaster, and in other Courts in England, and the Offices belonging thereto; and also before the Lord High Chancellor, or the Keeper or Commissioners for the Custody of the Great Seal in Matters of Bankruptcy and Lunacy.

	Duty.		
	£.	s.	d.
Actions - - in the Courts of the Lord Mayor and Sheriffs of London, and in the Courts of all Corporations, and other Courts whatsoever in England, holding Pleas, where the Debt or Damage amounts to Forty Shillings or above, and out of which no Writs, Processes or Mandates issue in the			

III. Proceedings in the Courts of Law and Equity, &c. — <i>continued.</i>	Duty.
first Instance, for the Entry of every Action or Plaint, except where the Debt or Damage claimed or demanded shall not amount to Forty Shillings	£. s. d. 0 2 6
Affidavit - - to be filed, read or used in any Action or Suit in any of the Courts of Law or Equity at Westminster, or of the Great Sessions in Wales, or of the Counties Palatine of Chester, Lancaster and Durham, or before any Judge or Master, or other Officer of any of the said Courts, or before the Lord High Chancellor, or the Lord Keeper or Commissioners of the Great Seal, sitting in Matters of Bankruptcy or Lunacy	0 2 6
Affidavit - - to be filed, read or used in any other Court of Law or Equity in England, except in Actions or Suits where the Debt or Damage, or Thing claimed or demanded, shall be under the Amount or Value of Forty Shillings	0 1 6
Answer - - in any Court of Equity	0 5 0
Appearance - - filed or entered in any Action at Law wherein no Bail shall be filed or put in	0 2 6
Assignment - - of a Bail Bond	0 2 6
Bail, Common - - to be filed in any Court of Law	0 2 6
Bail, Special - - to be filed in any Court of Law	0 2 6
Bail Bond - - in any Action in any Court of Law	0 2 6
Bankrupt's Certificate - - the Confirmation thereof by the Lord Chancellor, or by the Lord Keeper or Commissioners for the Custody of the Great Seal	0 2 6
Bill - - filed in any Court of Equity	0 5 0
Certificate - - by any Master of the High Court of Chancery, or by His Majesty's Remembrancer of the Court of Exchequer or his Deputy, of any Default of any Person in any Suit or Proceeding before them	0 5 0
Commission - - out of any Court of Law or Equity, in any Suit	0 10 0
Commission - - out of any Court of Law or Equity for the Examination of Witnesses, or taking Depositions	0 5 0
Commission - - of any other Kind, out of any Courts of Law or Equity, in any Suit	0 5 0
Copy ( <i>i. e.</i> Office Copy) - - of any Affidavit filed, read or used in any of the Courts of Law or Equity at Westminster, or of the Great Sessions in Wales, or of the said Counties Palatine, or before any Judge or Master, or other Officer of any of the said Courts, or before the Lord Keeper or Commissioners of the Great Seal, sitting in Matters of Bankruptcy or Lunacy	0 2 6
Copy ( <i>i. e.</i> Office Copy) - - of any Affidavit filed, read or used in any other Court of Law or Equity, except in Actions or Suits where the Debt or Damage, or Thing claimed and demanded, shall be under the Amount or Value of Forty Shillings	0 1 6
Copy ( <i>i. e.</i> Office Copy) - - of any Bill, Answer, Demurrer, Exceptions, Plea, Replication, Rejoinder or other Proceedings, or of any Interrogatories or Depositions taken by Commission or otherwise in any Court of Equity;	

III. Proceedings in the Courts of Law and Equity, &c. — continued.	Duty.
	£. s. d.
Where any such Copy shall be written wide, according to the Usage and Practice of the Court, and not contain more than Ninety Words in a Sheet one with another, then for every Sheet or Piece of Paper on which the same shall be written	0 0 4
And where any such Copy shall be written close Copywise, according to the Usage and Practice of the Court, or in any other Manner than above mentioned, then for every Sheet or Piece of Paper on which the same shall be written	0 2 6
Copy - - of any Declaration, Plea, Replication, Rejoinder, Demurrer or other Pleading whatsoever, in any Court of Law	0 0 4
Copy (i. e. Office Copy) - - of Interrogatories, and the Depositions or Answers thereto, in any Court of Law, containing not more than Seventy two Words in a Sheet, one Sheet with another	0 0 4
Copy (i. e. Office Copy) - - of any Rule or Order made or given in or by any Court of Law at Westminster, or by any Judge of any such Court	0 2 6
Copy (i. e. Office Copy) - - of any Decree, Dismission or Order made in or by the High Court of Chancery at Westminster, or by the Lord High Chancellor, or the Lord Keeper or Commissioners of the Great Seal, sitting in Matters of Bankruptcy or Lunacy	0 3 0
And for every Sheet or Piece of Paper on which any such Copy shall be written, after the first, a further progressive Duty of	0 1 6
Copy (i. e. Office Copy) - - of any Decree, Dismission or Order made in or by the Court of Exchequer, or the Court of the Duchy of Lancaster at Westminster, or in or by any of the Courts of Great Sessions in Wales, or of the said Counties Palatine	0 2 6
Copy (i. e. Office Copy) - - or Extract of any Record, Report or Proceeding whatsoever, in any Court of Law or Equity at Westminster, not otherwise charged in this Schedule	0 2 0
Declaration - - in any Court of Law	0 0 4
Decree of Dismission - - made in or by the High Court of Chancery at Westminster	0 3 0
And for every Sheet or Piece of Paper on which the same shall be written, after the first, a further progressive Duty of	0 1 6
Decree of Dismission - - made in or by the Court of Exchequer, or the Court of the Duchy of Lancaster at Westminster, or in or by any of the Courts of the Great Sessions in Wales, or of the said Counties Palatine, or in or by any other Court of Equity whatsoever	0 2 6
Demurrer - - in any Court of Law	0 0 4
Demurrer - - in any Court of Equity	0 5 0
Depositions - - taken by virtue of a Commission out of any Court of Equity	0 5 0

III. Proceedings in the Courts of Law and Equity, &c. — <i>continued.</i>	Duty.
Depositions - - in any Court of Equity taken by the Examiner, or other proper Officer, and not by Commission - - -	£. s. d. 0 0 4
Depositions - - or Answers to any Interrogatories in any Court of Law - - - - -	0 0 4
Deputation, Special or Warrant - - by the Sheriff of any County to any Person to take an Inquisition under a Court of Inquiry	0 10 0
Exceptions - - filed in any Court of Equity, or in any Matter of Bankruptcy or Lunacy - - - - -	0 5 0
Inquisition - - taken by or before any Sheriff or his Deputy, or Under Sheriff, or by or before any Person specially deputed or authorized by the Sheriff to take the same, or by or before any Coroner in any Action of Law - - - - -	0 10 0
Interrogatories - - in any Court of Law - - - - -	0 5 0
Interrogatories - - in any Court of Equity, or in any Matter of Bankruptcy or Lunacy - - - - -	0 5 0
Judgment (not Interlocutory) - - signed by the Master of any Office, or his Deputy or Secondary, or by any Prothonotary, or his Secondary, Deputy or Clerk, or by any other Officer belonging to any of the Courts at Westminster, who is or shall be authorized to sign Judgments - - - - -	0 10 0
Order - - made in or by the High Court of Chancery at Westminster, or by the Lord High Chancellor, or the Lord Keeper, or Commissioners of the Great Seal, sitting in Matters of Bankruptcy or Lunacy - - - - -	0 3 0
And for every Sheet or Piece of Paper on which the same shall be written, after the first, a further progressive Duty of - - - - -	0 1 6
Order - - made or given in or by the Court of Exchequer, or the Court of the Duchy of Lancaster, at Westminster, or in or by any of the Courts of the Great Sessions in Wales, or of the said Counties Palatine - - - - -	0 2 6
Order - - made or given by any Judge of any of the Courts of Law at Westminster - - - - -	0 2 6
Petition - - in any Suit or Matter in any of the Courts of Equity at Westminster, and Petition to the Lord High Chancellor, or the Lord Keeper or Commissioners of the Great Seal, in any Matter of Bankruptcy or Lunacy - - - - -	0 2 6
Plea - - in any Court of Law - - - - -	0 0 4
Plea - - in any Court of Equity - - - - -	0 5 0
Pleading - - of any Kind in any Court of Law - - - - -	0 0 4
Pleading - - of any Kind in any Court of Equity - - - - -	0 5 0
Postea - - - - -	0 10 0
Record - - of Nisi Prius - - - - -	0 10 0
Rejoinder - - in any Court of Law - - - - -	0 0 4
Rejoinder - - in any Court of Equity - - - - -	0 5 0
Replication - - in any Court of Law - - - - -	0 0 4
Replication in any Court of Equity - - - - -	0 5 0
Report - - made by the Master of the High Court of Chancery, or by His Majesty's Remembrancer in the Court of Exchequer, or his Deputy - - - - -	0 2 6

III. Proceedings in the Courts of Law and Equity, &c. — continued.	Duty.
Rule - - or Order made or given in or by any of the Courts of Law at Westminster, which shall be issued or delivered out by the Clerk of the Rules, or other Officer, to the Party obtaining it	£. s. d. 0 2 6
And for the Entry of every such Rule or Order in the Book kept by the Clerk of the Rules, or other Officer, for that Purpose, whether written on One or more Sheets or Leaves	0 2 6
Rules - - to plead and reply, and all other Rules of any of the said Courts of Law at Westminster, not issued as above mentioned, but which shall be entered in the Books kept by the Clerk of the Rules or other Officer for that Purpose, for the Entry of every such Rule	0 2 6
Summons - - issued by any Judge of any of the Courts of Law at Westminster	0 1 0
Warrant - - Mandate or Authority, given to any Attorney or Solicitor, to commence, carry on or defend any Action, Suit or Prosecution, in any of the Courts at Westminster, or of the Great Sessions in Wales, or of the said Counties Palatine, or in any other Court whatsoever holding Pleas, where the Debt or Damage amounts to Forty Shillings, for the Memorandum or Minute thereof to be entered or filed of Record	0 5 0
Warrant or Summons - - issued by any Master of the High Court of Chancery, or by His Majesty's Remembrancer of the Court of Exchequer, or his Deputy	0 1 0
Writ of Appeal	1 0 0
Writ of Certiorari	1 0 0
Writ of Supersedeas, of a Commission of Bankrupt	0 2 6
Writ - - Mandate or other Process whatsoever, which shall issue out of or pass the Seal of any of the Courts at Westminster, or of the Great Sessions in Wales, or of the said Counties Palatine, or of any other Court in England holding Pleas, where the Debt or Damage amounts to Forty Shillings, except in Actions or Suits where the Debt, Damage or Thing claimed or demanded, shall be under the Amount or Value of Forty Shillings	0 5 0

PROCEEDINGS in the Courts of Scotland.

	Duty.			Duty.		
	£.	s.	d.	£.	s.	d.
Advocation - - Letters of	0	5	0	—	—	—
Affidavit - - - to be filed, read or used in the Court of Exchequer	0	2	6	—	—	—
And for every Sheet or Piece of Paper on which the same shall be written, after the first, a further progressive Duty of	0	2	6	—	—	—
Amendment - - of Libel. See Summons.						

Proceedings in the Courts of Scotland — <i>continued.</i>	Duty.			Duty.		
	£.	s.	d.	£.	s.	d.
Answer - - to a Petition and Complaint, or to any original Petition or Application in any Process or Suit, other than a Bill of Advocation or Suspension - - - - -	0	5	0	0	2	6
Answer - - to any such Bill, or to a reclaiming or incidental Petition, or to a Representation, Condescence or any other Paper not being an original Application - - - - -	0	2	6	0	1	3
Appeal. <i>See</i> Bill of Advocation.						
Application - - original, under whatever Title - - - - -	0	5	0	0	2	6
Bill - - of Advocation, Bill of Suspension, Appeal - - - - -	0	5	0	0	2	6
Bond - - of Caution or Surety in the Bill Chamber, or for Appearance, or in a Law Burrows, or incidental to any Process or Suit, or for Payment in Terms of the Decree, to follow upon any Process or Suit - - - - -	0	2	6	0	2	6
Bond - - on a Confirmation of Testament, and Bond judicial of any other Description. <i>See</i> Bond, in the first Part of this Schedule.						
Case - - - - -	0	2	6	0	1	3
Claim - - being the first Paper in a Process or Suit in Behalf of the Party for whom it is offered - - - - -	0	5	0	0	2	6
Claim - - of any other Description - - - - -	0	2	6	0	1	3
Complaint - - or Petition and Complaint - - - - -	0	5	0	0	2	6
Condescence - - of whatever Description - - - - -	0	2	6	0	1	3
Declaration - - judicial - - - - -	0	2	6	0	1	3
And for every Sheet or Piece of Paper on which the same shall be written, after the first, a further progressive Duty of - - - - -	0	2	6	0	1	3
Defence - - of whatever Description - - - - -	0	5	0	0	2	6
Deposition - - or Depositions, whether in Presence of the Court, or taken by Commission or otherwise - - - - -	0	2	6	0	1	3
And for every Sheet or Piece of Paper on which the same shall be written, after the first, a further progressive Duty of - - - - -	0	2	6	0	1	3
Diligence - - or incidental Diligence, Letters of Duply - - - - -	0	5	0	0	2	6
Duply - - - - -	0	5	0	0	2	6
Edict. <i>See</i> Summons.						
Estimate. <i>See</i> Report.						
Extract of any Decree (not being a mere Decree of Registration <i>pro forma</i> ), or of any abbreviate Act, Commission, Warrant or Protestation - - - - -	0	10	0	0	5	0
Information - - - - -	0	2	6	0	1	3
Interrogatories - - exhibited in Behalf of any Party to a Process or Suit - - - - -	0	2	6	0	1	3
Inventory - - of any Interest in a Multiple Pounding, or other Process or Suit, when not preceded or immediately accompanied by a Claim or other Step or Procedure charged as an original Application for or in Behalf of the Party for whom such Inventory is exhibited - - - - -	0	5	0	0	2	6

Proceedings in the Courts of Scotland — <i>continued.</i>	Duty.	Duty.
	£. s. d.	£. s. d.
Inventory - - of any other Description, when not immediately accompanying and referred to in a separate Paper or Step of Procedure charged in this Schedule	0 2 6	0 1 3
Label. <i>See</i> Summons.		
Mandate. <i>See</i> Warrant.		
Memorandum. <i>See</i> Warrant.		
Memorial - - of whatever Description	—	—
Minute - - of whatever Description, which may be lodged by or in Behalf of any Party to a Process or Suit	0 2 6	0 1 3
Note - - in any Suit or Process	0 2 6	0 1 3
Objection - - being the First Paper in a Process or Suit in Behalf of the Party for whom it may be offered	0 2 6	0 1 3
Objection - - of any other Description	0 2 6	0 1 3
Petition - - being an original Application, or the First Paper in a Process or Suit in Behalf of the Party for whom it may be offered	0 5 0	0 2 6
Petition - - of any other Description	0 2 6	0 1 3
Pleading or Statement - - of whatever Description, whether written or printed, in any Suit or Process, offered in Behalf of any Party or by Order of the Court, and not otherwise charged in this Schedule	0 2 6	0 1 3
Precept - - in the Nature of a Summons. <i>See</i> Summons.		
Precept - - in the Nature of a Diligence	- - -	0 1 3
Prepared State	0 2 6	0 1 3
Protestation lodged on Behalf of any Party to a Process or Suit	0 5 0	0 2 6
Quadruply	0 5 0	0 2 6
Reply	0 5 0	0 2 6
Report, Estimate or Scheme - - prepared in consequence of the Appointment, Order or Authority of a Judge	0 2 6	0 1 3
Representation	0 2 6	0 1 3
Signet, Letters or Writs - - passing His Majesty's Signet, of whatever Description, not otherwise charged in this Schedule	0 2 6	—
State of Interests - - in any Process or Suit	0 2 6	0 1 3
Summons - - of whatever Description, Libel, Amendment of Libel, Edict, Precept of the Nature of a Summons	0 5 0	0 2 6
Suspension - - Letters of	0 5 0	0 2 6
Triply	0 5 0	0 2 6
Warrant, Mandate or Authority - - given to any Solicitor, Attorney, Agent or Procurator, to commence, carry on, defend or appear in any Action, Suit or Procedure, to the Instance or on Behalf of any Party or Parties not having distinct Interests, for the Memorandum or Minute thereof, to be entered or filed of Record	0 5 0	0 2 6

## PROCEEDINGS in Courts in Ireland.

## I. Proceedings in the Court of Admiralty in Ireland.

	Duty.		
	£.	s.	d.
Affidavit - - to be filed, read and used in any Suit in the said Court	0	2	0
Allegation or Petition - - in the said Court, on each and every Sheet containing any Quantity of Words	0	4	0
Answer - - in the said Court, on each and every Sheet containing any Quantity of Words	0	4	0
Appeal - - from any definitive Sentence or final Decree, or from any interlocutory Decree or Order of the said Court	10	0	0
Appearance - - on the Entry of, each Defendant	0	4	0
Attachment - - issuing of the said Court	1	2	6
Bail Bond or Recognizance - - taken in any Suit in the said Court, or by Commission from the same, where the Sum inserted therein shall not exceed Fifty Pounds	0	5	0
And where the Sum inserted therein shall exceed Fifty Pounds and shall not exceed One hundred and fifty Pounds	0	10	0
And where the same shall exceed One hundred and fifty Pounds	0	15	0
Citation, Monition or Warrant - - issuing out of the said Court, including such Summons as may issue for the Attendance of any Witness, on each and every Copy thereof served on any Party	0	5	0
Commission - - issuing out of the said Court in any Suit	0	10	0
Copy - - attested or otherwise, issuing out of the said Court, of any Affidavit filed, read or used in the said Court	0	0	3
Copy - - attested or otherwise, issuing out of the said Court, of any Libel, Allegation, Answer, Interrogations, Deposition or Inventory filed in the said Court, for each and every Sheet containing any Quantity of Words	0	1	0
Copy - - attested or otherwise, issuing out of the said Court, of any interlocutory Decree or Order, or of any definitive Sentence or final Decree made in the said Court	0	5	0
Copy - - attested or otherwise, issuing out of the said Court, of any Rule or Order made or given on any Petition or Motion, or otherwise, whether such Rule or Order shall be made in open Court or otherwise	0	1	0
Decree - - Sentence or Order interlocutory, save those having the Force of a definitive Sentence having made in the said Court	0	10	0
Decree - - Sentence or Order interlocutory, having the Force or Effect of definitive Sentence	1	0	0
Depositions - - taken in the said Court, or by Commission from the same, for each and every Skin of Parchment, containing any Quantity of Words	0	4	0
Exceptions - - of any Kind whatsoever, upon each and every Sheet of Paper or Skin of Parchment on which the same shall be written, containing any Quantity of Words	0	4	0



I. Proceedings in the Court of Admiralty in Ireland — <i>continued.</i>	Duty.
Interrogations - - filed or exhibited in the said Court, for each and every Skin of Parchment or Sheet of Paper containing any Quantity of Words - - - - -	£. s. d. 0 4 0
Inventory - - filed or exhibited in any Suit in the said Court - - - - -	0 4 0
Libel - - filed or exhibited in the said Court - - - - -	0 4 0
Monition - - issuing out of the said Court - - - - -	0 5 0
Relaxation - - of any Attachment or Inhibition issuing out of the said Court - - - - -	1 0 0
Release - - issuing out of the said Court - - - - -	0 1 0
Rule - - Order made or given on any Petition or Motion, or otherwise, whether such Rule or Order shall be made in open Court or otherwise - - - - -	0 1 0
Sentence - - definitive or final Decree of the said Court - - - - -	1 0 0
Sentence - - interlocutory - - - - -	0 10 0

II. Proceedings in the Ecclesiastical Courts, and in the High Court of Delegates in Ecclesiastical Matters, in Ireland.

	Duty.
Affidavit - - to be filed, read or used in any Suit in any of the said Courts - - - - -	£. s. d. 0 2 0
Allegation - - in any of the said Courts - - - - -	0 4 0
Answer - - in any of the said Courts - - - - -	0 4 0
Appearance - - on the Entry of each Appearance in the Court of Prerogative, and in the Consistorial Court in Dublin, for each and every Defendant named in such Entry - - - - -	0 4 0
Appearance - - in any other Ecclesiastical Court in Ireland; on the Sheet or Piece of Paper on which the Appearance of each Defendant shall be entered, and not on the Entry thereof - - - - -	0 2 0
Appeal - - from any definitive Sentence or final Decree, or from any interlocutory Decree or Order of the Prerogative Court, or from the Metropolitan Side of any Archbishopal Court - - - - -	10 0 0
Appeal - - from any Diocesan Court, or from the Consistorial Side of any Archbishopal Court - - - - -	5 0 0
Citation - - primary, issuing out of any of the said Courts, not otherwise charged - - - - -	0 7 6
Citation - - not primary, issuing out of any of the said Courts not otherwise charged - - - - -	0 5 0
Citation - - in any Suit for Tithes - - - - -	0 1 0
Copy - - attested or otherwise, issuing out of the said Courts, of any Affidavit filed, read or used in any Suit in any of the said Courts - - - - -	0 0 3
Copy - - attested or otherwise, issuing out of the said Courts, of any Inventory filed or exhibited in any Suit in any of the said Courts, for each Sheet containing any Quantity of Words - - - - -	0 5 0
Copy - - of any Citation, Monition, Mandate, Prohibition, Summons or Requisition, issuing out of the said Courts, for Service on any Party impugnant or other Party, on any Proctor or other Person on Behalf of such Party - - - - -	0 5 0

II. Proceedings in the Ecclesiastical Courts in Ireland — <i>continued.</i>	Duty.
	£. s. d.
Copy -- of every Citation in Suits for Tithes - - -	0 1 0
Copy -- attested or otherwise, issuing out of the said Courts, of any other Process, of what Nature or Kind soever - -	0 5 0
Copy -- attested or otherwise, issuing out of the said Courts, of any Libel, Allegation, Answer, Interrogations or Depositions, filed or exhibited in any of the said Courts, for each and every Skin of Parchment or Sheet of Paper, containing any Quantity of Words - - -	0 1 0
Copy -- attested or otherwise, issuing out of any of the said Courts, of any interlocutory Decree or Order, or of any definitive Sentence or final Decree of any of the said Courts - -	0 5 0
Copy -- attested or otherwise, issuing out of any of the said Courts, of any Rule or Order made or given on any Petition or Motion, or otherwise, in any Suit, whether such Rule or Order shall be made in open Court or otherwise, and not otherwise charged - - -	0 1 0
Decree -- final or definitive Sentence, or any other Interlocutory, having the Force of a definitive Sentence, in any of the said Courts, not otherwise charged - - -	0 10 0
Decree -- final or definitive Sentence, or any other Interlocutory, having the Force of a definitive Sentence, in any of the said Courts, in Suits for Recovery of Tithes - - -	0 1 0
Depositions -- taken in any of the said Courts, or by Commission from the same - - -	0 5 0
Dismiss - - - - -	0 7 6
Exception -- to Allegation, Libel, Answer, Deposition, Report or other Pleading, upon each and every Sheet of Paper or Skin of Parchment containing such Exception or Exceptions - -	0 5 0
Interrogatories -- filed or exhibited in any of the said Courts -	0 4 0
Inventory -- filed or exhibited in any Suit in any of the said Courts - - -	0 5 0
Libel -- filed or exhibited in any of the said Courts - - -	0 4 0
Mandate -- issuing out of the said Courts - - -	0 5 0
Monition -- issuing out of any of the said Courts - - -	0 5 0
Petition -- on the Entry of any Rule or Order in any Suit in the High Court of Delegates, in the Courts of Prerogative and Consistorial Courts in Dublin, except in Suits for Tithes, or otherwise - - -	0 3 0
Petition -- in any Suit in any other Ecclesiastical Court, on the Sheet or Piece of Paper on which the same shall be written - -	0 3 0
Petition -- in any Ecclesiastical Court in any Suit for Tithes -	0 1 0
Process -- of Contempt for not appearing or for not answering, upon each - - -	0 5 0
Process -- of whatsoever other Nature or Kind, not otherwise charged, that shall issue out of the said Courts - - -	0 5 0
Release -- of any Kind, relating to any Proceeding carrying on in the said Courts, and not otherwise charged - - -	0 10 0
Renunciation -- in any Suit in the said Courts - - -	0 10 0
Requisition -- in any Suit in the said Courts - - -	0 7 6

II. Proceedings in the Ecclesiastical Courts in Ireland — <i>continued.</i>	Duty.
	£. s. d.
Rule - - or Order, on the Entry thereof, made or given on any Petition or Motion in any Suit in the High Court of Delegates, and in the Court of Prerogative and Consistorial Court in Dublin, whether such Rule or Order shall be made in open Court or otherwise	0 1 0
Rule - - or Order made in any Suit in any other Ecclesiastical Court, on each Sheet or Piece of Paper on which the same shall be written	0 1 0
Sentence - - interlocutory	0 10 0
Sentence - - definitive, or final Decree or Order, having the Force thereof, of any of the said Courts	0 10 0

III. Proceedings in the Courts of Law and Equity in Dublin, and in all other Courts in Ireland holding Plea, where the Debt or Damage shall exceed Forty Shillings.

	Duty.
	£. s. d.
Actions - - in the Courts of the Lord Mayor and the Sheriff of Dublin, and in the Courts of all Corporations, and in all other Courts in Ireland holding Plea, where the Debt and Damage exceeds Forty Shillings, on each Action or Plea, except where the Debt or Damage claimed or demanded shall not exceed Forty Shillings	0 1 0
Affidavit - - Affirmation or Deposition in any Suit taken before any Person or Persons authorized by Law to take the same respectively	0 2 0
Affidavit - - made to enter a Fine, or to ground any Application against a Coroner or Sheriff	0 5 0
Answer - - in any Court of Equity	—
Appearance - - (on the Entry of any) in any of the Courts held in Dublin, to any Action or Suit in any such Court holding Plea, where the Debt or Damage exceed Forty Shillings, by any Six Clerk, Attorney, Solicitor or other Agent, for each and every Defendant named in such Entry	0 4 0
Appearance - - in any other Court, on the Sheet of Paper on which the Appearance of each Defendant shall be written	0 2 0
Assignment - - of a Bail Bond by a Sheriff or other Officer	0 4 0
Bail - - Common, to be filed in any Court of Law	0 1 0
Bail - - Special, to be filed in any Court of Law	0 1 0
Bail Bond - - taken by any Sheriff or other Officer	0 4 0
Bankrupt's Certificate - - the Confirmation thereof by the Lord Chancellor, or by the Lord Keeper or Commissioners for the Custody of the Great Seal	0 2 6
Bill - - filed in any Court of Equity	0 4 0
Certificate - - by any Master of the High Court of Chancery, or by His Majesty's Remembrancer of the Court of Exchequer, or his Deputy, of any Default of any Person in any Court of Proceeding before them	0 5 0

III. Proceedings in the Courts of Law and Equity in Dublin, &c. — <i>continued.</i>	Duty.
	<i>£. s. d.</i>
Certificate - - of the Number of Stamps appearing on the Face of any Proceeding in the Court of Chancery, or in the Equity Side of the Court of Exchequer	0 1 0
Charge - - or Discharge filed in any Court of Equity	0 1 0
Commission - - to take Affidavits or Special Bail, in any Suit out of any Court of Law or Equity	1 5 0
Commission - - out of any Court of Law or Equity, for the Examination of Witnesses, or taking Depositions	0 10 0
Commission - - of any other Kind out of any Court of Law or Equity in any Suit	0 10 0
Copy - - attested, of any Charge or Discharge filed in any Court of Equity	0 1 0
Copy - - attested, of any Account or Report filed in any Cause in the Court of Chancery, or in the Equity or Revenue Side of the Court of Exchequer	0 3 0
Copy - - of any Account or Report filed in Chancery, in the Matter of any Minor or Lunatic	0 2 6
Copy - - or Extract, attested or otherwise, of any Accounts issued by the Accountants General of the Courts of Chancery and Exchequer, in any Suit or Matter whatsoever, on each and every Sheet or Piece of Paper on which the same may be written	0 3 0
Copy - - attested or otherwise, issuing from any Public Office, of any Affidavit therein filed, which Copy shall be read or used in any Court of Law or Equity, except in Actions or Suits where the Debt or Damage, or Thing claimed and demanded, shall not exceed the Amount or Value of Forty Shillings	0 0 3
Copy - - attested, of any Affidavit made to enter a Fine, or to ground any Application against a Sheriff or Coroner	0 0 6
Copy - - attested or otherwise, issuing from any Public Office, of any Bill, Answer, Demurrer, Plea, Replication, Rejoinder or other Pleading, or of any Interrogatories or Depositions, by Commission or otherwise, in any Court of Equity	0 0 4
Copy - - issuing from any Public Office, of any Declaration in Ejectment, or other Declaration, Plea, Replication, Rejoinder, Demurrer or other Pleading whatsoever, in any Court of Law	0 0 4
Copy - - of any Record to be furnished to any of the Judges, for hearing of Causes in Error in the Court of Exchequer Chamber, or in the Court of Delegates	0 0 4
Copy - - attested or otherwise, issuing from any Public Office, of Interrogatories, or the Depositions, or the Answers thereto, in any Court of Law	0 0 4
Copy - - issuing from any Public Office, of any Rule or Order made or given, on any Petition or Motion or otherwise, in any of the Superior Courts of Law or Equity, or in any other Court in Ireland holding Plea, where the Debt or Damage shall exceed Forty Shillings, whether such Rule or Order shall be made in open Court, or by any Judge or	

III. Proceedings in the Courts of Law and Equity in Dublin, &c. — continued.	Duty.		
	£.	s.	d.
other Officer of such Courts respectively, by way of Fiat for an Order	0	1	0
Copy -- of any Summons, whereby the Defendant or Defendants shall be required to appear or answer the Plaintiff's Bill, or to appear before any Recorder, Chairman, Assistant Barrister, Seneschal or Steward of a Manor, or other Judge or Officer, in any Proceeding in a summary Way, by Civil Bill, save and except Seneschals or Stewards of a Manor holding Plea, where the Debt or Damage shall not exceed Forty Shillings	0	1	2
Copy or Extract -- attested or otherwise, made by any Officer or Clerk in or belonging to any of the Public Offices, of any Record, Report or Proceeding whatever, in any Court of Law or Equity in Ireland, or in any Public Office, and not otherwise charged in this Schedule, except the Certificates of the Entry or Satisfaction of any Judgment or Judgments	0	1	0
Copy -- attested or otherwise, issuing out of any Public Office, of any Decree, Dismission or Order made in or by the Court of Chancery	0	4	6
Copy -- attested or otherwise, issuing out of any Public Office, of any Decree, Dismission, Order or Award made in or by the Court of Exchequer	0	4	6
Copy -- of any Writ, Mandate or other Process whatsoever, not otherwise charged in this Schedule, which shall issue out of or pass the Seal of any of the Courts of Dublin, for Service on any Party	0	0	6
Crown Bonds -- Search for, commonly called a Common Search for Crown Bonds or other Bonds, issuing from any of the Public Offices belonging to any Court in Ireland, or otherwise, whether such Search shall contain any Extract of any such Bond or otherwise, and whether such Search shall be signed by or on Behalf of any Officer or Clerk of such Public Office, for each Person as to whom such Search shall be made	0	3	0
Custodiam -- under the Seal of the Exchequer, grounded on Outlawry in any Civil Action	0	10	0
Custodiam -- Search for, the same as on Searches for Crown Bonds.	0	4	0
Decree or Dismission -- made in or by the High Court of Chancery, written on Paper, and signed by the proper Officer	0	4	6
Decree or Dismission -- made in or by the Court of Exchequer, written on Paper, and signed by the proper Officer	0	4	6
Decree -- which shall be made or pronounced by, or any Warrant which shall issue under the Hand and Seal, or Hand only, of any Recorder, Chairman, Assistant Barrister, Town Clerk or Seneschal, or by any Judge of Assize, or other Judge whatsoever, in Causes heard by Civil Bill, except Decrees by any Seneschal or Steward of a Manor, where the Debt or Damages do not exceed Forty Shillings. — Where the Sum decreed shall be under Five Pounds	0	2	0

III. Proceedings in the Courts of Law and Equity in Dublin, &c. — continued.	Duty.
And where the Sum decreed shall amount to Five Pounds and not amount to Ten Pounds	£. s. d. 0 4 6
And where the Sum decreed shall amount to Ten Pounds or upwards	0 7 6
Decree - - Renewal by a Decree or Dismiss, by whomsoever made, on any Proceeding by Civil Bill, save as aforesaid	0 1 6
Demurrer - - in any Court of Law	0 4 0
Demurrer - - in any Court of Equity	0 4 0
Depositions - - taken by virtue of a Commission out of any Court of Equity	0 4 0
Depositions - - in answer to any Interrogatories in any Court of Law	0 4 0
Dismiss - - made or pronounced by any Recorder, Chairman, Assistant Barrister or Judge of Assize	0 4 0
Dismiss - - made or pronounced by any Seneschal or Steward by any Manor in any Proceeding by Civil Bill, save as aforesaid	0 1 6
Exceptions - - filed in any Court of Equity, for each Exception, whether alone or joined with any others or other	0 5 0
Exception - - filed in the Matter of any Bankrupt or Lunatic	0 5 0
Inquisition - - taken by or before any Sheriff or his Deputy, or by or before any Coroner or Elisor, in any Action at Law, or under any Act of Parliament	0 10 0
Interrogatories - - in any Court of Law	0 4 0
Interrogatories - - in any Court of Equity, or in any Matter of Bankruptcy or Lunacy	0 4 0
Judgment - - interlocutory, in any Court of Law in Ireland	0 5 0
Judgment - - (not interlocutory) on the Entry thereof in any of the Superior Courts at Dublin — For any Sum under One hundred Pounds	0 6 0
For One hundred Pounds and not exceeding Two hundred Pounds	0 11 0
And for every One hundred Pounds after the Sum of Two hundred Pounds a further Duty of	0 0 6
Where the Sum in such Judgment shall exceed Two hundred Pounds, or any progressive Sum of One hundred Pounds each, by any fractional Part of One hundred Pounds, for such fractional Part	0 0 6
Judgments - - Search for, commonly called a Negative Search for Judgments appearing on Record in any Court in Ireland against any Person, issued from any of the Public Offices of any Court in Ireland, whether such Search shall contain any Extract or Extracts of any Judgment or not, on the Officer's Certificate subscribed thereto, for each Person as to whom such Search shall be made	0 10 0
Judgments - - Search for, commonly called a Common Search for Judgment, issuing from any of the Public Offices of any Court in Ireland, whether such Search shall contain any Extract of any Judgment or Judgments or not, or whether such Search shall be signed by or on Behalf of any Officer	

III. Proceedings in the Courts of Law and Equity in Dublin, &c. — continued.	Duty.
or Clerk of any such Public Office, for each Person against whom such Search shall be made	s. d. 0 3 0
Order - - or Rule, made or given in any of the Courts at Dublin, whether such Rule or Order shall be made in open Court on Motion, or by any Judge of such Court respectively in his Chamber, by way of Fiat for an Order or otherwise, or whether the same be issued or not :	
For the Entry of every such Rule or Order in the Book kept by the Clerk of the Rules or other Officer of any Court in Dublin for that Purpose, whether on One or more Sheets or Leaves	0 1 0
Order - - or Rule, made or given in any Court in Ireland holding Plea, where the Debt or Damage doth exceed Forty Shillings, whether such Rule or Order shall be made in open Court on Motion, or by any Judge of such Courts respectively in his Chamber, by way of Fiat for an Order or otherwise, or whether the same shall be issued or not	0 1 0
Petition - - on the Entry of, in any Suit in any of the Courts at Dublin, as also in all Matters of Bankruptcy or Lunacy, of Minors, and in all other Matters presented to the Court of Chancery, or to the Commissioners for the Custody of the Great Seal	0 4 6
Petition - - in any other Court, not otherwise charged, on each Sheet or Piece of Paper on which the same shall be written	0 3 0
Plea - - in any Court of Law	0 4 0
Pleading - - of any Kind, in any Court of Law or Equity, not otherwise charged in this Schedule	0 4 0
Postea	0 10 0
Process - - commonly called Process of Contempt, on each, not to contain more than Four Defendants	0 1 0
Process - - of Contempt, on the Entry of each and every Process for not appearing, or for not answering, which shall be entered in the Courts of Chancery or Exchequer, for each Defendant	0 2 0
Record - - of Nisi Prius	0 10 0
Recognizances - - conditioned for the Payment of any Money, or for the Performance of any Covenant or Agreement entered into during the Progress of any Proceedings in any Court of Law or Equity	0 10 0
Recognizance - - on any Appeal from any Decree or Dismiss, by whomsoever made or pronounced, in any Proceeding by Civil Bill	0 2 6
Recognizance - - Search for, commonly called a Negative Search for Recognizance appearing on Record in the Court of Chancery, or in the Equity or Revenue Side of the Court of Exchequer, in Ireland, against any Person, whether such Search shall contain any Extract or Extracts of any Recognizance or Recognizances, or otherwise, on the Officer's Certificate subscribed thereto, for each Person as to whom such Search shall be made	0 10 0

III. Proceedings in the Courts of Law and Equity in Dublin, &c. — <i>continued.</i>	Duty.
	£. s. d.
Recognizance - - Search for, commonly called a Common Seal for Recognizances issuing from the Court of Chancery, or the Revenue or Equity Side of the Court of Exchequer, in Ireland, against any Person, whether such Search shall contain any Extract or Extracts of any such Recognizance or Recognizances, or otherwise, for each Person as to whom such Search shall be made	0 3 0
Rejoinder - - in any Court of Law	0 4 0
Rejoinder - - in any Court of Equity	0 4 0
Replication - - in any Court of Law	0 4 0
Replication - - in any Court of Equity	0 4 0
Report - - made by any Master of the High Court of Chancery, or by His Majesty's Remembrancer in the Court of Exchequer	0 1 0
Rules - - to plead and reply, and all other Rules of any of the said Courts of Dublin, not issued as above mentioned, but which shall be entered in the Books kept by the Clerk of the Rules, or other Officer, for that Purpose, for the Entry of every such Rule	0 1 0
Summons - - or Process whereby the Defendant or Defendants shall be required to appear or answer the Plaintiff's Bill, or to appear before any Recorder, Chairman, Assistant Barrister, Seneschal or Steward of a Manor Court, or other Judge or Officer, in any Proceeding in a summary Way by Civil Bill, save and except Seneschals and Stewards of a Manor holding Plea, where the Debt or Damage shall exceed Forty Shillings : For the Duty on the Copy of the same	0 0 2
Summons - - issued by any Judge of any of the Superior Courts of Law	0 2 0
Summons issued by any Judge of a Court of Equity	0 2 0
Except such as shall be issued on the Application of any Prisoner or Insolvent Debtor.	
Warrant or Summons - - issued by any Master of the High Court of Chancery, or by His Majesty's Remembrancer of the Court of Exchequer or his Deputy, or by any of the Chief or Deputy Prothonotaries of the Courts of King's Bench and Common Pleas, or by the Chief Deputy Clerk of the Pleas in the Exchequer, or by any of the Chief or Deputy Registrars of the Court of Chancery or Court of Exchequer, or by any other Officer or Officers of any Court of Law or Equity, or in any other Court in Ireland, not otherwise charged or expressly exempted from Stamp Duty, for the Purpose of proceeding to settle any Decree or Proceeding on any Order of Reference, or taxing Costs, or any other Purpose for which Summonses or Warrants are usually issued by such Officers respectively	0 1 0
Warrant - - to any Attorney to enter up Judgment to satisfy a Judgment entered of Record in the Courts of King's Bench, Common Pleas or Exchequer in Dublin or elsewhere	0 2 6
Warrant - - of Attorney or Consent or other Writing to vacate any Recognizance entered into in the Court of Chancery, or	



XXI. Proceedings in the Courts of Law and Equity in Dublin, &c. — continued.	Duty.
in the Equity Side of the Court of Exchequer, or any Order obtained to vacate the same	£. s. d. 0 5 0
Writ - - of Appeal	1 0 0
Writ of Supersedeas - - of a Commission of Bankrupt	0 2 6
Writ - - of Habere facias Seciam † or Possessionem, or Writ of Restitution or Possessionem	0 10 0
Writ - - Mandate, Subpœna, Writ of Habeas Corpus or other Process whatsoever, which shall issue out or pass the Seal of any of the Courts in Dublin, whether the same be the Supreme Courts of Law or Equity or any of the Ecclesiastical Courts	0 4 0

† Sic.

C A P. XLII.

An Act for applying the Surplus of the Grants of One thousand eight hundred and twenty three, and the Surplus of the Consolidated Fund, to the Service of the Year One thousand eight hundred and twenty four.

[28th May 1824.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, towards making good the necessary 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 four, the Sum of Forty one thousand five hundred and ninety seven Pounds, being the Surplus of the Grants for the Service of the Year One thousand eight hundred and twenty four; and also the Sum of Fourteen millions six hundred thousand Pounds, arisen or to arise of the Surplus of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*; and the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, 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.

Towards the Supply for 1824, shall be applied 41,597*l.* of Surplus of Grants, and 14,600,000*l.* Surplus of Consolidated Fund.

[For the further Appropriation of these Surplus Monies see Cap. 115. s. 8. post.]

## C A P. XLIII.

An Act to alter the Duties on the Importation of certain Articles, and also the Duties on Coals brought to *London*; to repeal the Bounties on Linens exported; and to amend the Acts relating to the Customs. [3d June 1824.]

‘ WHEREAS it is expedient to make certain Alterations and Amendments, in respect of several of the Duties and Drawbacks, and Bounties and Regulations of the Customs: Be it therefore enacted by the King’s most Excellent Majesty, by and with the 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 four, the several Duties of Customs now payable by Law upon the Importation into the United Kingdom of *Great Britain* and *Ireland*, of the Goods, Wares and Merchandize enumerated in the Tables marked (A.) and (B.) to this Act annexed; and that the Duties of Customs payable by Law upon Coals, Culm and Cinders brought Coastwise from any Place in *Great Britain* to the Port of *London*, or brought by Inland Navigation beyond certain Places in the Counties of *Middlesex* and *Hertford*, enumerated in the Table marked (C.) to this Act annexed, and the Duties upon Stone imported into the United Kingdom from the *Isle of Man*, shall cease and determine; save and except in all Cases so far as shall relate to the recovering, allowing or paying any Arrears thereof, or to any Fine, Penalty or Forfeiture relating thereto respectively, which may remain unpaid, and which shall have been incurred at any Time before the Fifth Day of *April* One thousand eight hundred and twenty four; and that Coals, Culm and Cinders may be so brought by any Inland Navigation and in any Quantities, any Restriction, Limitation or Prohibition to the contrary notwithstanding; and that from and after the Fifth Day of *April* One thousand eight hundred and twenty four, in lieu and instead of the Duties hereby repealed, there shall be raised, levied, collected and paid unto His Majesty, His Heirs and Successors, in ready Money, without any Discount whatever upon the Goods, Wares and Merchandize specified in the Tables marked (A.) (B.) and (C.) to this Act annexed, imported or brought into the United Kingdom of *Great Britain* and *Ireland*, or brought Coastwise, or by Inland Navigation, the several Duties of Customs as the same are respectively inserted, described and set forth in Figures in the said Tables: any Act or Acts in force immediately before the passing of this Act, or any Custom or Usage to the contrary notwithstanding.

II. And be it further enacted, That from and after the Fifth Day of *January* One thousand eight hundred and twenty five, One tenth Part of all Bounties now payable by Law on the Exportation of Linen from the United Kingdom of *Great Britain* and *Ireland* to Foreign Parts, shall cease and determine; and that One other such Tenth Part of all such Bounties shall cease and determine on the Fifth Day of *January* in every succeeding Year.

III. And

Duties on Importation of Goods enumerated in Tables (A.) and (B.), and on Coals, &c. specified in Table (C.), and on Stone imported from the Isle of Man, to cease;

and instead thereof the Duties specified in Tables (A.) (B.) (C.) shall be paid.

One Tenth of the Bounties on Linen to cease as herein mentioned.

III. And be it further enacted, That from and after the passing of this Act, it shall and may be lawful for the Commissioners of His Majesty's Treasury, under such Rules and Regulations as they shall from time to time prescribe, to permit any Person or Persons to import into the United Kingdom of *Great Britain and Ireland*, Samples of Spirits, Wine, Coffee, Cocoa Nuts, Tobacco, Snuff and Pepper, in Phials, Parcels and Packages as follows; that is to say, Spirits in Phials not exceeding Half a Pint each, Wine in Phials not exceeding One Pint each, Coffee, Cocoa Nuts and Pepper, in Parcels not exceeding a Quarter of a Pound each, and Tobacco in Parcels not exceeding Two Pounds each, and Snuff in Parcels not exceeding One Pound each; provided the Master of the Vessel in which such Samples shall be imported specifies, in his Manifest and Report, the several Phials and Parcels, the Kind of Goods and Number of Samples contained in each Package, and that each Phial, Parcel and Package be marked in large Letters with the Word "Sample" on the outside thereof: Provided always, that the Importation of Samples of Tobacco and Snuff shall be confined to those Ports at which Tobacco is now by Law allowed to be imported.

Treasury may permit the Importation of Samples of Spirits, Wine, &c. in certain Quantities.

Samples to be specified in Manifest.

Proviso.

IV. And be it further enacted, That it shall and may be lawful for the Importer or Importers, Proprietor or Proprietors, or Consignee or Consignees, of any Wine in Packages, each of which shall contain at least Six Dozen reputed Pint Bottles or Flasks, which shall be legally imported into *Great Britain*, to lodge and deposit or secure such Wine in Warehouses without Payment of any Duty, either Customs or Excise, at the Time of the first Entry of any such Wine, subject nevertheless to the several Rules, Regulations, Conditions and Securities, as well with respect to the Port as to the Warehouses in which such Wine may be lodged and secured, as are specially provided and contained in an Act passed in the Fourth Year of the Reign of His present Majesty, intituled *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*; any Law, Custom or Usage to the contrary notwithstanding.

Wine in Packages containing at least Six Dozen Pint Bottles may be warehoused.

1 G. 4. c. 24.

V. And be it further enacted, That there shall be paid or allowed upon the Exportation from *Great Britain* or *Ireland* of Slates which have been brought Coastwise from any Port or Place in *Great Britain* or *Ireland*, a Drawback of the Whole of the Coast Duties paid upon such Slates.

Drawback of the Coast Duties on Slates.

VI. And be it further enacted, That whenever any *British* Ship or Vessel shall arrive in any Port within the said United Kingdom, having on board in actual Use any Foreign made Sails, Cables or Articles of Foreign Cordage, or Anchors or any Sails made of *British* made Sail Cloth or any *British* made Cordage, upon the Exportation of which a Bounty had been paid, the same shall not be liable to any Duty, nor to the Repayment of any Bounty, nor shall any Bond given for the due Exportation of such *British* made Sails, Sail Cloth or Cordage be forfeited, nor any Penalties or Forfeitures be incurred on account of the same being brought back into the said United Kingdom: Provided always, that Proof shall be made, to the Satisfaction of the Commissioners of the

In what case Foreign made Sails &c., or British made Sails, &c. on which a Bounty has been paid, may be used without Forfeiture.

Customs, that such Sails, Cables, Cordage or Anchors were purchased only to replace similar Articles lost or rendered useless by Accident or Stress of Weather, and that the procuring of them was necessary for the Safety or due Navigation of the Ship or Vessel.

Tonnage Duties on certain Vessels with Linseed performing Quarantine to cease;

VII. And be it further enacted, That the Duties now due and payable upon the Tonnage of every Ship or Vessel, which Ship or Vessel or the Cargo of which, or any Part thereof, shall have performed Quarantine in any Port or Place in *Great Britain or Ireland*, or the Islands of *Guernsey, Jersey, Alderney, Sark or Man*, and which shall have arrived from any Port of *Turkey or from any Port or Place in Africa*, within the Straights of *Gibraltar* or on the West Coast of *Barbary* on the *Atlantic Ocean*, so far as regards Vessels arriving from *Egypt or Arabia* with Cargoes of Linseed, shall cease and determine; save and except in all Cases relating to the Recovery or Payment of any Arrears thereof which may remain unpaid, or to any Fine, Penalty or Forfeitures relating thereto, which shall have been incurred at any Time before the passing of this Act; and in lieu and instead of the said Duties hereby made to cease and determine, there shall be raised, levied, collected and paid unto His Majesty, His Heirs and Successors, on Cargoes of Linseed arriving from *Egypt or Arabia* in Vessels with clean Bills of Health, a Quarantine Duty of Sixpence for every Quarter of Linseed laden on board such Ship or Vessel; and on Vessels arriving without a clean Bill of Health, a Quarantine Duty of One Shilling for every Quarter of Linseed laden on board such Ship or Vessel.

a Quarantine Duty of 6s. and 1s. per Quarter of Linseed in certain Cases.

59 G. 3. c. 39.  
§ 2.

VIII. And Whereas by an Act passed in the Fifty second Year of the Reign of His late Majesty King *George the Third*, intitled *An Act for the more effectual Regulation of Pilots, and of the Pilotage of Ships and Vessels on the Coast of England*, all Coasting Vessels are saved and excepted from being conducted and piloted by Pilots appointed and licensed by the Corporation of the Trinity House of *Deptford Strand*: And Whereas it is expedient to extend such Saving and Exception to Vessels arriving on the Coast of that Part of the United Kingdom called *England*, from the Island of *Guernsey, Jersey, Alderney, Sark or Man*, wholly laden with Stone, the Production of the said Islands; Be it enacted, That from and after the Fifth Day of *July* One thousand eight hundred and twenty four, no Vessel arriving on the Coast of that Part of the United Kingdom called *England*, from *Guernsey, Jersey, Alderney, Sark or Man*, wholly laden with Stone the Production of the said Island, shall be liable to be conducted and piloted by Pilots appointed and licensed by the Corporation of the Trinity House of *Deptford Strand*; any Law, Custom or Usage to the contrary thereof in any wise notwithstanding.

Vessels from *Guernsey, &c.* laden with Stone, not liable to Pilotage.

From April 5, 1824, Drawbacks on English or Irish Goods, on Importation to cease.

IX. And be it further enacted, That from and after the said Fifth Day of *April* One thousand eight hundred and twenty four, all Drawbacks and Allowances whatever on the Re-exportation from *Ireland to Great Britain*, and from *Great Britain to Ireland* respectively, of any Articles, the Growth, Produce or Manufacture of either Country, which shall have been imported into either Country from the other, and on the Importation of which no Duty shall

shall be payable in either Country at the Time of such Re-exportation, shall cease and determine; any Thing in any Act or Acts to the contrary thereof in any wise notwithstanding.

X. And be it further enacted, That Goods, the Growth, Produce or Manufacture of the States of *Barbary*, which shall have been imported directly into *Gibraltar* or the Island of *Malta* in *British Ships*, registered and navigated according to Law, or in Ships of those States, may be imported from *Gibraltar* or the Island of *Malta* in *British Ships*, registered and navigated according to Law, into the United Kingdom, for Consumption therein, as well as for Exportation; any Thing contained in an Act passed in the Third Year of the Reign of His present Majesty, for the Encouragement of Navigation and Commerce, to the contrary notwithstanding.

Barbary Goods may be imported from Gibraltar or Malta.

3 G. 4. c. 43.

XI. And be it further enacted, That from and after the passing of this Act, it shall and may be lawful for the Commissioners of His Majesty's Customs, in all Cases where they shall think fit, to direct the Hull of any Ship, Vessel or Boat which shall have been seized for any Offence against any Act or Acts of Parliament now in force or hereafter to be made, for the Protection of the Revenue of Customs in *Ireland*, after Condemnation thereof, to be broken up, and the Materials of every such Hull to be sold to the best Advantage, and the Produce thereof to be divided between His Majesty and the Officer or Officers seizing the same, after deducting therefrom the Charges of Condemnation and Sale.

Ships seized for smuggling may be broken up.

XII. And be it further enacted, That the Commissioners of His Majesty's Customs for the Time being shall and they are hereby authorized and empowered, out of any Monies in their Hands arising from Seizures or Duties under their Management, to reward any Officer or Officers of the Customs, or of the Army, Navy or Marines who shall seize any such Ship or Vessel or Boat, in all Cases where the same shall be so broken up after Condemnation, in the Manner hereinafter mentioned; (that is to say), to such Officer or Officers for all such Vessels or Boats as shall exceed Four Tons by Admeasurement, an Allowance of Forty Shillings *per* Ton, according to the legal Admeasurement thereof; and for all such Boats which shall not exceed Four Tons by Admeasurement, an Allowance of Forty Shillings for such Boat, and a further Allowance of Forty Shillings *per* Ton; and for all such Ships, Vessels and Boats which, on account of their Built, Construction, Denomination or Description, are liable to Forfeiture by any Act or Acts of Parliament now in force or hereafter to be made, and which said Ships, Vessels or Boats, at the Time of the Seizure thereof, shall be found in Ballast or light, an Allowance of Thirty Shillings *per* Ton, to be paid upon Condemnation of such Ships, Vessels or Boats, according to the legal Admeasurement thereof; and all such Allowances shall be in addition to all other Allowances to which any such Officer or Officers may be entitled in respect of any such Ships, Vessels or Boats.

Rewards to Officers for making Seizures.

XIII. And Whereas an Act was passed in the last Session of Parliament, intituled *An Act to repeal the Laws for regulating Vessels carrying Passengers from the United Kingdom to Foreign Parts,*

4 G. 4. c. 24.  
§ 3.

Licences for Vessels with only One Deck, to carry Passengers to Newfoundland.

How the Cargo of such Vessels to be stowed.

Part of Import Duty on Canadian Tobacco, to cease.

In what Cases Cologne Water may be imported in Cases.

Duties on Dyewoods and Hardwood imported into Ireland.

In what Case no Duty or Drawback.

' Parts, and to make other Regulations in lieu thereof; whereby it is enacted, that the Licence of the Commissioners of Customs therein required for Ships or Vessels carrying Passengers, in certain Cases, shall not be granted for any Ship or Vessel which shall not have Two Decks: And Whereas it is expedient to save and except from such Restriction Ships or Vessels employed in Trade with Newfoundland; Be it therefore enacted, That from and after the passing of this Act, it shall be lawful for the Commissioners of Customs to grant their Licence, under the Provisions and Restrictions of the said Act (except so far as they relate to the Number of Decks), for any Ship or Vessel actually employed in Trade with Newfoundland to carry Passengers to Newfoundland, although such Ship or Vessel shall have but One Deck.

XIV. Provided always, and be it further enacted, That the Cargo of such Ship or Vessel shall be so stowed as to leave a clear Space, of the Height of Five Feet Six Inches between the Cargo and the Deck, for the Use and Accommodation of the Passengers and Crew, according to their joint Number, and that such Space for the Extent of it shall be deemed to be the Height between Decks within the Meaning and to all the Intents and Purposes of the said Act: Provided also, that it shall first be proved to the Satisfaction of the said Commissioners, that the Ship or Vessel for which such Licence is applied for, is in the Employ of Persons actually engaged in Mercantile Trade with Newfoundland.

XV. And be it further enacted, That from and after the Fifth Day of July One thousand eight hundred and twenty four, the Sum of Three Pence, Part of the permanent Duty payable on every Pound Weight of Tobacco, of the Growth of His Majesty's Territories in Canada, imported into any Part of the United Kingdom, shall cease and determine, and the same is hereby repealed.

XVI. And be it further enacted, That from and after the Fifth Day of July One thousand eight hundred and twenty four, it shall and may be lawful to import Cologne Water in Cases containing Six Flasks in each Case, Thirty of such Flasks containing not more than One Gallon, upon Payment of the Sum of One Shilling for each and every such Flask; and that all Cologne Water imported otherwise than in such Cases, shall be and continue subject and liable to all such Duties on the Importation thereof into any Part of the United Kingdom, as the same shall be subject and liable to immediately before the passing of this Act.

XVII. And be it further enacted, That from and after the passing of this Act all Descriptions of Wood known by the Name and Description of Dyewoods and Hardwood, on Importation into Ireland from Foreign Parts, shall pay the like Duties of Customs which shall be then payable and chargeable on Importation into Great Britain from Foreign Parts; and that no Duty whatever shall be charged or payable, nor shall any Drawback be allowed or allowable in Great Britain or Ireland respectively, upon which the Duties so due and payable shall have been paid in the Country into which such Wood shall have been first

first imported, and from which Country such Wood shall be exported to the other, nor upon the Importation or Exportation of any Articles composed in the Whole or in Part of any Materials which shall have paid any such Duty, any Thing to the contrary in any former Act notwithstanding.

XVIII. And for the Prevention of fraudulent and improper Practices in the making and signing of Bills of Lading, be it enacted, That from and after the passing of this Act every Captain or Master of any Ship or Vessel in which any Goods, Wares or Merchandize shall be shipped or laden, shall keep or cause to be kept a Cargo Book, in which shall be entered the Particulars of all Goods, Wares and Merchandize laden on board such Ship or Vessel and the Dates and Times when the same shall be taken on board such Ship or Vessel; and that if any Captain or Master of any Ship or Vessel, or any Person having Charge of any Ship or Vessel, shall sign any false or untrue Bill of Lading, or any Bill of Lading specifying and containing any greater or other Quantity of Goods, Wares or Merchandize than shall have been actually delivered and laden on board such Ship or Vessel by the Person or Persons for whose Use such Bill of Lading shall be given at the Time of his signing such Bill of Lading, or any Bill of Lading varying in Quantity or Date from the Entry to be made in such Cargo Book as aforesaid; or if any Captain or Master of any such Vessel shall neglect or refuse to cause such Cargo Book to be kept, or such Entries to be made therein as aforesaid, or shall make or cause to be made any untrue Entry in such Cargo Book, every such Captain or Master of, or other Person having the Charge of such Ship or Vessel, shall for every such Offence forfeit and pay the Sum of One hundred Pounds, to be recovered and applied in such Manner as any Penalty of the like Amount for any Offence against any Act or Acts in force for securing any Duties of Customs.

XIX. And be it further enacted, That the Duties imposed by this Act, and no other, shall be payable on any of the said Goods, Wares or Merchandize which have been or may be warehoused or otherwise secured under the Authority of any Act, without Payment of Duty, and which shall be taken out of any such Warehouse or other Place wherein the same shall have been lodged or secured for the Purpose of being used or consumed in the United Kingdom of *Great Britain and Ireland*, after the said Fifth Day of *April* One thousand eight hundred and twenty four.

XX. And Whereas it is expedient to allow a further Quantity of Coffee to be imported into the *Isle of Man*, in addition to the Quantity now allowed by Law: Be it therefore enacted, That it shall be lawful for the Commissioners of His Majesty's Customs to grant their Licences for the Importation into the Port of *Douglas* in the *Isle of Man*, of Two thousand Pounds Weight of Coffee, in addition to the Quantity now allowed by Law, and under the like Rules and Conditions as such Quantity may now by Law be imported into the said Port of *Douglas*.

XXI. And be it further enacted, That the said Duties shall be under the Management of the Commissioners of the Customs for the Time being.

Masters of Vessels to keep a Cargo Book. Entries therein.

Signing an untrue Bill of Lading, or neglecting to keep Cargo Book &c.

Penalty 100*l*.

Warehoused Goods to pay the new Duties on being taken out for Home Consumption.

2,000*lbs*. Coffee may be imported into *Isle of Man*, in addition to Quantity now allowed.

Duties under Customs;

And levied as  
other Duties of  
Customs.

XXII. And be it further enacted, That the said Duties shall be managed, ascertained, raised, levied, collected, answered, paid, recovered and applied in such and the like Manner as any Duties of Customs are managed, ascertained, raised, levied, collected, answered, paid, recovered and applied, and under and subject to the several Powers, Conditions, Rules, Regulations, Restrictions, Penalties and Forfeitures now in force in relation to or made for securing the Revenue of Customs in the United Kingdom of *Great Britain and Ireland*, and under and subject to all Pains, Penalties, Fines and Forfeitures for any Offences whatever committed against or in Breach of any Act or Acts in force on or immediately before the passing of this Act, made for securing the Revenue of Customs, and 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 hereby granted, as fully and effectually to all Intents and Purposes as if they were at large repeated and re-enacted in this Act.

Where Lemons  
or Oranges  
shall be detain-  
ed for Under-  
valuation, they  
may be sold.

XXIII. Provided always, and be it further enacted, That if the Importer of any Lemons or Oranges charged with Duty by this Act, shall elect to pay Duty thereon according to the Value of the same, and the Officers of Customs shall detain such Lemons or Oranges for the Benefit of the Crown upon the Ground of under Valuation, it shall be lawful for the Commissioners of Customs to cause the same to be forthwith fairly sold, either publicly or privately, as they shall deem most expedient.

Application of  
the Duties.

XXIV. And be it further enacted, That all Monies from time to time arising from the said Duties, the necessary Charges of raising and accounting for the same respectively excepted, shall from time to time be paid into the Receipt of His Majesty's Exchequer at *Westminster*, and shall be appropriated and applied in the same Manner as the Duties repealed by this Act are directed to be appropriated and applied.

#### TABLE (A.)

A TABLE of DUTIES of CUSTOMS payable, in British Currency, on certain Goods imported into the United Kingdom of Great Britain and Ireland from Foreign Parts, being in lieu of former Duties of Customs on the like Articles; except on 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.
Ambergris, the Produce of British Fishing, the oz.	- -	0 2 0
_____ the Produce of Foreign Fishing, the oz.	- -	0 5 0
Cobalt, the lb.	- - - - -	0 0 3
Lemons and Oranges,		
_____ the Chest or Box of the Capacity of and not exceeding 5,000. Cubic Inches,		
imported in a British built Ship	- - -	0 3 4
- - - in a Ship not British built	- - -	0 3 9



TABLE (A.) INWARDS — <i>continued.</i>	Duty.
	£. s. d.
Lemons, the Chest or Box, exceeding the Capacity of 5,000 Cubic Inches, and not exceeding 7,300 Cubic Inches, imported in a British built Ship	0 5 0
- - - in a Ship not British built	0 5 7
— the Chest or Box, exceeding the Capacity of 7,300 Cubic Inches, and not exceeding 14,000 Cubic Inches, imported in a British built Ship	0 10 0
- - - in a Ship not British built	0 11 3
— for every 1,000 Cubic Inches exceeding the above Rate of 14,000 Cubic Inches, and so in proportion for any greater or less Excess, imported in a British built Ship	0 0 10
- - - in a Ship not British built	0 1 0
— loose, the Thousand, imported in a British built Ship	1 0 0
- - - in a Ship not British built	1 2 6
— or and instead of the Duties hereinbefore imposed upon Oranges and Lemons, at the Option of the Importer, for every 100 <i>l.</i> of the Value thereof	100 0 0
Magna Græcia Ware, for every 100 <i>l.</i> of the Value	5 0 0
Oil; viz.	
— of Cassia, the oz.	0 1 0
— of Cinnamon, the oz.	0 1 0
Skins; viz.	
— Seal Skins taken in any Foreign Fishery, by Persons not being British Subjects, the Skin	0 3 6
Terra Japonica, the cwt.	0 3 0
Wood; viz.	
Lathwood,	
— in Pieces under 5 Feet long, the Fathom 6 Feet wide and 6 Feet high,	
- - - imported in a British built Ship	4 5 0
- - - in a Ship not British built	4 9 3
— 5 Feet long and under 8 Feet, the Fathom 6 Feet wide and 6 Feet high,	
- - - imported in a British built Ship	6 16 0
- - - in a Ship not British built	7 2 9
— 8 Feet long and under 12 Feet, the Fathom 6 Feet wide and 6 Feet high,	
- - - imported in a British built Ship	10 4 0
- - - in a Ship not British built	10 14 2
— 12 Feet long, or upwards, the Fathom 6 Feet wide and 6 Feet high,	
- - - imported in a British built Ship	13 12 0
- - - in a Ship not British built	14 5 7
Zaffre, the lb.	0 0 1

TABLE (B.)

A TABLE of the DUTIES of CUSTOMS, payable in British Currency, on certain Goods, Wares and Merchandize, being 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 the United Kingdom of Great Britain and Ireland, and on Goods, Wares and Merchandize imported into the United Kingdom of Great Britain and Ireland from His Majesty's Settlement of the Cape of Good Hope, and the Territories and Dependencies thereof.

TABLE (B.) INWARDS.		Duty.		
		£.	s.	d.
Ambergris, the Produce of British Fishing, the oz.	- -	0	2	0
— the Produce of Foreign Fishing, the oz.	- -	0	5	0
Bronze; viz.				
— all Works of Art made of Bronze, the cwt.	- -	1	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 wet, the cwt.	- - - -	0	2	4
Iron; viz.				
— in Bars and Unwrought, the Ton, containing 20 cwt.	- -	1	0	0
Magna Græcia Ware, for every 100l. of the Value of	- -	5	0	0
Oil; viz.				
— of Cassia, the oz.	- - - -	0	1	0
— of Cinnamon, the oz.	- - - -	0	1	0
Skins; viz.				
— Seal Skins taken in any Foreign Fishery by Persons not being British Subjects, the Skin	- - - -	0	3	6
Terra Japonica, the cwt.	- - - -	0	3	0
Wood; viz.				
— Cedar Wood, the Ton, containing 20 cwt.	- - - -	1	0	0

TABLE (C.)

A TABLE of the DUTIES of CUSTOMS payable on Coals, Culm and Cinders, (except Charcoal) brought Coastwise from any Port or Place into the Port of London, or by Inland Navigation beyond certain Places in the Counties of Middlesex and Hertford, and of the Drawbacks to be allowed on the Exportation thereof.

TABLE (C.) COASTWISE.	Duty.		Drawback.			
	£.	s.	d.	£.	s.	d.
Coals brought Coastwise; viz.						
— usually sold by Weight, the Ton	0	4	0	0	3	8
— usually sold by Measure, the Chaldron Winchester Measure	0	6	0	0	5	6
Culm brought Coastwise, the Chaldron Winchester Measure	0	1	3	0	1	2
Cinders made of Pit Coal brought Coastwise, the Chaldron Winchester Measure	0	6	0	—	—	—

TABLE (C.) COASTWISE— <i>continued.</i>	Duty.	Drawback.
	£. s. d.	£. s. d.
Coals, Culm and Cinders, brought by the Grand Junction or Paddington Canals nearer to London than the Stone or Post at or near the North East Point of Grove Park, in the County of Hertford, or brought down the River Thames nearer to London than the City Stone placed on the West Side of Staines Bridge, in the County of Middlesex, the Ton - - - - -	0 1 0	—

C A P. XLIV.

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 granting Relief in certain Cases.

[3d June 1824.]

WHEREAS by an Act passed in the last Session of Parliament, intituled *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*, the Persons therein described, who had not entered into Composition under the Provisions of the Acts therein mentioned, within the Times thereby limited, were authorized, on giving Notice on or before the First Day of September One thousand eight hundred and twenty three, to compound on their respective Assessments, to be made for the Year commencing from the Fifth Day of April One thousand eight hundred and twenty three, for the then Remainder of the Periods in the said Acts named, (that is to say) for the Term of Five Years for the Duties on Houses and Windows, and for the Term of Four Years for the other Assessed Taxes: And Whereas it is expedient further to extend the Provisions of the said Acts, for enabling Persons now to enter into Composition for the Remainder of the said Periods which were unexpired on the Fifth Day of April One thousand eight hundred and twenty four, 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 four, 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 Four Years, and for their, his or her other Assessed Taxes allowed to be compounded for

4 G. 4. c. 45.  
§ 2.

Persons may compound upon Assessments commencing 5th April 1824, as to Articles allowed by former Acts.

Duties on Houses and for

Windows for Four Years, other Assessed Taxes Three Years.

for by the said Acts, and therein particularly enumerated, for the Term of Three Years respectively, to commence from the Fifth Day of *April* One thousand eight hundred and twenty four, 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.

Persons intending to compound under this Act, to give the Notice required by the former Acts on or before the 2d August 1824.

II. And be it further enacted, That all and every Person and Persons desirous of compounding under this Act shall, on or before the Second Day of *August* One thousand eight hundred and twenty four, deliver or cause to be delivered, free of Charge, to the Surveyors acting for the respective Districts comprising the Parishes or Places wherein such Persons shall respectively reside, a Notice in Writing, according to the Form 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 four; 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 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.

Commissioners and other Officers acting under the former Composition Acts, to act in like Manner in the Execution of this Act.

III. 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

cution 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 revived 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, 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.

Former Acts applied to this Act.

‘ IV. And Whereas by an Act passed in the Fifty seventh Year of His said late Majesty’s Reign, Provision is made for granting Exemptions to Persons in Trade from the Duties on Houses, Windows and Lights, and on inhabited Houses, in respect of Houses, Tenements or Buildings, or Parts of Tenements or Buildings, used solely by such Persons for the Purposes of Trade, such Persons respectively residing in a separate and distinct Dwelling House, or Part of a Dwelling House, charged to the said Duties, as in the said Act described: And Whereas it is expedient to extend the said Exemptions to the Cases herein mentioned;’ Be it further enacted, That upon all Assessments to be made for any Year commencing from and after the Fifth Day of April One thousand eight hundred and twenty four, the Provisions in the said Act contained, for granting Exemptions from the said Duties to Persons in Trade, in respect of Houses, Tenements or Buildings in the said Act described, shall and may be extended and applied by the respective Commissioners and Officers acting in the Execution of the said Act and of this Act, on due Proof, to all and every Person, or any Number of Persons in Partnership together, for and in respect of any House, Tenement or Building, or Part of a Tenement or Building, in the said Act described, which shall be used by such Person or Persons as Offices or Counting Houses for the Purposes of exercising or carrying on any Profession, Vocation, Business or Calling, by which such Person or Persons shall seek a Livelihood or Profit, no Person inhabiting, dwelling or abiding therein, except in the Day Time only, for the Purpose of such Profession, Vocation, Business or Calling, such Person or each such Persons in Partnership respectively residing in a distinct and separate Dwelling House, or Part of the Dwelling House charged to the said Duties; provided nevertheless, that the Exemption herein authorized shall not extend to any Chamber or Apartment in any of the Inns of Court or of Chancery, or to any College or Hall in either of the Universities of Oxford or Cambridge, now chargeable with any of the said Duties; and the said Exemptions hereby authorized shall be claimed and allowed on due Proof, and the Assessments thereupon discharged by the same

Exemption by 57 G. 3. c. 25. to Persons in Trade, from House and Window Duties;

extended to Persons using Houses under like Circumstances as Offices or Counting-houses in their Professions or other Callings.

Exemption not to extend to Chambers in Inns of Court or Colleges in the Universities.

Rules,

Rules, and in like Manner and Form, as are allowed by the said Act to Persons in Trade; and all and every the Provisions in the said Act contained shall be observed, followed and practised by the respective Commissioners, Inspectors, Surveyors, Assessors and other Persons in the said Act described, in granting Exemptions and discharging Assessments under the Provisions of this Act, to all Intents as if such Provisions formed Part of the said Act passed in the Fifty seventh Year aforesaid, any Thing herein contained to the contrary notwithstanding.

Occupiers of Farms under 100l. per Annum, exempted from the Duty on Dogs *bonâ fide* kept for the Care of Sheep.

V. And be it further enacted, That upon all Assessments to be made for any Year or Years commencing from and after the Fifth Day of *April* One thousand eight hundred and twenty four, any Person occupying a Farm of less Value than One hundred Pounds *per Annum*, and making a Livelihood solely thereby, as Owner or Tenant, in the Manner described in the said Acts, and as applied to Exemptions from the Duties on Horses, Mares or Geldings kept by such Occupiers and rode on the Occasions therein mentioned, shall be exempt from the Duty by the said Acts granted in respect of any Dog or Dogs, not being a Greyhound, Hound, Pointer, Setting Dog, Spaniel, Lurcher or Terrier, which shall have been or shall be *bonâ fide* and wholly kept and used by such Occupier, or by any Person employed by him or her as a Shepherd, on his or her said Farm in the Care of Sheep: provided that every such Exemption shall be claimed and allowed in like Manner as is directed by the Acts relating to the Assessed Taxes in other Cases of Exemption therein mentioned.

For removing Doubts as to the Employment of Porters;

and of Persons acting under Clerks and Managers in Mines or Adventures.

VI. And Whereas Doubts have arisen, whether the respective Duties chargeable by the said Acts on Porters, and on Overseers or Managers, extend to the Employment of Male Persons on certain Occasions; and it is expedient to remove such Doubts: Be it further enacted, That for and in respect of any Assessment to be made for any Year commencing from and after the Fifth Day of *April* One thousand eight hundred and twenty four, any Male Person hired by the Employer or Employers in the said Acts described, by the Year, or by the Week, or otherwise, shall not be deemed and taken to be a Porter chargeable with the said Duties, for or by reason of his Employment in the Loading, Unloading, Stowage or Removal of Goods, Wares or Merchandize, from, to or upon any Horse, Cart, Waggon or other Carriage, in the Receipt or Delivery of such Goods, Wares or Merchandize at the Shop, Warehouse or Place of Deposit, unless such Person shall also be employed in the drawing or taking of Samples of Goods, Wares or Merchandize exhibited for the Purposes of Sale at such Shop or Warehouse, or elsewhere; nor shall any Person wholly employed in any Mine, Adventure or Concern, under the Superintendence and Authority of One or more Manager or Managers, or One or more Clerk or Clerks, in such Mine, Adventure or Concern, (where the Person or Persons liable to the said Duties by the said Acts shall be assessed for the Duty for One Overseer or Manager at the least, and also for One Clerk at the least,) be deemed and taken to be an Overseer or Manager, or a Clerk under an Overseer or Manager chargeable with

with Duty, by reason of the Employment of any such Person under such Manager or Clerk in the overlooking and checking of Labourers in the Performance of the Work and Labour allotted to them in any such Mine, Adventure or Concern, and in accounting for the same to any such Manager or Clerk; any Thing in the said Acts to the contrary notwithstanding.

VII. And Whereas by the said Acts, and the Rules therein contained, it is provided, that if any Person shall do any Act for any of the Purposes therein mentioned, without having obtained a Certificate in order to an Assessment for the Duty thereby granted and payable, in respect of taking or killing Game or doing other Acts therein mentioned, every such Person shall forfeit and pay the Penalty of Twenty Pounds; and every such Offender shall also be liable to the Payment of the full Duty to His Majesty to be charged by Way of increased Charge by the Inspector or Surveyor in Manner therein directed: And Whereas Doubts have arisen whether the Inspector or Surveyor in the said Cases is authorized to charge for the Game Duty Persons liable who have omitted to pay the said Duty and obtain Certificates thereof, without a previous Proceeding against such Offender, and a previous Conviction thereon in the said Penalty, or for some Part thereof; and it is expedient to remove such Doubts; Be it therefore enacted, That from and after the passing of this Act, it shall and may be lawful for any Inspector or Surveyor acting in the Execution of the said Acts and of this Act, without any previous Information and Conviction of the Offender in the said Penalty, or any Part thereof, to charge, according to the Provisions of the said Acts, any Person so chargeable with the said Duty payable by Persons in respect of their taking or killing Game, or doing Acts in the said Acts mentioned, and who shall have omitted to pay the said Duty, and obtain the Certificate as by the said Acts directed; provided every such Charge be made within the Period limited by the said Acts, and in the single Duty only; and which Charges shall be allowed by the respective Commissioners in the Execution of the said Acts, and shall be subject to Appeal according to the Provisions and Directions thereof, in like Manner as any Charges are authorized to be made by any Inspector or Surveyor, and Appeals therefrom heard and determined under the said Acts; any Thing therein contained to the contrary notwithstanding.

VIII. 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, and to Relief from Duties compounded for, and for which Exemptions are subsequently provided, shall severally and respectively be construed and deemed to apply to the Compositions to be entered into under this Act, and to the Duties for which Exemptions are provided by this Act, and (except where other Provisions 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 also in reducing any

Assess-

The Inspectors or Surveyors may, without a previous Proceeding for the Penalty, charge in Single Duty Persons omitting to take out Game Certificates.

How Charge to be made.

Provisions of former Composition Acts, except as here by varied, applied to this Act in entering into Compositions, and in granting Relief under existing Compositions.

Assesment of Composition entered into before the passing of this Act, in respect of Duties for which Exemption is herein provided, with the additional Duty payable on the Amount of such last mentioned Duties, and also 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.

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.



The SCHEDULE to which this Act refers.

Form of Contract of Composition under the Act of Fifth of George the Fourth.

		Amount of Duties.
		£. s. d.
Windows - - - No.		
Rent - - - Amount		
Total Amount of Duty - -		
Composition Duty of 5 <i>l.</i> per Cent.		
Total Amount of } Composition - }		
<b>ESTABLISHMENT.</b>		
No.	Schedules.	
Servants - - -	C. No. 1.	
Male Persons - -	C. No. 3.	
4 Wheel Carriages -	D. No. 1.	
2 Wheel Carriages -	D. No. 2.	
Taxed Carts - - -	D. No. 4.	
Horses for riding or } drawing - - - }	E. No. 1.	
Race Horses - - -	E. No. 3.	
Dogs - - -	G.	
Hair Powder - - -	I.	
Armorial Bearings -	K.	
Total Amount of Duties		
Composition Duty of 5 <i>l.</i> 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 the Assessed Taxes, for the Division of \_\_\_\_\_ in the County of \_\_\_\_\_ have contracted and agreed with \_\_\_\_\_ of \_\_\_\_\_ in the said Division in pursuance of an Act passed in the Fifth Year of King 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 Provisions 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 Four Years, and Three Years, from the Fifth Day of April One thousand eight hundred and twenty four, 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.

Dated the \_\_\_\_\_ Day of \_\_\_\_\_

Witness,

Clerk.

Witness,

Clerk.

} Commissioners of the  
} within Divisions.

} 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. XLV.

An Act to authorize the issuing of Exchequer Bills for the Payment of the Proprietors of Four Pounds *per Centum* Annuities, in *England* and *Ireland*, who have not signified their Assents under the Acts passed in this Session, for transferring such Annuities into Reduced Annuities of Three Pounds Ten Shillings *per Centum*. [3d June 1824.]

5 G.4. c.11.

‘ WHEREAS an Act has passed in this Session of Parliament, intituled *An Act for transferring several Annuities of Four Pounds per Centum per Annum into Annuities of Three Pounds Ten Shillings per Centum per Annum*: And

5 G.4. c.24.

‘ Whereas another Act has passed in this Session of Parliament, intituled *An Act for transferring several Annuities of Four Pounds per Centum per Annum, transferable at the Bank of Ireland, into Reduced Annuities of Three Pounds Ten Shillings per Centum per Annum*: And Whereas it is necessary that Provision should be made for the Payment of such Persons, Bodies Politic and Corporate, and their Successors, Administrators and Assigns, who have not, or who shall not, within the Periods respectively prescribed by the said recited Acts, have signified their Assent to accept and take Three Pounds Ten Shillings *per Centum* Annuities in lieu of Four Pounds *per Centum* Annuities, under the Provisions of the said recited Acts:’ May it therefore please Your Majesty that it may be enacted; and be it enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the King’s most Excellent Majesty, by Warrant or Warrants under His Royal Sign Manual, to authorize and empower the Commissioners of His Majesty’s Treasury of the United Kingdom of *Great Britain* and *Ireland*, now or for the Time being, or any Three or more of them, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland* for the Time being, to cause or direct any Number of Exchequer Bills to be made out at His Majesty’s Exchequer at *Westminster*, to an Amount equal to the Stock in the respective Four Pounds *per Centum* Annuities and Debentures, in *Great Britain* and *Ireland*, for which the Proprietors thereof, or Executors, Administrators, Guardians or Trustees have not signified and shall not signify within the Periods limited by the said Acts, their Assent to accept Annuities after the Rate of Three Pounds Ten Shillings *per Centum* in lieu of Four Pounds *per Centum* Annuities, under the Provisions of the said recited Acts; and all such Exchequer Bills shall be made out and issued in the same or like Manner, Form and Order, and according to the same or like Rules and Directions (except where other Directions for making out the same are contained and particularly expressed in this Act), as are specified, prescribed and contained in an Act made in the Forty eighth Year of the Reign of His late Majesty, intituled *An Act for regulating the issuing and paying off of Exchequer Bills*.

His Majesty may authorize the Treasury to issue Exchequer Bills to an Amount equal to the Stock in the Four per Cents. in G. B. and Ireland, for which Proprietors, &c. decline to accept Annuities at 3l. 10s. per Cent. in lieu as by 48 G.3. c.1.

II. And

II. And be it further enacted, That all and every the Clauses, Provisions, Powers, Authorities, Privileges, Advantages, Penalties, Forfeitures and Disabilities contained in the said recited Act of the Forty eighth Year of His late Majesty's Reign, shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually to all Intents and Purposes as if the said several Clauses or Provisions, Powers, Authorities, Privileges, Advantages, Penalties, Forfeitures and Disabilities had been particularly repeated and re-enacted in the Body of this Act.

46 G. S. c. 1.  
extended to this  
Act.

III. And be it further enacted, That the said Exchequer Bills to be made out in pursuance of this Act shall and may bear an Interest, not exceeding the Rate of Three Pence Halfpenny *per Centum per Diem*, upon or in respect of the Whole of the Monies respectively contained therein; and the Principal and Interest thereof respectively shall be made payable at such Periods as shall be fixed by the said Commissioners of His Majesty's Treasury, or any Three or more of them, or the said Lord High Treasurer for the Time being.

Exchequer  
Bills to bear an  
Interest not ex-  
ceeding 3½d.  
per Cent. per  
Diem.

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

Exchequer  
Bills to be cur-  
rent at the Ex-  
chequer, &c.  
after they be-  
come payable.

V. And be it further enacted, That it shall be lawful for the Governor and Company of the Bank of *England* to advance or lend to his Majesty, at the Receipt of the Exchequer of *Great Britain*, upon the Credit of the Exchequer Bills issued under this Act, any Sum or Sums of Money not exceeding in the Whole the Sum of Money which may be required to make the Payments which may be necessary to carry into Execution the Purposes of this Act; any Thing in an Act made in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, intituled *An Act for granting to their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale and other Liquors; and for securing certain Recompences and*

Bank of Eng-  
land may ad-  
vance Money  
on such Bills.

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

*Advantages in the said Act mentioned to such Persons as shall voluntarily advance the Sum of One million five hundred thousand Pounds towards carrying on the War against France, to the contrary thereof in any wise notwithstanding.*

Exchequer Bills payable out of the Supplies for 1825.

VI. And be it further enacted, That all Exchequer Bills which shall be issued under the Provisions of this Act shall be made chargeable and are hereby charged upon and shall be payable and be paid out of any Aids or Supplies to be granted for the Service of the Year One thousand eight hundred and twenty five.

The 4l. per Centa., which Proprietors, &c. have declined to accept 3l. 10s. per Centa. in lieu, to vest in Commissioners of the National Debt;

VII. And be it further enacted, That all such Part of the said Annuities and Debentures of Four Pounds *per Centum* in the said recited Acts respectively mentioned, in respect of which Assents shall not have been or shall not be signified under the Provisions of the said recited Acts respectively or either of them, shall from and after the Tenth Day of *October* One thousand eight hundred and twenty four, and the Fifth Day of *January* One thousand eight hundred and twenty five respectively, be vested in the Commissioners for the Reduction of the National Debt, who shall then become entitled to a like Amount of Annuities in the Three Pounds Ten Shillings *per Centum* Annuities created by the said Acts, the Dividends upon which shall be payable to them as upon Stock redeemed or purchased by the said Commissioners.

who shall place to the Account of the Paymaster of Exchequer Bills at the Bank such Sums for Payment of Principal and Interest of Exchequer Bills so issued, as Treasury shall direct.

VIII. And be it further enacted, That the said Commissioners for the Reduction of the National Debt shall, out of the Funds under their Management, place to the Account of the Paymaster of Exchequer Bills at the Bank of *England*, such Sum or Sums of Money, for the Payment of the Principal and Interest of all such Exchequer Bills as shall be issued under the Provisions of this Act, as the said Commissioners of His Majesty's Treasury shall from time to time direct, until an Amount of Exchequer Bills equal to those issued for paying off the said Four Pounds *per Centum* Annuities and Debentures, together with the Interest thereon, shall be paid off and discharged.

#### C A P. XLVI.

An Act to continue, until the Fifth Day of *July* One thousand eight hundred and twenty six, the low Duties on Coals and Culm carried Coastwise to any Port within the Principality of *Wales*. [3d June 1824.]

55 G. 3. c. 52.  
Table (D.)

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 for granting other Duties in lieu thereof*, certain Duties were thereby imposed upon Coals and Culm brought or carried Coastwise to any Port or Place within the Principality of *Wales*, and specified in Table (D.) to the said Act annexed: And Whereas the said Duties were, by an Act passed in the First Year of the Reign of His present Majesty, continued until the First Day of *August* One thousand eight hundred and twenty two; and by an Act passed in the Third Year of the Reign of His present Majesty, were further

1 G. 4. c. 67.

3 G. 4. c. 59.

continued

continued until the Fifth Day of July One thousand eight hundred and twenty four: And Whereas it is expedient that the said Duties 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 Duties on Coals and Culm brought or carried Coastwise to any Port or Place within the Principality of *Wales*, which were directed by the said last recited Act to be payable until the fifth Day of July One thousand eight hundred and twenty four, shall continue to be paid and payable until the Fifth Day of July One thousand eight hundred and twenty six.

Duties on Coals and Culm carried Coastwise into *Wales*, continued till July 5, 1826.

## C A P. XLVII.

An Act to alter the Laws relating to the Duties on the Importation, and the Prohibitions on the Exportation of Wool, and of Hare and Coney Skins. [3d June 1824.]

WHEREAS it is expedient to reduce the Duties upon the Importation of certain Sorts of Wool and Skins, and also to discontinue the Prohibitions on the Exportation of Wool, and of Hare and Coney Skins, the Produce of any Part of the United Kingdom, or of the Islands of *Guernsey, Jersey, Alderney, Sark* or *Man*, and to impose certain Duties on the Exportation 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 Tenth Day of *September* One thousand eight hundred and twenty four, the several Duties of Customs now payable by Law on the Importation into any Part of the United Kingdom of Sheep or Lambs Wool, and of Goats or Camels Hair or Wool, and of Hare and Coney Wool, and of Hare Skins, shall cease and determine; save and except in all Cases, and so far as shall relate to the recovering of any Arrears thereof, or any Fine, Penalty or Forfeiture relating thereto, which may remain unpaid, or which shall have been incurred at any Time on or before the said Tenth Day of *September* One thousand eight hundred and twenty four; and that, from and after the said Tenth Day of *September* One thousand eight hundred and twenty four, there shall be raised, levied, collected and paid unto His Majesty, His Heirs and Successors, upon the several Sorts of Wool or Hair and Skins specified in the Table marked (A.) to this Act annexed, imported into any Part of the United Kingdom, the several Duties of Customs as the same are respectively set forth in Figures in the said Table.

From Sept. 10, 1824, Duties on Wool and Hare Skins to cease, and instead thereof the Duties specified in Table (A.) shall be payable.

II. And be it further enacted, That from and after the Tenth Day of *December* One thousand eight hundred and twenty four, all Acts and all Parts of Acts of the Parliaments of *Great Britain* and *Ireland* respectively, and of the Parliament of the United Kingdom of *Great Britain* and *Ireland*, whereby the Exportation from any Part of the United Kingdom, or from the Islands of *Guernsey, Jersey, Alderney, Sark* or *Man*, to Foreign

From Dec. 10, 1824, all Acts and Parts of Acts prohibiting Exportation of Wool, &c. repealed, and Duties

in Table (B.)  
on Exportation  
of certain Skins  
and Wool, &c.  
to be paid.

Parts, or the carrying coastwise of Sheep or Lambs Wool, or any Manufacture thereof, or of Sheep or Lambs alive, or of Hare or Coney Wool, or of Hare or Coney Skins, is prohibited or restrained, or whereby the packing, marking or moving of Wool, or of any Manufactures thereof, within any Part of the United Kingdom, or of the Islands of *Guernsey, Jersey, Alderney, Sark* or *Man*, is in any way regulated, shall be and the same are hereby repealed; and that from and after the said Tenth Day of *December* One thousand eight hundred and twenty four, there shall be raised, levied, collected and paid unto His Majesty, His Heirs and Successors, upon the several Sorts of Wool, and of Hare and Coney Skins, and of Articles manufactured of Wool, specified in the Table marked (B.) to this Act annexed, exported from any Part of the United Kingdom, the several Duties of Customs as the same are respectively set forth in Figures in the said Table.

Duties on  
Wool, &c. ware-  
housed,  
taken out for  
Home Con-  
sumption.

III. And be it further enacted, That the Duties imposed by this Act, and no other, shall be payable on any of the Sorts of Wool or Hair or Skins specified in the said Table marked (A.) which have been or may be warehoused or otherwise secured under the Authority of any Act of Parliament, without Payment of Duty upon the first Entry thereof, and which shall be taken out of any such Warehouse or other Place, for the Purpose of being used or consumed in any Part of the United Kingdom, after the said Duties have become payable respectively.

Duties  
managed as  
other Duties of  
Customs.

IV. And be it further enacted, That all Matters and Things contained in the said Tables to this Act annexed shall be deemed to be Part of this Act; and that the Duties imposed therein shall be managed, ascertained, raised, levied, collected, paid, recovered and applied as other Duties of Customs in general are managed, ascertained, raised, levied, collected, paid, recovered and applied, and under the Penalties and Forfeitures now in Force, made for securing the Revenue of Customs, as far as the same are applicable, and are not altered or repealed by this Act.

### TABLES to which this Act refers.

#### TABLE (A.)

A TABLE of the DUTIES of CUSTOMS payable on certain Sorts of Wool and Hare Skins, imported into the United Kingdom from Foreign Parts

	£.	s.	d.
Hare Skins, the 100 Skins	-	-	0 1 0
Wool or Hair; viz.			
— Hare and Coney Wool, the lb.	-	-	0 0 2
From and after the 10th Day of September 1824, and until the 11th Day of December 1824; viz.			
— Sheep or Lambs Wool, or Goats or Camels Wool or Hair, the Produce of and imported directly from any British Possession, the lb.	-	-	0 0 1
— - - the Produce of or imported from any other Place, the lb.	-	-	0 0 5
From and after the 10th Day of December 1824; viz.			
— Sheep or Lambs Wool, the Produce of or imported from any Place not being a British Possession, the lb.	-	-	0 0 1

TABLE (B.)

TABLE of DUTIES of CUSTOMS payable on certain Wool, Manufactures of Wool and Skins, exported from the United Kingdom to Foreign Parts.

	£. s. d.
<b>Skins; viz.</b>	
— Coney Skins, the 100 Skins - - -	0 1 0
— Hare Skins, the 100 Skins - - -	0 1 0
<b>Wool; viz.</b>	
— of Sheep or Lambs, and of Hares and of Conies, the lb.	0 0 1
<b>Woollen Manufactures; viz.</b>	
— Woolfels, Mortlings, Shortlings, Yarn, Worsted, Woolflacks, Cruels, Coverlids, Waddings or other Manufactures or pretended Manufactures, slightly wrought up or put together, so as the same may be reduced to and made use of as Wool again, Mattresses or Beds stuffed with combed Wool, or Wool fit for combing or carding, the lb. - - -	0 0 1

C A P. XLVIII.

An Act to enable the Commissioners of His Majesty's Treasury to sell out certain Bank Annuities now standing in their Names, and to apply the Produce thereof in part Payment of a Loan of Three hundred thousand Pounds due to the *Royal Exchange Assurance Company*; and to facilitate the Sales of Fee Farm Rents, and of small Portions of the Land Revenue of the Crown; and for other Purposes. [3d June 1824.]

WHEREAS by an Act, passed in the Thirty eighth Year of the Reign of His late Majesty King George the Third, 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 another Act, passed in the Forty second Year of His said late Majesty's Reign, intituled *An Act for consolidating the Provisions of the several Acts passed for the Redemption and Sale of the Land Tax into One Act, and for making further Provisions for the Redemption and Sale thereof, and for removing Doubts respecting the Rights of Persons claiming to vote at Elections for Knights of the Shire and other Members to serve in Parliament, in respect of Messuages or Tenements the Land Tax upon which shall have been redeemed or purchased*, the Surveyor General of the Land Revenues of the Crown for the Time being was empowered to contract for the Sale, from time to time, of such or so much of the Manors, Messuages, Lands, Tenements, Tithes, Mines, Minerals, Collieries, Woods, Woodgrounds, Fens, Marshes, Waste Grounds or other Hereditaments belonging to the Crown, within the Survey

50 G. S. c. 65.

56 G. S. c. 115.  
§ 1.

Survey or Receipt of the Exchequer in *England*, as would raise  
 a Sum sufficient for the Redemption of the Land Tax charged  
 on the Land Revenues of or belonging to the Crown: And  
 Whereas by an Act passed in the Fiftieth Year of the Reign of  
 His said late Majesty King *George the Third*, intituled *An Act*  
*for uniting the Offices of Surveyor General of the Land Revenues*  
*of the Crown and Surveyor General of His Majesty's Woods,*  
*Forests, Parks and Chases*, all the Powers and Authorities of  
 the said Surveyor General of the Land Revenues of the Crown  
 were transferred to and directed to be exercised by the Com-  
 missioners of His Majesty's Woods, Forests and Land Revenues  
 to be appointed under the Authority of that Act: And Whereas  
 an Act was passed in the Fifty sixth Year of the Reign of His  
 said late Majesty, intituled *An Act for ratifying the Purchase*  
*of the Claremont Estate, and for settling the same as a Resi-*  
*dence for Her Royal Highness the Princess Charlotte Augusta*  
*and His Serene Highness Leopold George Frederick Prince*  
*of Cobourg of Saalfeld*, whereby, after reciting the said herein-  
 before recited Acts of the Thirty eighth and Forty second Years  
 of the Reign of His said late Majesty, and that under the Au-  
 thority of the same certain Parts of the Land Revenues of the  
 Crown had been sold, in order to raise Money for the Redemption  
 of the Land Tax charged on the Crown Estates, and that the  
 Monies which had arisen therefrom had been invested in the  
 Purchase of Three Pounds *per Cent.* Consolidated Bank Annu-  
 ities, of which Annuities certain Parts were then standing in the  
 Names of the Commissioners of His Majesty's Treasury in the  
 Books of the Governor and Company of the Bank of *England*,  
 the said Commissioners of His Majesty's Treasury were au-  
 thorized and required from time to time, as the Instalments of  
 the Purchase Money of the Estate the Purchase whereof was  
 thereby ratified, and the Interest thereon should respectively  
 become due, to sell and dispose of so much of the Three Pounds  
*per Cent.* Consolidated Bank Annuities, standing in the Names  
 of the Commissioners of His Majesty's Treasury in the Books  
 of the Governor and Company of the Bank of *England*, which  
 had been purchased with Monies raised under the Provisions  
 of the said recited Acts of the Thirty eighth and Forty second  
 Years of His said late Majesty's Reign, as would be sufficient  
 to pay and discharge such Instalments of the said Purchase  
 Money as they should respectively become due, and the Interest  
 then payable, and by and with the Produce of the Sale of  
 such Bank Annuities to pay and discharge such Instalments of  
 the said Purchase Money accordingly, and the Interest then  
 payable; and by the same Act now in recital the Commissioners  
 of His Majesty's Woods, Forests and Land Revenues were  
 authorized and empowered to make Sale of such or so many,  
 or so much of the Manors, Lordships, Messuages, Lands, Tene-  
 ments, Rents, Tithes, Mines, Minerals, Collieries, Woods, Wood-  
 grounds, Fens, Marshes or Waste Lands or other Heredita-  
 ments, or any other Revenues of or belonging to the Crown,  
 within the Survey of the Exchequer in *England*, as would raise  
 a Sum sufficient to purchase so much Stock in the Three  
 Pounds *per Cent.* Bank Annuities thereafter mentioned as  
 would



would be equal or as nearly equal as might be, to the whole Amount which should have been sold out of the said Consolidated Bank Annuities, under the Provisions of the same Act, for the Payment of any such Instalment or Instalments of the Purchase Monies so to be paid, and the Interest so to be paid as aforesaid; and the Purchase Monies to be paid for the same were directed to be paid into the Bank of *England*, to the Account of the Commissioners of His Majesty's Treasury, to be laid out by the Order of the Commissioners of His Majesty's Woods, Forests and Land Revenues for the Time being, in the Purchase either of Three Pounds *per Cent.* Consolidated Bank Annuities or Three Pounds *per Centum* Reduced Annuities, in the Name of the Commissioners of His Majesty's Treasury, in like Manner in all respects as prescribed in the said recited Acts of the Thirty eighth and Forty second Years of His said late Majesty's Reign, under those Acts respectively; and the Capital or Stock so to be purchased therewith, and the Dividends and Interest arising therefrom, are also directed to be applicable to the same Purposes, and to be applied in the same Manner, and under the same Rules, Regulations and Provisions in all respects, as the Bank Annuities which should be so sold for the Purpose of raising such Instalments as aforesaid, and the Dividends and Yearly Interest arising thereupon, would have been subject and applicable to in case the said Act now recited had not been passed: And Whereas under the said last mentioned Provisions, Authorities and Directions, the Commissioners of His Majesty's Treasury sold out so much of the said Three Pounds *per Centum* Consolidated Bank Annuities standing in their Names as was sufficient to pay and discharge all the said Purchase Monies and the Interest thereon, and the said Commissioners of His Majesty's Woods, Forests and Land Revenues have made Sale of certain Parts of the Land Revenues of the Crown, and have invested the Monies arising from such Sales in the Purchase of Three Pounds *per Centum* Reduced Bank Annuities, in the Names of the Commissioners of His Majesty's Treasury, and the Sum of Eighty seven thousand nine hundred and seven Pounds Fifteen Shillings and Two Pence Three Pounds *per Centum* Reduced Bank Annuities is now under such Investment standing in the Names of the Commissioners of His Majesty's Treasury, in the Books of the Governor and Company of the Bank of *England*: And Whereas there is also now standing in the Names of the Commissioners of His Majesty's Treasury, in the Books of the Governor and Company of the Bank of *England*, the Sum of Eighty one thousand and fifty two Pounds Eleven Shillings and Eleven Pence Three Pounds *per Centum* Consolidated Bank Annuities, arising from the Sale of certain Parts of the Land Revenues of the Crown, under the Provisions and Authorities of the said recited Acts of the Thirty eighth and Forty second Years of the Reign of His said late Majesty, which Two Capital Sums are, under the Provisions of the said hereinbefore recited Acts, applicable to the Redemption of the Land Tax charged on the Crown Estates, and the Dividends arising therefrom are to be applied in Manner herein-after mentioned: And Whereas an Act was passed in the Fifty

53 G. 3. c. 121.

' third Year of the Reign of His said late Majesty King George  
 ' the Third, intituled *An Act for making a more convenient Com-*  
 ' *munication from Mary-le-bone Park and the Northern Parts of*  
 ' *the Metropolis, in the Parish of Saint Mary-le-bone, to Charing*  
 ' *Cross, within the Liberty of Westminster, and for making a more*  
 ' *convenient Sewage for the same*; whereby the Commissioners of  
 ' His Majesty's Woods, Forests and Land Revenues were ap-  
 ' pointed Commissioners for carrying the same into Execution,  
 ' and for superintending and carrying on the Improvements  
 ' thereby intended; and the said Commissioners were by the said  
 ' Act now in recital authorized, by and with the Consent in  
 ' Writing of the Lord High Treasurer, or of the Commissioners  
 ' for executing the Office of Lord High Treasurer, to borrow and  
 ' take up at Interest from time to time such Sum or Sums of  
 ' Money, not exceeding in the whole the Sum of Five hundred  
 ' thousand Pounds, as they the said Commissioners, with such  
 ' Consent and Approbation as aforesaid, shall judge necessary  
 ' for the Purposes of that Act, on Mortgage of all or any Part  
 ' or Parts of the Houses, Buildings, Lands, Tenements and Here-  
 ' ditaments of or belonging to His Majesty, His Heirs and Suc-  
 ' cessors, in the Lines of the Streets and Places to be erected,  
 ' altered, repaired or improved, or which should be purchased or  
 ' exchanged by virtue of that Act; and the said Commissioners  
 ' were by the same Act empowered to borrow and take up at  
 ' Interest, on the same Security, a further Sum, not exceeding  
 ' in the whole the Sum of One hundred thousand Pounds, for  
 ' making and completing the new Sewage by the same Act to be  
 ' made: And Whereas by an Act passed in the Fifty fourth Year  
 ' of the Reign of His said late Majesty, intituled *An Act for*  
 ' *the further Improvement of the Land Revenue of the Crown,*  
 ' certain Sums of Money arising under several Acts of Parliament  
 ' therein recited were directed to be paid over to the said Com-  
 ' missioners for executing the said recited Act of the Fifty-third  
 ' Year aforesaid, for the Purposes of that Act, and the Dividends  
 ' and Annual Proceeds from time to time arising out of and from  
 ' all and singular the Bank Annuities then standing in the Names  
 ' of the Commissioners of His Majesty's Treasury, in the Books  
 ' of the Governor and Company of the Bank of *England*, or  
 ' which should thereafter stand in the Names of such Commis-  
 ' sioners, and which had arisen or should thereafter arise under  
 ' and by virtue of the Provisions of the said recited Acts of the  
 ' Thirty eighth and Forty second Years of the Reign of His said  
 ' late Majesty (except such Sums as should be paid thereout in  
 ' pursuance of any Warrant from the Lord High Treasurer or the  
 ' Commissioners of His Majesty's Treasury for the Time being),  
 ' were by the said Act now in recital directed to be paid and  
 ' made over to the said Commissioners for executing the said  
 ' recited Act of the Fifty third Year aforesaid, to be applied by  
 ' them for and towards the carrying the several Purposes thereof  
 ' into Execution, until the said Sums thereby authorized to be  
 ' raised should have been raised and thereafter fully paid and  
 ' satisfied; and the said Commissioners for executing the said re-  
 ' cited Act of the Fifty third Year aforesaid were by the said Act  
 ' now in recital empowered, by and with the Consent and Appro-  
 ' bation

54 G. S. c. 70.

ation in Writing of the Lord High Treasurer, or the Commissioners for executing the Office of Lord High Treasurer for the Time being, to borrow and take up at Interest such Sums of Money as they the said Commissioners for executing the said recited Act of the Fifty third Year aforesaid, with such Approbation as aforesaid, should judge necessary for the Purposes of that Act, not exceeding what should then remain to be raised of the said Two Sums of Five hundred thousand Pounds and One hundred thousand Pounds, by any Loan or Loans upon the Credit of the Land Revenues of the Crown; and it was declared to be lawful for any Person or Persons, Bodies Politic or Corporate, or Companies (other than except the Governor and Company of the Bank of *England*, the Governor and Company of Merchants of *Great Britain* trading to the *South Seas* and other Parts of *America*, and the United Company of Merchants trading to the *East Indies*), to advance or lend any Sum or Sums of Money, or any Part or Parts of the Capital or Funds of or belonging to such Person or Persons, Bodies Politic or Corporate, or Companies, not exceeding what should then remain to be raised of the said Two Sums of Five hundred thousand Pounds and One hundred thousand Pounds aforesaid, to the said Commissioners for executing the said recited Act of the Fifty third Year aforesaid, upon the Credit of the said Land Revenues of the Crown, so as that all such Loans should be made by and with the Approbation of the Lord High Treasurer, or the Commissioners for executing the Office of Lord High Treasurer for the Time being, or any Three of them; and every such Loan so to be made was declared to be a Loan upon a Parliamentary Security; and it was by the said Act now in recital provided, that if the Commissioners for executing the Office of Lord High Treasurer for the Time being, or any Three or more of them, should be desirous of redeeming and discharging any such Loan or Loans, or any Part or Parts thereof (such Part or Parts not being less than One tenth Part of the whole Amount of any such Loan or Loans), at any other Time or Times, or by any other Means, or in any other Manner than at the Time or Times, or by the Means or in the Manner thereinbefore provided for Payment or Discharge thereof, it should be lawful, notwithstanding any Thing thereinbefore contained, for the said last mentioned Commissioners so to do, upon giving to the Person or Persons, Bodies Politic or Corporations, to whom any Money should be due upon any such Loan or Loans, in respect of which any such Payment should be meant and intended to be made, Six Calendar Months Notice in Writing of their Desire and Intention to make such Payment; such Notice to be given according to the Directions of the said now recited Act: And Whereas under the Powers and Provisions of the said last recited Act, the Commissioners for executing the said recited Act of the Fifty third Year of His said late Majesty's Reign have, with the Consent and Approbation of the Commissioners for executing the Office of Lord High Treasurer, signified according to the Directions of the said recited Act, borrowed and taken up at Interest from the *Royal Exchange Assurance Company*, on the Credit,

Treasury may  
sell out  
87,907*l.* 15*s.* 2*d.*  
Three per  
Cents. Re-  
duced, and  
81,052*l.* 11*s.*  
11*d.* Consols,  
and apply Pro-  
duce in part  
Payment of  
300,000*l.* due to  
Royal Ex-  
change Assur-  
ance Company.

‘ Credit of the Land Revenues of the Crown, the Sum of Three  
‘ hundred thousand Pounds, being Part of the said Two Sums  
‘ Five hundred thousand Pounds and One hundred thousand  
‘ Pounds, authorized to be raised by them for the Purposes of the  
‘ said recited Act of the Fifty third Year aforesaid, which said  
‘ Principal Sum of Three hundred thousand Pounds is now due  
‘ and owing to the said *Royal Exchange Assurance Company*, and  
‘ is secured on the Credit of the Land Revenues of the Crown  
‘ by a Certificate of Loan executed in the Manner and Form  
‘ prescribed by the said last recited Act of the Fifty fourth Year  
‘ aforesaid: And Whereas by the hereinbefore recited Provisions  
‘ of the said last mentioned Act, the Dividends arising and pay-  
‘ able from and in respect of the said Two Sums of Eighty seven  
‘ thousand nine hundred and seven Pounds Fifteen Shillings and  
‘ Two Pence Three Pounds *per Centum* Reduced Bank Annuities,  
‘ and Eighty One thousand and fifty two Pounds Eleven Shilling-  
‘ and Eleven Pence Three Pounds *per Centum* Consolidated Bank  
‘ Annuities, now standing in the Names of the Commissioners of  
‘ His Majesty’s Treasury, in the Books of the Governor and  
‘ Company of the Bank of *England*, as hereinbefore mentioned  
‘ are payable and to be applied to the Purposes of the said re-  
‘ cited Act of the Fifty third Year aforesaid: And Whereas the  
‘ said Principal Sums, so standing in the Names of the Commis-  
‘ sioners of His Majesty’s Treasury, are not at present required  
‘ for the Redemption of any Land Tax charged on the Estates  
‘ of the Crown, to which such Principal Sums are applica-  
‘ ble under the Provisions of the said recited Acts of the Thirty  
‘ eighth and Forty second Years of the Reign of His said late  
‘ Majesty, as hereinbefore mentioned, and it would be greatly  
‘ to the Advantage and Improvement of the Land Revenues of  
‘ the Crown, if the Commissioners of His Majesty’s Treasury were  
‘ empowered to sell out the said Principal Sums so standing in  
‘ their Names, and to apply the Produce of such Sales in part  
‘ Payment and Discharge of so much of the said Principal Sums  
‘ of Three hundred thousand Pounds, as the Monies arising from  
‘ such Sales shall be equal to; but the same cannot be effected  
‘ without the Authority of Parliament:’ May it therefore please  
‘ Your Majesty that it may be enacted; and be it enacted by the  
‘ King’s most Excellent Majesty by and with the Advice and Con-  
‘ sent of the Lords Spiritual and Temporal, and Commons, in this  
‘ present Parliament assembled, and by the Authority of the same,  
‘ That it shall and may be lawful for the Commissioners of His  
‘ Majesty’s Treasury for the Time being, or any Three or more of  
‘ them, and they are hereby authorized and required to sell and  
‘ dispose of the said Two Sums of Eighty seven thousand nine  
‘ hundred and seven Pounds Fifteen Shillings and Two Pence Three  
‘ Pounds *per Centum* Reduced Bank Annuities, and Eighty One  
‘ thousand and fifty two Pounds Eleven Shillings and Eleven Pence  
‘ Three Pounds *per Centum* Consolidated Bank Annuities, respect-  
‘ ively, standing in the Names of the Commissioners of His Ma-  
‘ jesty’s Treasury in the Books of the Governor and Company of  
‘ the Bank of *England*, as hereinbefore mentioned, for the best  
‘ Price or Prices which can be obtained for the same, and to apply  
‘ the Monies arising and to be produced by such Sales in part  
‘ Payment:

ayment and Discharge of so much of the said Principal Sum of three hundred thousand Pounds, due and owing to the *Royal Exchange Assurance Company* as aforesaid, as the same shall be equal to; and such Sum or Sums of Money shall be paid to and received by the said *Royal Exchange Assurance Company*, and the Payment thereof shall be acknowledged, and such Acknowledgment entered in the several Offices, in the Manner and Form prescribed by and according to the Regulations, Directions and Provisions contained in the said recited Act of the Fifty fourth Year of the Reign of His said late Majesty.

II. And be it further enacted, That the said Sums of Eighty seven thousand nine hundred and seven Pounds Fifteen Shillings and Two Pence Three *per Centum* Reduced Bank Annuities, and Eighty one thousand and fifty two Pounds Eleven Shillings and Eleven Pence Three *per Centum* Consolidated Bank Annuities, hereby authorized and required to be sold and disposed of for the Purposes aforesaid by the Commissioners of His Majesty's Treasury, shall and may be sold, transferred and disposed of by any Person or Persons to be appointed by them or any Three or more of them, by Letter of Attorney under their Hands and Seals, attested by Two or more credible Witnesses.

Sale of the said Stock may be made by Power of Attorney.

III. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to invalidate, prejudice or in any manner to interfere with the Powers, Provisions, Authorities and Directions contained in and given by the said recited Acts of the Thirty eighth and Forty second Years of the Reign of His said late Majesty, to the Surveyor General of the Land Revenues, and by the said recited Act of the Fiftieth Year of the same Reign to be exercised by the Commissioners of His Majesty's Woods, Forests and Land Revenues, to sell and dispose of certain Parts of the Land Revenues of the Crown for raising Monies to be applied in the Redemption of the Land Tax charged on the Estates of the Crown; but all the said Powers, Provisions, Authorities and Directions shall remain in force, and be exercised and put in Execution, as fully and effectually as if this Act had not been passed.

Act not to interfere with the Powers given by recited Acts 38 G. S. c. 60. 49 G. S. c. 116. and 50 G. S. c. 65. to Surveyor General, &c.

IV. And Whereas by an Act passed in the Fifty seventh Year of the Reign of His late Majesty King *George the Third*, intituled *An Act to alter and enlarge the Powers of an Act passed in the Fifty fourth Year of His present Majesty*, intituled *An Act for the further Improvement of the Land Revenues of the Crown*, any Person or Persons whomsoever, or any Bodies Politic or Corporate, or Companies whatsoever, were empowered to advance or lend any Sum or Sums of Money, or any Part or Parts of the Capital or other Monies or Funds of or belonging to such Person or Persons, Bodies Politic or Corporate, or Companies, not exceeding in Amount what then remained to be raised of the said Two Sums of Five hundred thousand Pounds and One hundred thousand Pounds, to the Commissioners for the Time being for executing the said recited Act of the Fifty third Year of the Reign of His late Majesty King *George the Third*, upon the Credit of the Land Revenues of the Crown, subject and without Prejudice to the Sum so already advanced by the said *Royal Exchange*

57 G. S. c. 24.

§ 1.

change

' *change Assurance Company*, and to the Provisions made by the  
 ' said recited Act of the Fifty fourth Year of the Reign of His late  
 ' Majesty King *George* the Third, for the Repayment thereof, and  
 ' for the Payment of the Interest thereof, so as that all such Loans  
 ' should be made by or with the Approbation of the Lord High  
 ' Treasurer of the United Kingdom of *Great Britain* and *Ireland*  
 ' or the Commissioners of His Majesty's Treasury of the United  
 ' Kingdom of *Great Britain* and *Ireland* for the Time being, or  
 ' any Three or more of them, who was and were thereby au-  
 ' thorized to issue his or their Warrant or Warrants for that Pur-  
 ' pose, notwithstanding any Thing contained to the contrary in  
 ' certain Acts therein particularly specified, or any other Act or  
 ' Acts, Statute or Charter, Bye-law or Ordinance: And Whereas  
 ' the said Commissioners for executing the said recited Act of the  
 ' Fifty third Year of the Reign of His late Majesty King *George*  
 ' the Third have, under the Powers contained in that Act and in  
 ' the said recited Acts of the Fifty fourth and Fifty seventh  
 ' Years aforesaid, borrowed and raised the further Sum of Three  
 ' hundred thousand Pounds by a Loan from the Governor and  
 ' Company of the Bank of *England*, which said further Princip-  
 ' Sum of Three hundred thousand Pounds is now due and owing  
 ' to the said Governor and Company of the Bank of *England*, and  
 ' is secured on the Credit of the Land Revenues of the Crown by  
 ' a Certificate of Loan, executed in the Manner and Form pre-  
 ' scribed by the said last recited Act of the Fifty seventh Year  
 ' aforesaid; and it will be expedient and advantageous to make  
 ' further Provision for paying off and discharging the said Prin-  
 ' cipal Sum of Three hundred thousand Pounds so due and owing  
 ' to the said Governor and Company of the Bank of *England*, and  
 ' for the Payment of the Residue of the said Principal Sum of  
 ' Three hundred thousand Pounds, borrowed from the said *Royal*  
 ' *Exchange Assurance Company*, which shall remain due after  
 ' paying and discharging so much thereof as the Monies arising  
 ' from the Sale of the said Two Sums of Eighty seven thousand  
 ' nine hundred and seven Pounds Fifteen Shillings and Two  
 ' Pence Three Pounds *per Centum* Reduced Bank Annuities, and  
 ' Eighty one thousand and fifty two Pounds Eleven Shillings and  
 ' Eleven Pence Three Pounds *per Centum* Consolidated Bank  
 ' Annuities, now standing in the Names of the said Commissioners  
 ' of His Majesty's Treasury in the Books of the Governor and  
 ' Company of the Bank of *England* shall be equal to: And be it  
 ' further enacted, That it shall and may be lawful for the Commis-  
 ' sioners of His Majesty's Treasury of the United Kingdom of *Great*  
 ' *Britain* and *Ireland* for the Time being, or any Three or more  
 ' of them, to advance and issue to the said Commissioners acting  
 ' in Execution of the said recited Act of the Fifty third Year of  
 ' the Reign of His late Majesty King *George* the Third, out of 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 Four hundred thousand Pounds; which said Sum or  
 ' Sums shall be by the said last mentioned Commissioners applied in  
 ' Payment and Discharge of the said Principal Sum of Three hun-  
 ' dred thousand Pounds due and owing to the Governor and Com-  
 ' pany of the Bank of *England*, and also in Payment and Discharge  
 ' of

Treasury em-  
 powered to  
 issue out of the  
 Consolidated  
 Fund 400,000L.,  
 to be paid in  
 Payment of  
 300,000L. owing  
 to the Bank,  
 and in Pay-  
 ment of the  
 Residue of the  
 Sum borrowed  
 of the Royal  
 Exchange As-  
 surance Com-  
 -pany.

The Residue of the said Sum of Three hundred thousand Pounds, borrowed of the *Royal Exchange Assurance Company*, which shall remain due and owing after paying and discharging so much thereof as the Monies arising from the Sale of the said Principal Sums, standing in the Names of the Commissioners of His Majesty's Treasury, and hereby authorized to be sold by them, shall be equal to, and to no other Purpose whatsoever; and such Sum and Sums of Money shall be paid to and received by the said Governor and Company of the Bank of *England* and the said *Royal Exchange Assurance Company* respectively, and the Payments thereof shall be acknowledged, and such Acknowledgments entered in the several Offices in the Manner and Form prescribed by and according to the Regulations, Directions and Provisions contained in the respectively recited Acts, under the Authorities whereof the said Loans were borrowed and raised.

V. And be it further enacted, That whatever Sum or Sums of Money shall be issued by the Commissioners of His Majesty's Treasury as aforesaid shall, whenever the annual Produce of the Land Revenues of the Crown shall cease to be carried into and form Part of the Consolidated Fund of *Great Britain and Ireland*, and shall be retained by the Crown as Part of its Hereditary Revenues, be and become a Loan on such Land Revenues; and such Land Revenues shall be from thenceforth charged and chargeable with the Repayment into the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, of the Principal Sum or Sums to be granted, together with Interest for the same, to be computed after the Rate of Three Pounds *per Centum per Annum*, from the Time or respective Times at which the respective Sum or Sums shall be respectively paid as aforesaid; and such Land Revenues shall thenceforth be applicable to the Repayment of such Principal Sum or Sums, and to the Payment of such Interest for the same as aforesaid, prior to any other Application thereof, except the Charges attending the Management thereof, and the Payment and Discharge of any Sum or Sums now already charged thereon, or to be charged thereon under or by virtue of the said recited Acts or of this Act, and the Interest thereof, or of so much thereof as shall from time to time remain unpaid and undischarged, and the Interest thereof.

VI. And Whereas upon the Sale of Fee Farm Rents, or of small Portions of the Land Revenues of the Crown, the Payment of the Purchase Monies into the Bank, and the Enrolment of Certificates and Deeds, and the issuing of Warrants by the Lords Commissioners of His Majesty's Treasury for authorizing such Sales of small Portions of Land, is attended with unnecessary Trouble and Delay, and with great Expence, and it is expedient to make Provision for the more easy and speedy Conveyance of such Fee Farm Rents and small Portions of the Land Revenues of the Crown; Be it therefore further enacted, That whensoever, under the Powers of any of the said recited Acts, or of an Act passed in the Fifty seventh Year of the Reign of His said late Majesty, intituled *An Act for ratifying Articles of Agreement entered into by the Right Honourable Lord Viscount Gage, and the Commissioners of His Majesty's Woods, Forests and Land Revenues, and for the better Management and Improvement of the Land*

Money issued by Treasury to be retained by the Crown as Part of its Hereditary Revenue when the annual Land Revenue shall cease to be carried to Consolidated Fund.

On Sale of Fee Farm Rents and small Portions of Land Revenues of the Crown under 57 G. 3. c. 97. where the Land

Purchase Money shall not exceed 100*l*. Commissioners of Woods, &c. without Warrant from Treasury to grant Certificates, and receive Monies and give Receipts, which need not to be enrolled.

*Land Revenues of the Crown*, or of any other Act or Acts of Parliament now in force, or hereafter to be passed, authorizing the Sale of any Part of the Land Revenues of the Crown, the said Commissioners of His Majesty's Woods, Forests and Land Revenues shall have contracted with any Person or Persons, Bodies Politic or Corporate, for the Sale of any small Portions of Land, Hereditaments or Premises, or of any Fee Farm or other Rents, Fines, Annuities or other Revenues of the Crown, and the Purchase Monies to arise from such Sale shall not amount to or exceed the Sum of One hundred Pounds, the said Commissioners of His Majesty's Woods, Forests and Land Revenues, or any Two of them, shall, without the issuing of any Treasury Warrant for that Purpose as aforesaid, grant unto the Purchaser or Purchasers a Certificate under their Hands, specifying the Land or Premises contracted for, or the Fee Farm or other Rents, Fines or Annuities, and the Estates from whence they issue, or in respect of which they are payable, or the other Revenues the Subject of the Sale, and the Amount of the Purchase Money to be paid for the same; and it shall and may be lawful for the said Commissioners of His Majesty's Woods, Forests and Land Revenues, or any Two of them, to accept and receive from such Purchaser or Purchasers the Purchase Monies specified in such Certificate, and at the Foot or on the Back thereof to acknowledge the Receipt thereof, and return the said Certificate and Receipt to the Purchaser or Purchasers, without such Purchase Monies being paid into the Bank of *England*; and it shall not be required or necessary to enrol or register any such Certificate in the Office of the Auditor of the Land Revenues, or in any other Office, or in any Court whatsoever; but from and immediately after such Purchase Money shall be paid and Receipt given (without any Enrolment or Registry thereof), and thenceforth for ever, the respective Purchasers of such Land, Hereditaments or Premises, Fee Farm or other Rents, Fines, Annuities or other Portion of the Revenues of the Crown specified in such Certificate, and their Heirs, Successors or Assigns, shall by force of this Act be adjudged, deemed and taken to be in the actual Seizin and Possession of the Land, Tenements, Premises, Rents, Fines, Annuities or other of the Revenues of the Crown by them respectively purchased, and shall hold and enjoy the same peaceably and quietly, and as fully and amply, to all Intents and Purposes, as if such Purchase Money had been paid into the Bank and Certificate enrolled, and as His Majesty, His Heirs and Successors might or could have held and enjoyed the same previous to the Sale thereof; any Thing in the said recited Acts, or any of them, or in the said Act of the Fifty seventh Year aforesaid, or in any other Act or Acts to the contrary notwithstanding.

Form of Certificate and Receipt where the Purchase Monies shall not exceed 100*l*.

VII. And be it further enacted, That the Certificate to be granted on any such Sale, where the Purchase Monies shall not amount to or exceed the said Sum of One hundred Pounds, shall be in the Words and Figures following, or as near thereto as Circumstances will admit; (that is to say),



‘ BY the Commissioners of His Majesty’s Woods, Forests and Land Revenues :

THESE are to certify, That *A. B.* and *C. D.*  
 Two of the Commissioners of His Majesty’s Woods, Forests and Land Revenues, have contracted and agreed with *E. F.* of for the Sale to him, [her or them, as the Case may be] of all that Parcel of Land (or other Premises) situate [describing it] or of all that Rent, or those Rents or Fines, or Annuity or Annuities of issuing or payable out or charged on [briefly describing the Lands or Hereditaments chargeable, according to the Circumstances], or of all that [stating the Property sold] at or for the Price or Sum of Pounds of lawful Money of Great Britain, to be paid to us the said Commissioners by the said *E. F.* ; and from and immediately after the Payment of the said Sum, and thenceforth for ever, the said *E. F.* [and his, her or their Heirs, Successors or Assigns, as the Case may be] shall be adjudged, deemed and taken to be in the actual Seizin and Possession of the said Land, [Rent, Fine or Annuity, or other Property, as the Case may be] so by him, her or them purchased by force and virtue of an Act passed in the Year of the Reign of His Majesty King George the Third, intituled *An Act* [inserting the Title of the Act authorizing the Sale], and of an Act passed in the Fifth Year of the Reign of His Majesty King George the Fourth [inserting the Title of this Act]. Given under the Hands of the said *A. B.* and *C. D.* the Day of

And the Receipts to be subscribed or endorsed at the Foot or on the Back of such Certificates respectively as aforesaid, shall be in the Words and Form following, or as near thereto as may be ; (that is to say),

‘ RECEIVED the Day of  
 One thousand eight hundred and  
 of and from *E. F.* the Sum of of  
 lawful Money of Great Britain, being the Consideration Money  
 expressed in the above (or the within) written Certificate.  
 ‘ Witness our Hands,  
 ‘ (Signed) *A. B.* } Commissioners of Woods, &c.  
                   *C. D.* }

Which said Certificates and Receipts shall be respectively witnessed and attested, as to the Signing thereof by the said Commissioners, by one of the Principal Clerks or other Officers in their Office; and the said Certificates and Receipts, being so signed and attested, shall effectually discharge the said Purchasers or other Persons to whom the same shall be given and granted of and from the Purchase or Consideration Money therein respectively expressed; and such Purchasers or other Persons shall never afterwards be liable to or be called upon, sued, troubled, molested or questioned for or in respect of such Purchase or Consideration Money, or any Part thereof.

VIII. And be it further enacted, That no such Certificate or Receipt to be granted or given as aforesaid, shall be subject or liable

Certificates and Receipts not to be liable

be subject to Stamp Duties.

Monies arising from such Sales to be applied to the Purposes of 57 G.3. c.97.

Commissioners of Woods, &c. to certify in their Report to the King and Parliament what Part of the Land Revenue shall have been sold, &c.

and upon every such Sale to certify the same to the Auditors of the Land Revenue for the District.

Commissioners of Woods, &c. may apply any Part of the Land Revenues to the Redemption of the Land Tax.

liable to any *ad valorem* or other Stamp Duty whatsoever, imposed by any Act or Acts of Parliament now in force, or to be imposed by any future Act or Acts of Parliament, unless the same be specially subjected to, and specifically charged therewith, and by such future Act and Acts.

IX. And be it further enacted, That all and every Sum or Sums of Money so to be received by the said Commissioners of His Majesty's Woods, Forests and Land Revenues, on account of such Purchase Monies, shall be paid and applied by the said Commissioners to the same Purposes, and in the same Manner and under the same Provisions, Regulations and Directions, as the Purchase Monies to be paid into the Bank of *England* arising from the Sale of any Lands, Tenements, Rents, Annuities or other Revenues of the Crown, under the said Act of the Fifth seventh Year of the Reign of His said late Majesty for ratifying the said Agreement between the said Viscount *Gage* and the said Commissioners of His Majesty's Woods, Forests and Land Revenues, and the other Purposes therein mentioned, are by this Act to be paid and applied.

X. Provided always, and be it further enacted, That the Commissioners of His Majesty's Woods, Forests and Land Revenues for the Time being shall, in every Report which shall be made by them to the King's most Excellent Majesty, and to both Houses of Parliament, touching or concerning the Land Revenue of the Crown, from and after the passing of this Act, certify and report what Part or Parts of the Land Revenue of the Crown shall have been sold under and by virtue of any of the Provisions of the hereinbefore recited Acts, and for which the Purchase Monies shall have been received by the said Commissioners under or by virtue of the Power or Authority hereinbefore contained, since the Time of the making their last preceding Report, and the Amount of such Sum or Sums of Money which shall have been raised by Means of every such Sale, and received by them as aforesaid, and in what Manner the same shall have been applied and disposed of; and shall also certify and report to the Auditor or Auditors of His Majesty's Land Revenues for the District within which such Premises so sold and disposed of shall be situate, (or if such Premises shall be situate within the District of more than One such Auditor, then to the Auditor or Auditors of each such respective District), what Part or Parts of the Land Revenue of the Crown shall have been so sold and disposed of, and the Sum or Sums of Money raised by means thereof; and such Auditor or Auditors, upon the Receipt of any such Certificate or Report, shall cause a Minute thereof to be entered in the Books of his or their respective Office or Offices.

XI. And be it further enacted, That it shall and may be lawful for the said Commissioners of His Majesty's Woods, Forests and Land Revenues, and they are hereby empowered to appropriate and apply any Sum or Sums of Money, Part of the Land Revenues of the Crown under their Care and Management, whether arising from the Sale of the Revenues of the Crown, or from the Rents of Crown Lands, or in any other Manner, from time to time as they shall judge fit, in the Redemption of the Land Tax charged on

on any of the Estates of the Crown, or in the Purchase of Land Tax which has been already redeemed by any Lessee or Lessees of any of the Estates belonging to the Crown.

XII. And Whereas the Dean and Chapter of the Collegiate Church of *Saint Peter in Westminster*, by Indenture of Lease bearing Date the Twenty fourth Day of *July* One thousand eight hundred and sixteen, demised to the Reverend *Joseph Holden Pott*, Master of Arts, Archdeacon of *London*, and Vicar of the Parish of *Saint Martin-in-the Fields*, *James Cadwallader Parker* and *Francis William Barron*, Churchwardens of the same Parish and Trustees of the Poor, certain Messuages or Tenements, Buildings and Premises, with their Appurtenances, situate, lying and being in the said Parish of *Saint Martin-in-the-Fields*, in the said Indenture particularly described; to have and to hold the same to the said *Joseph Holden Pott, James Cadwallader Parker* and *Francis William Barron*, their Executors, Administrators and Assigns, from *Lady Day* then last past, for the Term of Forty Years, at and under the Yearly Rent of Six Pounds *per Annum*, payable Quarterly, as by the said Indentures, Reference being thereto had, will more fully appear: And Whereas Part of the Premises demised by the said Indenture of Lease consists of a Messuage or Dwelling House situate at the Corner of the Streets called *Pall Mall* and *Cockspur Street*, on the South Side of the same, now in the Occupation of *Edward Sharpus*, which said Messuage or Dwelling House, with the Appurtenances, is underlet at the Yearly Rent of One hundred Pounds *per Annum*, by Indenture of Lease granted to one *James Oliphant* deceased, which will expire at *Lady Day* in the Year One thousand eight hundred and twenty seven: And Whereas it being necessary to pull down and rebuild the Front of the said Messuage or Dwelling House, in order to carry into effect and complete the Improvements contemplated by the said recited Act of the Fifty third Year of the Reign of His said late Majesty, the Commissioners for executing that Act are desirous of contracting with the Vicar and Churchwardens of the said Parish of *Saint Martin-in-the-Fields* for an Assignment to be made to the said Commissioners of all their Right, Title and Interest in and to the said Messuage or Dwelling House: And Whereas the Powers granted by the said Act of the Fifty third Year aforesaid, for contracting for and purchasing Lands, Messuages and Premises, have expired and ceased to be in force, and it is expedient that such Powers should be renewed for the Purpose of enabling the said Commissioners to enter into an Agreement for obtaining the Possession of the said Messuage or Dwelling House, with the Appurtenances; Be it therefore enacted, That it shall and may be lawful for the said Commissioners for executing the said recited Act of the Fifty third Year of the Reign of His said late Majesty, and for the Vicar and Churchwardens of the said Parish of *Saint Martin-in-the-Fields* for the Time being, to contract and agree by way of Exchange or otherwise, as they shall see fit, for an Assignment to the said Commissioners of all the Right, Title and Interest of the said Trustees in and to the said Messuage or Dwelling House, with the Appurtenances, at the

Commissioners under 53 G.S. c.121. empowered to purchase a House in *Pall Mall* and *Cockspur Street*, and to pull down and rebuild the same.

Corner of *Pall Mall* and *Cockspur Street* aforesaid, now in the Possession of the said *Edward Sharpus*; and such Agreement and Assignment, when made and completed, shall be valid and effectual to all Intents and Purposes; and the said Messuage or Dwelling House, with the Appurtenances, may be pulled down, rebuilt, altered or improved in the same Manner as if the said Agreement and Assignment had been made, or the said Messuage or Dwelling House, with the Appurtenances, purchased or taken under the Powers of the said recited Act of the Fifty third Year aforesaid.

‘ XIII. And Whereas Doubts have arisen whether the Commissioners for executing the said recited Act of the Fifty third Year of the Reign of His late Majesty King *George the Third* were and are thereby empowered to convey any or any Part of the Houses, Buildings, Lands, Tenements and Hereditaments which have been or shall be acquired, either by Purchase or Exchange, under the Authority of the said Act, and which are not, or shall or may not be wanted for the immediate Purposes of the said last mentioned Act, in exchange for any other Messuages, Lands or Hereditaments which are or may be required either for the immediate Purposes of the said Act or with a view to future or other Exchanges; and it is desirable that such Doubts should be removed, and that the Power of the said Commissioners to make such Exchanges should be clear and express; Be it therefore enacted and declared by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners for executing the said Act for the Time being, by and with the Consent and Approbation in Writing of the Lord High Treasurer, or of the Commissioners for executing the Office of Lord High Treasurer, or any Three or more of them, to convey all or any Part of the Houses, Buildings, Lands, Tenements and Hereditaments which have been purchased, or have been or shall be taken in exchange, under the Authority of the said Act, and should not be wanted for the immediate Purposes of the said Act, in lieu of or in exchange for any other Houses, Buildings, Lands, Tenements and Hereditaments required either for the immediate Purposes of the said Act or with a view to the Acquisition by Exchange of any other Houses, Buildings, Lands, Tenements and Hereditaments which are or shall or may be acquired for the immediate Purposes of the said Act, in Manner directed by the said Act with respect to any Exchanges that may be made by virtue thereof.

‘ XIV. And Whereas many Bodies Corporate and other public Bodies, and many Persons formed into Societies for the Promotion and Advancement of the Arts, or of Literature and Knowledge, or for charitable or other useful Purposes, are frequently desirous of erecting Buildings for the transacting and carrying on the several useful Purposes in which they are engaged, and are unable to obtain convenient Spots of Ground or Sites for such Buildings, or for Easements and Accommodations thereto; and it would be very beneficial to the Public if His Majesty, His Heirs and Successors, was and were enabled to grant and vest in any such Bodies Corporate, or other public Bodies, Societies or Persons, and their Successors, Heirs, Executors or Administrators

Commissioners under 53 G. 3. c. 121. empowered to convey Premises not wanted in Exchange for other Premises.

‘ Administrators respectively, sufficient Spots and Parcels of  
 ‘ Land for the erecting such Buildings thereon, or for Curtilages,  
 ‘ Accesses or other Conveniences, Easements or Accommoda-  
 ‘ tions to any Buildings erected or to be erected for the Purposes  
 ‘ aforesaid, and also for Cemeteries or Burial Grounds; Be it  
 therefore enacted, That the King’s most Excellent Majesty, His  
 Heirs and Successors, shall have full Power and Authority to give  
 and grant to and vest in any Body or Bodies Politic or Corporate,  
 or other public Bodies, Societies or Persons, all or any Part of  
 the Estate, Interest or Property of His Majesty, His Heirs or  
 Successors, in any Lands, Tenements or Hereditaments within  
 the Survey of the Court of Exchequer in *England*, situate within  
 the Bills of Mortality, in order to be appropriated as a Site or  
 Sites for erecting thereon any Building or Buildings for any of  
 the Purposes aforesaid, or to be used as or for a Curtilage or  
 Curtilages, or for an Access or Accesses to any Building or  
 Buildings erected or to be erected for any of the Purposes afore-  
 said, or to be used for any Convenience, Easement or Accommo-  
 dation thereto, or connected therewith, or for Cemeteries or  
 Burial Grounds; and such Body or Bodies Corporate, or other  
 public Bodies, Societies or Persons, and their Heirs, Successors,  
 Executors or Administrators, shall have full Capacity and Ability  
 to receive, take, hold and enjoy the same; and whenever it shall  
 be the Pleasure of His Majesty, His Heirs or Successors, to make  
 a Grant for any such Purpose as aforesaid, it shall and may be  
 lawful for the Lord High Treasurer, or the Commissioners of the  
 Treasury for the Time being, or any Three of them, to issue a  
 Warrant under his or their Hand or Hands to any such Body or  
 Bodies Corporate, or other public Bodies, Societies or Persons as  
 aforesaid, which Warrant shall be exempt from any Stamp Duty  
 whatever, and shall be inrolled in the Office of the Auditor of the  
 Land Revenue for the Division or County within which the Pre-  
 mises therein specified shall be situate, and also in the Office of  
 the Commissioners of His Majesty’s Woods, Forests and Land  
 Revenues; and such Auditor and such Commissioners, having  
 inrolled the said Warrant, shall certify such Inrolment at the  
 Foot or on the Back thereof, under his or their Hand or Hands,  
 and return the said Warrant to the Grantee or Grantees of such  
 Lands and Premises; and from and immediately after such  
 Inrolment thereof the respective Grantees named in such War-  
 rant, and their Heirs, Successors, Executors or Administrators,  
 shall by force of this Act be adjudged, deemed and taken to be  
 in the actual Seizin and Possession of the Premises in the said  
 Warrant specified, and shall hold and enjoy the same, either  
 absolutely and in perpetuity, or for such limited Estate, Term  
 or Interest, and under and subject to such Reservations of Rent,  
 or other Acknowledgments or Restrictions in relation to the  
 Buildings to be erected thereon, and the Form, Elevation or  
 Design thereof, the Line on which the same shall range, or the  
 Uses or Purposes to which the same shall be applied, or any  
 other Regulations, Restrictions or Provisions in regard thereto,  
 as to the King’s most Excellent Majesty shall seem meet, and in  
 such Warrant shall be specified, inserted, directed or contained;

His Majesty  
 empowered to  
 grant Sites of  
 Land for erect-  
 ing Buildings  
 for Societies for  
 Advancement  
 of Science and  
 for charitable  
 and useful Pur-  
 poses.

any Law, Statute or Usage to the contrary thereof in any wise notwithstanding.

Commissioners of Woods, &c. to state in their Report every Grant that has been made, and for what Purpose.

XV. Provided always, and be it further enacted, That the Commissioners of His Majesty's Woods, Forests and Land Revenues for the Time being shall, in every Report which shall be made by them to the King's most Excellent Majesty, and to both Houses of Parliament, touching or concerning the Land Revenue of the Crown, from and after the passing of this Act, certify and report every Grant which shall have been made under and by virtue of the Provisions of this Act since the Time of the making their last preceding Report, and to whom and for what Purpose the same shall have been made, and what Land or Ground shall be comprized therein, and all other Particulars relating thereto.

### C A P. XLIX.

An Act for enabling the Commissioners for Victualling His Majesty's Navy to purchase certain Premises, for completing a Victualling Establishment at *Cremill Point* near *Plymouth* in the County of *Devon*, and for supplying the said Establishment with Water. [3d June 1824.]

WHEREAS it has been deemed necessary to erect Messuages, Offices, Storehouses and Buildings, and to form a Victualling Establishment at *Cremill Point* in the Parish of *East Stonehouse*, near *Plymouth*, in the County of *Devon*, for the Purpose of victualling and supplying the Ships of His Majesty's Navy, resorting to, using and being in the Harbours, Roads and Havens within the Port of *Plymouth*; and it is necessary for completing the said Establishment, that Powers should be given to the Commissioners for Victualling His Majesty's Navy to purchase for and on Behalf of His Majesty, His Heirs and Successors, and to take and use for the Public Service, all such Lands, Messuages, Tenements, Hereditaments and Premises, situated at *Cremill Point* aforesaid or within the Peninsula of *Cremill*, as the said Commissioners shall have contracted to purchase, or as they shall think necessary and required for the Public Service, together with all the Freehold, Leasehold and other Interests in the same: And Whereas it is of great Importance that the said Victualling Establishment at *Cremill Point* should be furnished with an adequate Supply of fresh and wholesome Water, for the Use thereof: And Whereas an Act was passed in the Twenty seventh Year of the Reign of Her Majesty Queen *Elizabeth*, intituled *An Act for the Preservation of the Haven of Plymouth*; by virtue of which same Act the Mayor and Commonalty of the Town of *Plymouth* were authorized and empowered to dig or mine a Ditch or Trench, containing in Breadth between Six or Seven Feet over, and in all Places through and over all the Lands and Grounds lying between the said Town of *Plymouth* and any Part of the River *Mew* alias *Mevie*, and to dig, mine, break, bank and cast up all and all Manner of Rocks, Stones, Gravel, Sand and all other Letts, in any Places or Grounds, for the convenient or necessary conveying the same River to the said Town; which said Trench or Ditch was accordingly cut and dug, and is now commonly

commonly known as the *Plymouth Leat*, commencing at a certain Part of the said River *Mew* or *Meavy* called the *Weir Head*, and from thence passing through the Parishes of *Sheepstor*, *Shaw*, *Meavy*, *Bickleigh*, *Buckland*, *Monachorum*, *Tamerton*, *Folliot*, *Saint Budeaux*, the Tithing of *Pennycross* otherwise called *Weston Peverall*, and to the Parishes of *Saint Andrew* and *Charles*, in the said Town of *Plymouth*; and the Inhabitants of the said Town and Borough, and Merchants Ships and Vessels resorting to the said Port, are supplied with Water therefrom, by the Mayor and Commonalty of the said Town, under the Powers, Authorities and Directions of the said Act: And Whereas a full and adequate Supply of Water might be afforded to the said Victualling Establishment at *Cremill Point*, and also to the Royal Naval Hospital at *East Stonehouse* aforesaid, from the said Trench or Leat, and the said Mayor and Commonalty are willing to furnish the same; but in order thereto it is expedient that Powers should be given for enlarging and deepening the said Trench or Leat, and cleansing and repairing the Bed and Banks thereof, and for making, constructing and establishing Dams and Reservoirs, and laying down Pipes or Tunnels, and doing all other necessary Acts, and making all needful Works, and also for entering into, taking and purchasing Lands and Grounds for that Purpose: And Whereas the Powers of the said recited Act are not sufficient for preserving the Water in the said Trench or Leat, and preventing Nuisances and Annoyances therein, and further Provisions are required for that Purpose, and for securing a constant Supply of Water to the said Town of *Plymouth*, for the Use of the Inhabitants thereof, and the Ships and Vessels resorting thereto, as well as to the said Victualling Establishment at *Cremill Point* and Naval Hospital aforesaid: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the said Commissioners for Victualling His Majesty's Navy, their Deputies, Servants, Agents and Workmen, and they are hereby authorized and empowered to enter into and upon the Lands and Grounds of any Person or Persons, Bodies Politic, Corporate or Collegiate whatsoever, situate, lying and being between the said Trench, called the *Plymouth Leat*, and the said Victualling Establishment at *Cremill Point* aforesaid, and to survey and take Levels of the same or of any Part thereof, and at the proper Costs and Charges of His Majesty, His Heirs and Successors, to make, construct and establish, at a convenient Spot, the Property of His Majesty, adjoining a Lane called *No Place Lane*, leading from the Northern Turnpike towards the said Naval Hospital at *East Stonehouse* aforesaid, a Reservoir for receiving and keeping the Water to be supplied from the said Trench or Leat to the said Victualling Establishment and Naval Hospital; and also to make, lay down, construct and establish such Main Pipes, Service, Communication and other Pipes, Branches of Lead, Cocks, Plugs, Drains, Penstocks, Sluices and other Works, in such Manner and

For establishing a Reservoir, and conveying Water to Victualling Establishment and to Naval Hospital.

of such Structure as they shall think proper for conveying the Water from the said Reservoir in *No Place Lane* to the said Victualling Establishment at *Cremill Point* and Naval Hospital, and there distributing the same; and for the Purposes aforesaid to enter upon, dig, break up and remove the Soil, Posts, Kirbs, Bars, Sewers, Drains, Pavements and gravelled Ways of and in any of the Streets, Roads, Lanes, Passages, Highways and public Places lying in the Direction between the said intended Reservoir and the said Victualling Establishment and Naval Hospital respectively; and to bore, dig, cut, trench, get, remove, take, carry away and lay any Earth, Clay, Stone, Soil, Rubbish, Trees, Roots of Trees, Beds of Gravel, Sand or any other Matters or Things which may be dug or got in making the said intended Reservoir, or laying down the said Works or doing any other Work or Matter for conveying and distributing the said Water, or which may hinder, prevent or obstruct the making, using, completing or maintaining of such Reservoir, Pipes, Branches and other Works, as may be necessary and proper to convey and distribute Water from the said Trench or Leat to the said Victualling Establishment and Naval Hospital, and from time to time, as Occasion may require, to alter the Position of, and to repair, relay and maintain such Reservoir, Pipes and other Works made, laid, constructed and established by them, and to do all such other Acts, Matters and Things as shall from time to time be necessary or proper for completing, improving, repairing, amending, maintaining and using the several Works authorized to be done as aforesaid; they the said Commissioners, their Deputies, Agents, Servants and Workmen, doing as little damage as may be, and effectually repairing all such Streets, Roads, Lanes, Passages, Highways and public Places, which shall be opened, broken up or used in carrying on and completing the several Works hereinbefore described.

Corporation of Plymouth and Commissioners for Victualling the Navy to make a Dam at the Weir Head, and to cleanse and deepen the Leat, and repair the Bed, Banks and Works thereof.

II. And be it further enacted, That it shall and may be lawful for the said Mayor and Commonalty of the Town of *Plymouth*, and for the said Commissioners for Victualling His Majesty's Navy, at the Expence of the said Mayor and Commonalty and of the said Commissioners, in the Proportions hereinafter mentioned, to make, construct and establish a Dam at a certain Place on the said Trench or Leat known as the Weir Head, and also such other Dams, Weirs, Sluices, Reservoirs and other Works, as they may think necessary for affording the said Supplies of Water, and also to enlarge, widen, open, deepen, cleanse and scour the said Trench or Leat and the Bed thereof, and to raise, cut and repair the Banks thereof, and to repair all Dams, Weirs and other Works now belonging thereto, or used or provided for supplying the said Town and Borough of *Plymouth* with Water, in such a Manner as to them respectively shall seem fit and necessary for obtaining and securing a full and constant Supply of fresh Water, as well to the said Victualling Establishment at *Cremill Point* and Naval Hospital, and any other Establishments belonging to His Majesty, as hereinafter mentioned, as to the said Town and Borough of *Plymouth*; and the said Mayor and Commonalty, and the said Commissioners for Victualling His Majesty's Navy, their Deputies, Agents, Servants and Workmen respectively, are hereby



hereby authorized and empowered to enter upon the Lands and Grounds of any Person or Persons, Bodies Politic, Corporate or Collegiate, or of any Tenant or Tenants, Lessee or Lessees of the said Mayor and Commonalty, near to or adjoining the said Leat, for the Purpose of making, constructing and establishing the said intended Dam at the Weir Head, and all such other Dams, Aqueducts, Bridges, Weirs, Sluices, Reservoirs, Works, Matters and Conveniences, as they shall think necessary and proper, as well for the providing and securing the said Supplies of Water for the Purposes aforesaid, as also for viewing, preserving, improving, cleansing, scouring, repairing and maintaining the said Trench or Leat, and the Banks and Works thereof respectively; and also to bore, dig, cut, remove, take and carry away any Earth, Clay, Stone, Soil, Rubbish, Trees, Roots of Trees, Beds of Gravel or Sand, or any other Matters or Things which may hinder or obstruct the Flow of Water in, through or from the said Trench or Leat, according to the Intent and Purpose of this Act; the said Mayor and Commonalty, and the said Commissioners, their Deputies, Agents, Servants and Workmen, doing as little Damage as may be in the Execution of the several Matters aforesaid; and in case of any new Cuts, Weirs, Sluices, Dams, Aqueducts or other Works being erected, made or established on any Lands or Grounds adjoining to the said Trench or Leat, or in case of the said Trench or Leat being enlarged and widened to more than the said Breadth of Seven Feet in the said recited Act mentioned, then and in such Cases (but not otherwise) making such Satisfaction, in Manner hereinafter mentioned, to the Owners, Proprietors and Occupiers of and all Persons interested in the Lands and Grounds which shall be taken, used, occupied or prejudiced for all Damages to be by them sustained in or by the Execution of the Powers of this Act: Provided always, that nothing herein contained shall authorize the said Commissioners to make any Alteration in the Bed or Banks of the said Trench or Leat without the Licence, Concurrence and Approbation of the said Mayor and Commonalty, nor to authorize the said Commissioners and the said Mayor and Commonalty, or either of them, to take or use, for the Purposes of this Act, any Lands or Grounds adjoining to the said Trench or Leat, in its Course from the Weir Head through the several Parishes and Places aforesaid, to the said intended Reservoir in *No Place Lane*, to a greater Distance than One hundred Yards from either Side thereof, without the Consent of the Owners of such Lands or Grounds.

III. And be it further enacted, That when the said Reservoir in *No Place Lane*, and other Works hereinbefore mentioned, or such of them as shall be sufficient for the Purpose, shall be completed, the said Commissioners for Victualling His Majesty's Navy shall give Notice thereof to the said Mayor and Commonalty, and shall require them to furnish the same with Water; and from thenceforth the said Mayor and Commonalty shall, and they are hereby required to convey from the said Stream or Leat, by a Sluice or such other Ways and Means as they may judge proper, a Supply equal to Four hundred Tuns daily of pure wholesome fresh Water into the said Reservoir of the said Commissioners, to be from thence conveyed and apportioned and distributed

And for the above purposes may enter Lands, &c.

The said Corporation in Cases herein mentioned to make Compensation to Owners of Lands.

Commissioners not to alter the Trench without Licence of Corporation, &c.

Corporation of Plymouth to supply daily 400 Tuns of Water, for which they are to receive a Rent of 25*l.* per Annum.

among the different Departments of the said Victualling Establishment at *Cremill Point* and the Naval Hospital aforesaid, in such Manner as the said Commissioners shall think fit; the said Quantity of Water to be supplied in constant Currents to the full Diameter of the Bore of the Pipe or Pipes, when the said Pipes lie in an horizontal Position (inevitable Accidents by breaking of the Pipes, Inclemency of Weather, or during the necessary Repair of the Pipes, respectively, only excepted); in consideration whereof the said Mayor and Commonalty, and their Successors, shall be entitled to and shall have and receive a net Annual Rent or Sum of Two hundred and fifty Pounds, free and clear of any Deduction (except as hereinafter mentioned), payable Quarterly by Victualling Bills, called Ready Money Bills, to be drawn upon the Treasurer of His Majesty's Navy for the Time being; the said Rent to commence on the First usual Quarter Day after the passing of this Act.

If required, the Corporation are to furnish a further Supply of 80 Tuns of Water daily, for which they are to receive a further Rent of 50*l.* per Annum.

IV. And be it further enacted, That if the said Commissioners for Victualling His Majesty's Navy for the Time being shall at any Time hereafter require a further Supply of Water for the Use of the said Victualling Establishment at *Cremill Point*, or for the Use of His Majesty's said Naval Hospital at *East Stonehouse*, or of any other Buildings, Stores or Establishments belonging to His Majesty, or held or occupied for the Public Service, then and in that Case, upon Notice or Signification thereof in Writing being given by the said Commissioners, or any Three of them, to the said Mayor and Commonalty, the said Mayor and Commonalty or their Successors shall, and they are hereby required, as soon after the Receipt of such Notice as may be, to convey from the said Trench or Leat, by a Sluice or such other Ways and Means as they may judge proper, a further Supply equal to Eighty Tuns daily of pure wholesome fresh Water, into the said Reservoir of the said Commissioners, or unto such other Place as the said Commissioners for the Time being shall for that Purpose nominate and appoint; and it shall thereupon be lawful for the said Commissioners for the Time being, at the Costs and Charges of His Majesty, His Heirs and Successors, to make, construct, lay down and establish, and afterwards repair, support and maintain, such additional Reservoir or Reservoirs, and such additional Pipes and other Works, and do all such further Matters and Things as may be necessary and expedient for conveying the said additional Supply of Water from the said Trench or Leat to the Place or Places to be supplied therewith; all such additional Works to be done, made, laid down, constructed and established, and repaired, supported and maintained, under the same Powers, Authorities and Provisions, and in the same Manner, as are and is hereinbefore given, provided and directed with regard to the making and constructing the said Reservoir and other Works by the said Commissioners, for conveying Water to the said Victualling Establishment at *Cremill Point* and the Naval Hospital aforesaid; and in Consideration of such further Supply of Water, the said Mayor and Commonalty shall be entitled to and shall have and receive a further net Annual Rent or Sum of Fifty Pounds, free and clear of any Deduction (except as hereinafter mentioned), payable Quarterly, and by Bills, in the same Manner as the said

id Rent of Two hundred and fifty Pounds is directed to be paid; the said further Rent of Fifty Pounds to become payable the Quarter Day next ensuing the Day on which it shall be ratified by the Commissioners for the Time being for Victualling His Majesty's Navy, that such additional Supply of Water is commenced.

V. And be it further enacted, That it shall be lawful for the said Mayor and Commonalty, and the said Commissioners, jointly to nominate, appoint and employ such and so many Engineers, Surveyors, Workmen and others as they may think necessary and proper for making, constructing and establishing the said Dam at the Weir Head, and any other Dams, Weirs, Sluices and other Works on the said Trench or Leat, and of repairing the present Works and the Bed and Banks thereof, and of enlarging, widening, deepening, cleansing and scouring the said Trench or Leat, to be done by the said Mayor and Commonalty, and the said Commissioners for Victualling His Majesty's Navy, as hereinbefore mentioned; but in case the said Mayor and Commonalty shall neglect or refuse, for the Space of One Month next after the passing of this Act, to join the said Commissioners in such Nomination and Appointment, then the said Commissioners shall, if they are hereby authorized, alone, and without the Concurrence of the said Mayor and Commonalty, to appoint and employ such Engineers, Surveyors, Workmen and others, for the Purposes aforesaid; and that the Cost, Charges and Expences of the said Works as last herein mentioned, shall, in the first place, be paid and defrayed by the said Commissioners, for and on account of His Majesty; and if such Costs, Charges and Expences shall exceed the Sum of One thousand five hundred Pounds, then and in each Case the said Mayor and Commonalty shall be liable to and shall repay to the said Commissioners the Sum of Seven hundred and fifty Pounds, and all the Rest and Excess of the Expenditure shall be at the Costs and Charges of His Majesty, His Heirs and Successors; and in case such Costs and Charges shall not amount to or shall not exceed the Sum of One thousand five hundred Pounds, then the Amount of such Costs and Charges shall be equally divided between the said Commissioners and the said Mayor and Commonalty, and the said Mayor and Commonalty shall be liable to and shall repay to the said Commissioners the Half of such Amount; and for providing for such Repayments, it shall and may be lawful for the said Commissioners for the Time being, out of the annual Rents or Sums of Money payable to the said Mayor and Commonalty for the Supply of Water as aforesaid, Yearly and every Year to deduct and retain the Sum of One hundred Pounds, until the Whole of the Principal Sum or Sums of Money so to be repaid by the said Mayor and Commonalty to the said Commissioners, shall be paid off and discharged.

VI. And be it further enacted, That when the said Trench or Leat shall be widened and enlarged, scoured, cleansed and deepened, and the Banks and Dams, Weirs and other Works thereof repaired, and the said Dam at the Weir Head, and any other new Dams, Weirs, Sluices or other Works, which may be made under the Authority of this Act, at the joint Expence of the

Engineers, Surveyors, &c. to be appointed.

How the Expences of making the Dam at the Weir Head, and repairing the Leat, and the Bed and Banks and Works, are to be borne and defrayed.

The Leat and Dam and other Works to be repaired for Two Years by the Commissioners of Victualling,

and after that Time by the Corporation.

the said Mayor and Commonalty and the said Commissioners in Victualling His Majesty's Navy, shall be completed, and shall be certified by Writing under the Hands of the Engineers or Surveyors to be appointed by the said Mayor and Commonalty and the said Commissioners, the said Trench or Leat, and the Banks thereof, and all such Dams, Weirs, Sluices and other Works thereon, shall be maintained, repaired and supported by the Commissioners for the Time being for Victualling His Majesty's Navy, at the Costs and Charges of His Majesty, His Heirs and Successors, for the Period of Two Years then next ensuing, and at the Expiration of that Time shall be given up to the said Mayor and Commonalty in good Order and Repair; and from thenceforth the said Mayor and Commonalty shall, at their own Costs and Charges, maintain, cleanse, scour, repair and support the said Trench or Leat, and the Banks, Dams, Weirs, Sluices and Works thereof, in a proper and efficient State for supplying the said Victualling and other Establishments, and the said Town of *Plymouth*, with a full and sufficient Supply of fresh and wholesome Water.

In case of Water failing from defective State of Leat or Works, if Corporation neglect to repair, the Commissioners may do it, deducting the Expence from the annual Rent.

VII. And be it further enacted, That when and as often as after the Expiration of the said Period of Two Years, any Failure or Want of Supply of the full Quantity of Four hundred Tuns and Eighty Tuns (if required) of fresh and wholesome Water, to be daily supplied as hereinbefore mentioned, shall occur, the Commissioners for the Time being for Victualling His Majesty's Navy shall cause Notice in Writing of such Want of Supply to be given to the said Mayor and Commonalty; and if such Failure and Want of Supply shall be occasioned by any Obstruction or Defect of Repair in the said Trench or Leat, or the Bed or Banks thereof, or in any Dam, Weir, Sluice, Aqueduct, Pipe or other Work, to be repaired and maintained by the said Mayor and Commonalty, and the said Mayor and Commonalty shall not, for the Space of Six Days after the Delivery of such Notice, cause the Obstruction to be removed, or the Repairs to be made done and completed, and the full Quantity of Water furnished, then and in every such Case it shall and may be lawful for the Commissioners for the Time being for Victualling His Majesty's Navy to cause such Obstruction to be removed, or such Repairs to be done and completed, and to deduct and retain the Amount of the Expence thereof out of the accruing Rent or Sum payable to the said Mayor and Commonalty; any Thing herein contained to the contrary notwithstanding.

If a further Supply of Water should be wanted from the River Mew, the Corporation may obtain it without making any Compensation, unless they alter the Course of the River, or enlarge or widen the Leat.

VIII. And be it further enacted, That if at any Time hereafter a further Supply of Water shall, for the Purposes of the said recited Act or this Act, be required from the said River *Mew* otherwise *Meavy*, it shall and may be lawful for the said Mayor and Commonalty to take and obtain the same, and for that Purpose to make such new Reservoirs, Dams, Weirs, Flood Gates, Sluices and other Works, as they shall deem necessary, for conveying such further and additional Quantities of Water as may be required from the said River *Mew* or *Meavy*, into the said Trench or Leat: Provided that in case the said Mayor and Commonalty, in effecting the same, shall alter the Course and Current of the said River, or enlarge or widen the said Trench or Leat to more than

an the said Breadth of Seven Feet in the said recited Act mentioned; or in case the said Mayor and Commonalty in effecting the same shall do any Damage or Injury to the Lands or Grounds of any Person or Persons, the said Mayor and Commonalty shall make Compensation or Satisfaction to such Person or Persons for such Damage or Injury as may be agreed on: But in case such Person or Persons shall refuse or neglect to enter into such Agreement, or shall refuse to accept, on Tender thereof, any such Sum of Money by way of Compensation or Satisfaction as the said Mayor and Commonalty shall think reasonable, the same shall be settled, ascertained and awarded by the Verdict and Inquisition of a Jury, in Manner hereinafter directed, and to which the Provisions hereinafter contained as to other Inquisitions shall be held to apply.

IX. And be it further enacted, That it shall and may be lawful unto the said Commissioners for Victualling His Majesty's Navy, and they are hereby authorized and empowered to treat, contract and agree with the Owners or Proprietors and Occupiers of and other Persons interested in all or any of the Lands, Messuages, Tenements, Hereditaments and Premises, with their Appurtenances, situate and being at *Cremill Point* aforesaid, or within the Peninsula of *Cremill*, in the Parish of *East Stonehouse* in the County of *Devon*, (the said Peninsula being, for the Purposes of this Act, to be taken as all the Land and Ground extending to the Westward of a Line drawn from the Western Boundary Wall of a certain Dwelling House and the Garden thereto belonging, the Property of *Edward Elliott*, now in the Occupation of *John Nicholson* and *Richard Spry*, and also the Western Boundary Wall of a certain Field adjoining to the said Dwelling House on the South Side thereof, and extending thence on to the Sea North and South in *Stonehouse Pool* and *Firestone Bay* respectively), which they the said Commissioners shall think necessary to purchase, or forming and completing the said Victualling Establishment at *Cremill Point*, or otherwise for His Majesty's Service, for the Purchase of the same Lands, Messuages, Tenements, Hereditaments and Premises, and of all the Freehold, Leasehold and other Estates, Rights, Titles and Interests of such Owners, Proprietors, Occupiers and other Persons therein, and to take, occupy and use the same for the Purpose of forming and completing the said Victualling Establishment at *Cremill Point*, or in any other Manner that may be necessary for the Public Service, or the Purposes of this Act; and the said Commissioners are hereby also further empowered in like Manner to treat, contract and agree with the Owners, Proprietors, Occupiers of and other Persons interested in any of the Lands, Grounds, Tenements and Hereditaments, and of and in any Mill or Mills or other Premises situated on the Banks of or adjoining to the said Trench or Leat, or between the same and the said Peninsula of *Cremill*, which the said Commissioners shall deem it desirable and proper to purchase for effecting the Purposes of this Act, or which shall be taken or used for making the said Dam at the Weir Head, or opened or used for laying down, constructing or establishing any of the Dams, Aqueducts, Weirs, Pipes, Tunnels, Sluices, Cisterns or other Works to be laid down, made, constructed and established by the said Commissioners

For purchasing  
Lands, &c. by  
Commissioners  
of the Navy as  
herein specified.

Commissioners  
&c. for agreeing  
for Compensation  
to  
Owners of such  
Lands.

Reversioners,  
Infants, Femes  
Covert, &c.

Contracts com-  
pleted a com-  
plete Bar,

and Lands  
vested in the  
Commissioners  
of the Navy as  
Trustees for  
the Crown.

& 2 G. 4. c. 93.

soners under the Authority of this Act, or which shall be injured or prejudiced thereby, either for the absolute Purchase of such last mentioned Lands, Tenements and Hereditaments, Mills and Premises, or for the Satisfaction and Recompence to be made for any Loss, Damage or Injury occasioned to the same, as they the said Commissioners shall think fit; and it shall be lawful for the Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Tenants for Life or for Years or in Tail, Husbands, Guardians, Trustees, Feoffees in Trust, Committees, Executors, Administrators and all other Persons whomsoever, interested in the said Lands, Messuages, Tenements, Hereditaments and Premises at *Cremill Point*, or within the said Peninsula of *Cremill*, or in the said other Lands, Tenements and Hereditaments, Mills and Premises, hereinbefore mentioned respectively, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of the Person or Persons entitled in Reversion, Expectancy or Remainder after them, and for and on Behalf of their Cestuique Trusts, whether Femes Covert, Infants or Issue unborn, and for all and every Person or Persons whomsoever, who are or shall be possessed of or interested in any of the said Lands, Messuages, Tenements or Hereditaments, or Mills and Premises respectively, to contract with the said Commissioners for the Sale of the same, and of their several and respective Estates, Rights, Titles and Interests therein, or for the Satisfaction and Recompence to be made for any Loss, Damage or Injury occasioned thereto, and by Conveyance, Lease and Release, Bargain and Sale, Assignment or other Assurance: to sell and convey unto the said Commissioners all or any of the said Lands, Messuages, Tenements, Hereditaments, Mills and Premises, or any Part thereof, as the said Commissioners shall be desirous of purchasing the same for the several 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 or Thing to the contrary notwithstanding; and all the said Lands, Messuages, Tenements, Hereditaments, Mills and Premises, when purchased or taken in pursuance of this Act, either by Agreement with the Party or Parties respectively entitled to the same, or by the Verdict of a Jury, in Matters hereinafter mentioned, shall be vested in the Principal Officers and Commissioners of His Majesty's Navy for the Time being and their Successors in the said Office, according to the respective Nature and Quality of the said Lands, Messuages, Tenements, Hereditaments, Mills and Premises, and the several Estates and Interests of and in the same respectively, in Trust for His Majesty, His Heirs and Successors, in the same Manner as Manors, Messuages, Lands, Tenements and Hereditaments, purchased for the Naval Service, are vested in the said Principal Officers and Commissioners by an Act passed in the First and Second Year of His Majesty's Reign, intituled *An Act for vesting all Estates and Property, occupied by or for the Naval Service of this Kingdom, in the Principal Officers and Commissioners of His Majesty's Navy*.

*d for granting certain Powers to the said Principal Officers and Commissioners, and shall be held and disposed of under the Provisions and Regulations of the same Act.*

X. And be it further enacted, That all Sales, Conveyances and Assurances to be made to the said Commissioners for Victualling His Majesty's Navy, of any Lands, Tenements or Hereditaments, Mills or Premises, or any Estate or Interest therein, by virtue of this Act, may be made in the Form or to the Effect following; (that is to say),

Form of Conveyance.

I [or we, as the Case may be] of  
in Consideration of the Sum of  
paid to me [or to us, or into the Bank of  
England, as the Case may be] by the Commissioners for  
Victualling His Majesty's Navy, do hereby grant and convey  
unto the said Commissioners all [here describe the Premises to be  
conveyed], and all my [or our] Right, Title and Interest in  
and to the same, to hold the same unto the said Commissioners  
and their Successors from henceforth and for ever, for the Uses  
and Purposes authorized and directed in and by an Act passed  
in the Fifth Year of the Reign of His Majesty King George the  
Fourth, intituled *An Act [here insert the Title of this Act]*. In  
witness whereof I [or we] have hereunto set my Hand and Seal  
[or, our Hands and Seals, or our Common Seal, as the Case  
may be], this Day of in the  
Year of our Lord

and that every such Sale, Conveyance and Assurance made in  
Manner aforesaid shall be valid and effectual to all Intents and  
Purposes, and shall be sufficient in Law to divest and remove all  
Right, Title and Property of and in any such Lands, Tenements,  
Mills, Hereditaments or Premises, Estate or Interest so purchased  
and conveyed as aforesaid, out of the Owner and Proprietor  
thereof, and all other Persons, and the same shall thereupon, by  
virtue of this Act, become vested in the said Principal Officers  
and Commissioners of His Majesty's Navy for the Time being,  
as hereinbefore directed; any Law, Statute, Usage or Thing to  
be contrary thereof notwithstanding.

XI. And Whereas Lands, Tenements or Hereditaments,  
Parcel of the Duchy of Cornwall, may be required for carrying  
the Purposes of this Act into Execution: And Whereas an  
Act passed in the Third Year of the Reign of His present  
Majesty, intituled *An Act to enable His Majesty to make Leases,  
Copies and Grants of Offices, Lands and Hereditaments, Parcel  
of the Duchy of Cornwall, or annexed to the same;* Be it there-  
fore enacted, That it shall be lawful for the Officers of the said  
Duchy, who by virtue of their Offices and under His Majesty's  
Warrant are or may be under the Provisions of the said Act  
authorized or empowered to demise any Lands, Tenements or  
Hereditaments, Parcel of the said Duchy, to grant or demise,  
in Manner directed by the said recited Act, either in Perpetuity  
or otherwise, any such Lands, Tenements or Hereditaments, as  
may be necessary to be taken or used for the carrying the Pur-  
poses of this Act into Execution; any Thing in the said recited  
Act, or in any other Act or Acts of Parliament, or any Law to  
the contrary notwithstanding.

Lands of the  
Duchy of Corn-  
wall may be  
conveyed for  
the Purposes of  
this Act, 3 G. 4.  
c. 78.

XII. And

In case Parties disagree, Purchase Money and Damages to be assessed by a Jury.

Jury how summoned.

Judgment of Justices when Value ascertained by Jury.

XII. And be it further enacted, That if any such Bodies Politic Corporate or Collegiate, Corporations Aggregate or Sole, Tenants for Life or Years or in Tail, Husbands, Guardians, Trustees Feoffees, Committees, Executors, Administrators or any other Person or Persons seised and possessed of, or interested in any of the said Lands, Messuages, Tenements, Hereditaments, Mills or Premises respectively, or sustaining any Damage as aforesaid upon Notice in Writing to him, her or them given or left at the Dwelling House or Place of Abode of such Person or Persons, or of the Principal Officer or Officers of such Bodies Politic Corporate or Collegiate, Corporations Aggregate or Sole, or at the House of the Tenant in Possession of any of the said Lands, Tenements, Hereditaments, Mills or Premises signed by the said Commissioners for Victualling His Majesty's Navy or any Three of them, or by their Secretary, Attorney or Agent, and signifying the Intention of the said Commissioners to contract for the Purchase thereof, for the Space of Thirty Days next after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence or other Disability shall be incapable of treating, or shall not or cannot produce a clear Title to the said Premises, or to the respective Estates, Rights or Interests which they respectively claim therein, to the Satisfaction of the said Commissioners, then and in every such Case, any Two or more of His Majesty's Justices of the Peace acting in and for the County of Devon shall, on being required, by or on Behalf of the said Commissioners for Victualling His Majesty's Navy, cause the Purchase Money or Value, in case of such Sale, or the Satisfaction and Recompence for Damage, to be enquired into and ascertained by and upon the Oaths of a Jury of Twelve indifferent Men of the said County (which Oaths the said Justice or Justices is and are hereby empowered to administer); and in order thereto, the said Justice or Justices are hereby empowered and required, from time to time, when applied to for that Purpose, to summon and call before such Jury, and examine upon Oath, all and every Person and Persons whomsoever, who shall be thought necessary and proper to be examined concerning the Premises (which Oath the said Justice or Justices is and are hereby empowered to administer); and if any Claim shall be made of any Right or Property in any Land so to be taken below High Water Mark, distinct from the Land adjoining thereto, the Jury, upon being required so to do, shall assess the Value of the Soil covered by the Water of the Sea below High Water, separately and distinct from the Land to which the same shall adjoin; and after the said Jury shall have enquired and assessed such Purchase Money or Value, or such Satisfaction or Recompence, the said Justice or Justices shall thereupon give Judgment for the same; and such Inquisition and Judgment shall be final, binding and conclusive to all Intents and Purposes, against all Persons and Parties whomsoever claiming or to claim any Estate in Possession, Reversion or otherwise, their Heirs and Successors, as well absent as present, Infants, Femmes Covert, Idiots, Lunatics and Persons under any other Disability whatsoever, Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Tenants for Life or Years or in Tail,



oil, as well as all and every Person and Persons whomsoever, so shall thereby and from thenceforth be divested, to all Intents and Purposes, of all Right, Title, Claim, Remainders, Reversions, Interests or Property of, in, to or out of the same.

XIII. And be it further enacted, That for summoning and returning such Juries, the said Justice or Justices is and are hereby empowered to issue his or their Warrant in writing, to the Sheriff of the said County of *Devon*, commanding him to impanel, summon and return an indifferent Jury of Twenty four Persons qualified to serve upon Juries, to appear before such Justice or Justices at such Time and Place as in such Warrant shall be appointed, and such Sheriff or his Deputy or Deputies is and are hereby required to impanel, summon and return such Number of Persons accordingly; and out of the Person so impanelled, summoned and returned, the said Justice or Justices is and are hereby empowered and required to swear or cause to be sworn Twelve Men, who shall be a Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen, the said Sheriff or his Deputy or Deputies shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service; and all Persons concerned shall have their lawful Challenge against the said Jurymen when they come to be sworn, but shall not challenge the Array; and the said Justice or Justices acting in the Premises shall have Power to impose any reasonable Fine or Fines upon the said Sheriff, his Deputy or Deputies, Bailiff or Bailiffs, Agent or Agents, making default in the Premises, and on any of the Persons who shall be summoned and returned on such Jury, and who, without sufficient Excuse, shall not appear, or appearing shall refuse to be sworn on the said Jury, or on being sworn shall refuse to give or shall not give their Verdict, or in any other Manner wilfully neglect their Duty therein, and on any of the Persons who, being required to give Evidence before the said Jury, shall without sufficient Excuse refuse or neglect to appear, or appearing shall refuse to be sworn and examined, or to give Evidence, so that no such Fine be more than Fifty Pounds on any such Sheriff, Deputy, Bailiff or Agent, nor more than Ten Pounds on any other Person, or one Offence: Provided always, that the Inquisitions, Verdicts and Judgments to be recorded as aforesaid, shall be transmitted to the Clerk of the Peace for the said County of *Devon*, and shall be by him registered and kept amongst the Records of the Quarter Sessions of the said County, and shall be deemed Records, to all Intents and Purposes; and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of Two Shillings and Sixpence, and no more, and to take Copies thereof or Extracts therefrom, paying for every Copy or Extract after the Rate of Sixpence for every One hundred Words.

XIV. Provided always, and be it further enacted, That each and every Jurymen who shall be sworn for the Purposes of this Act, shall, for his Trouble and Expences in the Premises, be allowed the Sum of One Pound One Shilling for each Day's Attendance, and no more; and that the Sheriff, for impannelling, summoning

Warrant to issue, requiring Sheriff to summon a Jury.

Challenge.

Fine upon Sheriff, &c. and upon Jurymen refusing to act, &c.

Verdict to be recorded, and to be good Evidence.

Allowance to Sheriff and Jury.

summoning and returning of each Jury, and taking and recording their Verdict, shall be allowed the Sum of Five Pounds and no more (exclusive of his travelling Expences), which said Allowance, in case of Dispute, shall be settled and determined by any Two Justices of the Peace in and for the said County of *Devon*.

By whom the  
Expences of  
the Jury, &c.  
are to be paid.

In what case by  
Commissioners.

In what case by  
the Parties.

XV. And be it further enacted, That in case the Jury or Juries to be summoned and sworn pursuant to the Directions and Authority of this Act, shall give in and deliver a Verdict or Assessment for more Money, as the Purchase Money or Value for the Right, Interest or Property of any Person or Persons in any of the said Lands, Messuages, Tenements, Hereditaments, Mills or Premises, or as a Satisfaction or Recompence for any Loss or Damage to be by such Person or Persons sustained than what shall have been agreed to and offered by the said Commissioners for Victualling His Majesty's Navy, before the summoning and returning of the said Jury or Juries, as the Purchase Money or Value, or as a Recompence or Satisfaction for any such Rights, Interest or Property, or for any Loss or Damage as aforesaid, then and in such Case the Costs and Expences of summoning and returning the said Jury, taking such Inquisition and the Attendance of the said Jury and Witnesses, shall be borne and paid by the said Commissioners for Victualling His Majesty's Navy, such Costs and Expences to be settled and ascertained by any Two or more Justices of the Peace for the said County of *Devon*, not interested in the Matter in question, who are hereby authorized and empowered to settle and determine the same; but if any such Jury or Juries so summoned and sworn as aforesaid shall give in and deliver a Verdict or Assessment for no more or for less Money than shall have been agreed to and offered by the said Commissioners before the summoning and returning of the said Jury or Juries, as the Purchase Money or Value for any such Right, Interest or Property in any such Lands, Messuages, Tenements, Hereditaments, Mills or Premises, or as the Recompence and Satisfaction for any Losses or Damages as aforesaid, then the Costs and Expences of summoning and returning the said Jury and Witnesses, and all other Expences as aforesaid, shall be borne and paid by the Person or Persons with whom the said Commissioners shall have such Controversy or Dispute; which said Costs and Expences, having been ascertained and settled in like Manner by any Two or more such Justices of the Peace for the said County of *Devon*, shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Person or Persons, and the Payment or Tender of the Remainder of such 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 and adjudged; or otherwise such Costs and Expences, in case the same or any Part thereof shall exceed the Sum or Sums so assessed and adjudged, and the Excess shall not be paid upon Demand, after being so ascertained and settled as aforesaid, may be recovered by the said Commissioners by the Ways and Means hereinafter provided for the Recovery of Penalties and Forfeitures.

XVI. Pro-

XVI. Provided always, and be it further enacted, That in any Case where the Amount of the Compensation for any Damage done or occasioned in Exercise of any of the Powers in this Act contained, for making the said Reservoir or other Works, or laying down and making any Pipes, Water Ways, Aqueducts or otherwise, shall be disputed, and it shall be alleged upon Oath, by any Agent or Surveyor of the said Commissioners for Victualling His Majesty's Navy, that in his Judgment and Belief such Damage does not amount to the Sum of Twenty Pounds, then the Amount of the Compensation for such Damage shall and may be ascertained and settled by any Two Justices of the Peace in and for the said County of *Devon*, and paid by the said Commissioners to the Party aggrieved, together with such reasonable Costs and Charges as such Justices shall award and allow thereon.

If Amount of Compensation for Damages done to Lands be alleged to be under 20*l*. Two Justices may settle the same.

XVII. And be it further enacted, That all and every Person and Persons, Bodies Politic, Corporate and Collegiate, in Possession of any Houses, Buildings, Lands, Tenements, Mills or Hereditaments, or of any Part thereof, which shall or may be purchased or taken in pursuance of this Act by the said Commissioners for Victualling His Majesty's Navy, shall, at the End of Three Calendar Months next after Notice in Writing signed by the said Commissioners or any Three of them, or by their Secretary, Attorney or Agent, shall have been given to him, her or them, or left at his, her or their last known or usual Place or Places of Abode, or at the Premises which shall be the Subject of such Notice, and upon Payment or Tender being made to him, her or them of such Recompence or Satisfaction for their Term, Estate or Interest in the Premises, as shall be mutually agreed upon, or shall in Default of such Agreement, or in case such Person or Persons is or are absent or not known, be settled, ascertained and awarded by the Verdict or Inquisition of a Jury, in Manner aforesaid (and to which all the Provisions hereinbefore contained as to other Inquisitions shall be held to apply), quit and relinquish the said several Premises so in their respective Possessions unto the said Commissioners or such Person or Persons as shall be appointed by them to receive Possession of the same, for and on Behalf of His Majesty, His Heirs and Successors; and all Leases, Demises, Contracts and Agreements whatsoever, under or by virtue whereof any such Person or Persons, Body or Bodies Politic, Corporate or Collegiate, shall hold the said Premises, shall, at and from the End and Expiration of such Three Calendar Months, be absolutely void and of none Effect as against the said Commissioners and His said Majesty, His Heirs and Successors; and if any such Person or Persons, Body or Bodies Politic, Corporate or Collegiate as aforesaid, shall refuse or neglect to, or shall not deliver up the Premises in his, her or their Possession, at the Expiration of such Three Calendar Months, it shall be lawful for any Justice of the Peace for the said County of *Devon* to issue his Precept or Warrant to the Constables of the Parish or Place wherein such Premises shall respectively be situate, or any of them, commanding and requiring such Constable or Constables or any of them, to cause Possession of the said Premises to be taken, and afterwards delivered to the Agent of the said Commissioners for and on Behalf of His Ma-

Tenants to deliver Possession after Notice.

Upon Payment or Tender of Satisfaction, to be awarded, if necessary by a Jury.

Not delivering Possession, Proceedings.

esty, His Heirs and Successors; and the said Constables and every of them are hereby authorized and required thereupon, to cause such Possession to be taken and delivered to such Agent accordingly.

Application of  
Purchase  
Money amount-  
ing to or ex-  
ceeding 200*l*.

XVIII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Messuages, Tenements, Mills, Hereditaments or Premises purchased or taken or used by virtue of the Powers of this Act, which shall belong to any Body Politic, Corporate or Collegiate, Corporation Aggregate or Sole, Tenant for Life or Years or in Tail, Feme Covert, Infant, Lunatic or other Person or Persons under any Disability or Incapacity, or not having the absolute Interest therein, or who shall not produce, or shall not be able to produce a clear Title, to the Satisfaction of the said Commissioners for Victualling His Majesty's Navy, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, be paid to One of the Cashiers of the Bank of *England*, with the Privity and to the Account of the Accountant General or King's Remembrancer, or other proper Officer for the Time being of His Majesty's Court of Exchequer at *Westminster*, to the Credit and for the Use and Benefit of the Owners and Proprietors of and Persons interested in such Lands, Messuages, Tenements, Mills, Hereditaments and Premises; and such Cashier is hereby authorized and required to receive or accept and to give a Receipt or Discharge for the same, mentioning and specifying the Amount, and for whose Use the same is received; and upon the Production of such Receipt or Discharge, the Accountant General, King's Remembrancer or proper Officer of the said Court of Exchequer for the Time being, is hereby authorized and required to sign a Certificate to the Barons or Judges of the said Court of Exchequer, under his Hand, purporting and signifying that such Money or other Consideration was paid into the Bank of *England* in pursuance of this Act, to the Credit and for the Use and Benefit of such Owners or Proprietors or other Persons interested as aforesaid, and the said Certificate shall be filed or deposited in the said Court of Exchequer at *Westminster*, and an Office Copy thereof, signed by the proper Officer of the said Court for the Time being, shall and may be read and allowed as Evidence for the Purposes hereinafter mentioned; and immediately upon the filing or depositing of such Certificate, the said Lands or Hereditaments shall be and become vested in the said Principal Officers and Commissioners of His Majesty's Navy for the Time being, for the Public Service, in Trust for His Majesty, His Heirs and Successors, as hereinbefore mentioned.

If less than  
200*l*. and  
amounting to  
or exceeding  
20*l*.

XIX. Provided always, and be it further enacted, That in case such Purchase Money as is lastly hereinbefore mentioned shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Messuages, Tenements, Mills, Hereditaments or Premises 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

be paid into the Hands of One of the Cashiers of the Bank of *England*, with the Privity and to the Account of the said Accountant General, King's Remembrancer or other proper Officer or Officers of the said Court of Exchequer at *Westminster* for the Time being, as aforesaid, in order to be applied in the Manner hereinbefore directed with respect to Sums exceeding Two hundred Pounds; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Commissioners for Victualling His Majesty's Navy, or any Two or more of them, such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, in order that such Principal Money may be invested in the Purchase of Stock in the Public Funds, and that such Stock when purchased, and the Dividends arising therefrom, may be applied in the Manner hereinbefore directed, so far as the Case may be applicable, without obtaining or being required to obtain the Order, Direction or Approbation of the said Court of Exchequer.

XX. And be it further enacted, That the Barons or Judges of His Majesty's Court of Exchequer at *Westminster* for the Time being, or any One or more of them, shall and may, and they or he are and is hereby authorized and empowered, in a summary Way, upon Motion or Petition for and on Behalf of any Body or Bodies Politic, Corporate or Collegiate, Corporation Aggregate or Sole, or any Person or Persons interested in or entitled to the Benefit of any Money that shall or may be paid into the Bank of *England* under the Provisions of this Act, or the Interest or Produce thereof; and upon reading an Office Copy of the Certificate directed to be signed by the said Accountant General, King's Remembrancer or other proper Officer of the said Court for the Time being, concerning the same as aforesaid, and receiving such further Satisfaction as they or he may think necessary, to make and pronounce such Orders and Directions for paying the said Money or any Part of the same, or for placing out such Part thereof as shall be Principal in the Public Funds, or upon Government or Real Securities, and for Payment of the Dividends or Interest thereof, or any Part thereof, to the respective Body or Bodies Politic, Corporate or Collegiate, Corporation Aggregate or Sole, or Person or Persons entitled to receive the same, or for laying out the Principal or any Part thereof in the Purchase of other Lands or Hereditaments, to be conveyed and settled to, for and upon the same Uses, Trusts, Intents or Purposes, as the said Lands or Hereditaments, so taken, used or purchased, stood settled at the Time of the Payment of such Money as aforesaid, or as near as the same can be done, or otherwise for the Disposition of the said Money, or any Part thereof, and the Interest or Produce of the same, or any Part thereof, for the Benefit of the Body or Bodies Politic, Corporate or Collegiate, Corporation Aggregate or Sole, or the Person or Persons entitled to or interested in the same respectively, or for appointing any Person or Persons to be a Trustee or Trustees for all or any of such Purposes, as the said Court or Baron shall think just and reasonable; and also for raising and

Barons of Exchequer, upon summary Application by Motion or Petition, may direct Payment of Purchase Money or placing the same out in the Public Funds.

Proviso for Costs of Application, and Proceedings thereon.

paying the Costs of any such Motion or Petition, and the Proceedings to be had thereupon, or any Part of such Costs, out of the Principal Money paid into the Bank of *England* under the Provisions of this Act, or only out of the Interest or Proceeds thereof, in such Manner and Proportion as he or they in his or their Discretion shall think fit, under the Circumstances of the Case.

Application of Purchase Money if less than 20l.

XXI. Provided always, and be it further enacted, That in case such Purchase Money shall be less than Twenty Pounds, then 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 Lands, Messuages, Tenements, Hereditaments or Premises so purchased, taken or used, in such Manner, as the said Commissioners for Victualling His Majesty's Navy, or any Two or more of them, shall think fit; or in case of Infancy or Lunacy, then to his, her or their Guardian or Guardians, Committee or Committees, for the Use and Benefit of such Person or Persons so entitled respectively.

On Death of Accountant General, &c. Stock vested in the Successor.

XXII. And be it further enacted, That upon the Death, Resignation or Removal of any such Accountant General, King's Remembrancer or other proper Officer of the said Court of Exchequer at *Westminster* for the Time being, all Stocks and Securities vested in him by virtue of this Act shall vest in the succeeding Accountant General, King's Remembrancer or other proper Officer of the said Court for the Purposes hereinbefore mentioned, without any Assignment or Transfer thereof; and all Monies paid into the Bank of *England* in pursuance of this Act, and remaining there at the Time of the Death, Resignation or Removal of any Accountant General, King's Remembrancer or other proper Officer of the said Court of Exchequer for the Time being, shall vest in the succeeding Accountant General, King's Remembrancer or other proper Officer of the said Court for the Time being.

No Claim of Damage to be allowed, unless delivered in within Six Months.

XXIII. And be it further enacted, That the said Commissioners for Victualling His Majesty's Navy shall not be obliged or allowed, by virtue of this Act, to receive or take Notice of any Claim or Claims, Complaint or Complaints, to be made by any Person or Persons whomsoever, for any Injury or Damage by him, her or them sustained or supposed to be sustained, unless Notice shall have been given thereof, by or on the Behalf of such Person or Persons, to the said Commissioners within the Space of Six Calendar Months next after the Time that such Injury or Damage shall have been sustained, or the doing or Injury thereof shall have ceased.

Power to remove the present Landing Place of *Cremill* Ferry, and to form a new one.

XXIV. And Whereas it is expedient, for the Use of the said Victualling Establishment, and the Purposes of this Act, that Power should be given to the said Commissioners for Victualling His Majesty's Navy to remove the present Landing Place of the ancient Ferry of *Cremill*, situate at the North-Western Extremity of the said Peninsula, and to form another Landing Place in lieu thereof, and also to stop up the Road leading from the Town of *Stonehouse* aforesaid, across the said Peninsula, to the said present Landing Place, and to set out a new Road in lieu thereof; Be it therefore further enacted,

That

That it shall and may be lawful for the said Commissioners for Victualling His Majesty's Navy, and they are hereby authorized and empowered, at the Expence of His Majesty, His Heirs and Successors, to form and construct, at some convenient Spot within *Stonehouse Pool*, as they shall judge most convenient, a good and sufficient Hard or Landing Place, in every respect fit and proper for embarking and disembarking His Majesty's Subjects, together with their Horses and Carriages, and all Goods, Wares and Merchandizes whatsoever, and for all other Purposes connected with and incident to a public Ferry, and necessary for a Place of landing and embarking; and when such new Hard or Landing Place, and the Road thereto to be made as hereinafter mentioned, shall be completed, the said Commissioners for Victualling His Majesty's Navy shall cause Notice to be given thereof in the *London Gazette*, and also in any Two or more Newspapers usually circulating in the Counties of *Devon* and *Cornwall*, in which Notice a Day shall be named and appointed for opening such new Hard or Landing Place to the Use of the Public, and which said Notice shall also contain a Direction and Appointment, that from and after a Day to be named therein, the present Landing Place of the Ferry of *Cremill*, at the North-Western Extremity of the said Peninsula of *Cremill* as aforesaid, is not to be any longer open to or used by the Public; and from and after the Day to be named in such Notice for opening the said new Hard or Landing Place, the Course and Direction of the said ancient Ferry of *Cremill* shall be from and to such new Hard or Landing Place, instead of from and to the present Landing Place at the North-Western Extremity of the said Peninsula; and it shall and may be lawful for all and every Persons and Person to embark from or land at such new Hard or Landing Place, and to embark or land thereat any Horses, Carriages, Goods or Merchandizes, and to use the same for the same Purposes, and in the same Manner in all respects, as they now can or are entitled to use the present Landing Place at the Western Extremity of the said Peninsula of *Cremill*; and after the Day to be also named in the said Notice it shall not be lawful for any Person or Persons using the said Ferry of *Cremill*, or any other Person or Persons whomsoever, without the Consent and Permission of the said Commissioners for Victualling His Majesty's Navy, to land at or embark from the said present Landing Place, or to land at, embark from or place there any Horses, Carriages, Goods, Wares or Merchandizes, or in any Manner to use the same, but the said present Landing Place shall be vested in the Principal Officers and Commissioners of His Majesty's Navy, as other Lands and Tenements under this Act are vested in them, from the said Day to be named in the said Notice, freed and discharged from all Rights and Claims of landing at or embarking therefrom, and from all other Rights and Claims whatsoever, as well with relation to *Cremill Ferry* aforesaid, as otherwise: Nevertheless it shall be lawful for the Person or Persons having any Estate, Right, Title, Franchise or Interest in or to the said present Landing Place and Road, and to the ancient Ferry of *Cremill*, or to the Tolls, Emoluments or Advantages derived from the said present Landing Place,

Notice to be published by Commissioners as herein mentioned.

Present Landing discharged from Claims, and vested in the Commissioners of the Navy as herein mentioned.

Place, Road or Ferry, to have and to hold the same Estate, Right and Interest, and to receive, take, exercise and enjoy the same Tolls, Franchises, Emoluments and Advantages, in, upon, over and out of the said new Landing Place and new Road, so to be constructed and made by the said Commissioners as aforesaid, as an Equivalent for and in lieu of the said present Landing Place and Road, and the Rights, Tolls, Franchises, Emoluments and Advantages thereto belonging or appertaining, as fully, to all Intents and Purposes, as the same are now held and enjoyed in respect of the said present Ferry, Road and Landing Place.

Power to make a new Road, to communicate with the Landing Place, and stop the present one.

XXV. And be it further enacted, That it shall and may be lawful for the said Commissioners for Victualling His Majesty's Navy, and they are hereby authorized and empowered, at the Expence of His Majesty, His Heirs and Successors, to make and set out a good and sufficient Road from such Part of the Town of *Stonehouse* aforesaid, as may be necessary to communicate with and to the said new Hard or Landing to be made by them as aforesaid; which said new Road shall be a Common Highway, and shall be in lieu of the said present or old Road leading from *Stonehouse* aforesaid, through or across the said Peninsula, to the said present Landing Place of *Cremill Ferry* aforesaid, and shall be supported, repaired and maintained in the same Manner, by the same Persons, and under the same Powers as the said present or old Road; and from and after such new Road shall be completed and opened to the Public, the said present or old Road shall be stopped up, and shall be in like Manner as other Lands and Grounds under this Act vested in the said Principal Officers and Commissioners of His Majesty's Navy, freed and discharged from all Rights of Passage, and all other Rights and Claims whatsoever.

Present Road vested in Commissioners.

For preventing drawing off Water from the Leat.

XXVI. And Whereas great Inconveniences have occurred by Persons diverting the Water from the said Trench or Leat, whereby the Supply of a sufficient Quantity thereof to the Town of *Plymouth* has been impeded; For Remedy whereof, be it further enacted, That from and after the passing of this Act it shall not be lawful for any Owner or Occupier of any Lands or Grounds adjoining the said Trench or Leat, or for any other Person or Persons whomsoever, to open any Sluice or Flood Gate of, or in any other Manner to divert, draw or let off any of the Water from the said Trench or Leat, for any Purpose or Purposes whatsoever, without the Leave and Licence of the said Mayor and Commonalty first had and obtained; and if any such Owner or Occupier, or any other Person or Persons whomsoever, shall without such Leave and Licence open any Sluice or Flood Gate, or in any other Manner divert, draw or let off any of the Water from the said Trench or Leat, either wantonly and mischievously, or for irrigating the adjoining or other Lands, or for any other Purpose or Purposes whatsoever, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Twenty Pounds.

Penalty.

For preserving the Water clean and wholesome.

XXVII. And in order to preserve the Water clean and wholesome, be it further enacted, That if any Person shall bathe in the said Trench or Leat, or any Reservoir, Aqueduct, Water Way, Feeder or Pond, made, maintained or supported by the said Mayor



Mayor and Commonalty of *Plymouth*, or by the said Commissioners for Victualling His Majesty's Navy, under the Powers of this or the said recited Act, or shall wash any Dog or other Animal therein, or throw or cast any Dog or Cat, or any Filth, Dirt or other noisome or offensive Thing, or wash or cleanse any Cloth, or any Wool or Leather, or the Skins of Sheep, Lambs or other Animals, or any noisome or offensive Thing, in the said Trench or Leat, or in any such Reservoir, Aqueduct, Water Way, Feeder or Pond, or cause or suffer the Water of any Sink, Sewer or Drain, to run or be conveyed into the said Trench or Leat, or into any such Reservoir, Aqueduct, Water Way, Feeder or Pond, or cause any other Annoyance to be done to the Water contained in the said Trench or Leat, or in any such Reservoir, Aqueduct, Water Way, Feeder or Pond, whereby or by means whereof the said Water or any Part thereof shall or may be soiled, fouled or corrupted, then and in each and every such Case, every such Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds for the First Offence, and Ten Pounds for the Second or any subsequent Offence. Penalty.

XXVIII. Provided always, and be it further enacted, That if any Person or Persons shall take or use, or cause, permit or suffer to be taken or used, any Water from or out of any Reservoir, Cistern, Aqueduct or Pipe, which shall be made or laid by virtue of this or the said recited Act, without the previous Consent of the said Mayor and Commonalty; or if any Person or Persons so supplied with Water by the said Mayor and Commonalty shall supply any other Person with any Part of such Water; or if any Person or Persons so supplied with Water by the said Mayor and Commonalty shall wilfully let off, or shall cause or allow to run to waste, any Water from any Aqueduct, Cistern, Tank or Pipe; then and in every such Case, every Person so offending shall for every such Offence forfeit and pay to the said Mayor and Commonalty any Sum not exceeding Five Pounds; and it shall and may be lawful for the said Mayor and Commonalty, their Successors and Assigns, or their Officers and Agents for that Purpose appointed, to cut off or stop the Pipe or Branch used for conveying the said Water into the House, Building or other Premises of the Person or Persons so offending, from the said Mayor and Commonalty's Main Pipe, at their Will and Pleasure, without any Manner of Action, Suit, Let or Denial of or by any Person or Persons whomsoever. For preventing Persons supplied, from supplying others, and for punishing Persons for wilfully letting off the Water.

XXIX. Provided nevertheless, and be it enacted, That nothing herein contained shall extend or be construed to extend to subject any Person or Persons whomsoever, supplied with Water by the said Mayor and Commonalty, to any Penalty or Forfeiture for supplying any Person or Persons whomsoever with any Quantity of such Water, in case of Fire, or during any Time that the Pipe or Pipes, Cock or Cocks belonging to any Person or Persons supplied with Water by the said Mayor and Commonalty shall or may happen to be out of Repair, such Pipe or Pipes, Cock or Cocks, nevertheless, being repaired as soon as may be after any Damage shall happen thereto. Penalty.

For enabling  
the Corporation  
to enter Pre-  
mises to see that  
there is no  
Waste of Water.

- XXX. And be it further enacted, That it shall and may be lawful for any Engineer, or any other Person or Persons acting by or under the Authority of the said Mayor and Commonalty, at any Time or Times between the Hours of Ten in the Forenoon and Four in the Afternoon, to enter into any House, Building or other Premises supplied with Water by the said Mayor and Commonalty (save and except the Houses, Buildings or Establishments or Premises belonging to His Majesty, or used or occupied for the Public Service), in order to inspect and examine if there be any Waste, undue Diversion or improper Appropriation of the Water so supplied by the said Mayor and Commonalty; and if such Engineer, or other Person acting by or under the Authority of the said Mayor and Commonalty, shall at any Times or Times, between the Hours of Ten in the Forenoon and Four in the Afternoon, be refused Admittance or Entrance into any such Dwelling House, Building or other Premises, for the Purpose of making such Inspection and Examination as aforesaid, or on being admitted shall be obstructed in or prevented from making such Inspection and Examination as aforesaid, then and in every such Case it shall and may be lawful for the said Mayor and Commonalty to cut and turn off, or cause to be cut and turned off, the Water by them supplied from such House, Building or other Premises, in Manner hereinbefore mentioned.

If Admittance  
refused, Pro-  
ceedings.

Persons open-  
ing the Locks  
or doing other  
Damage to the  
Water Works.

XXXI. And be it further enacted, That if any Person shall throw any Ballast, Gravel, Stones or Rubbish into any Part of the said Trench or Leat, or into any of the said Water Works, Reservoirs, Aqueducts, Trenches, Water Courses or Feeders, made by virtue of this or the said recited Act, or shall wantonly or unnecessarily open or cause to be opened any Lock, Gate, Paddle, Valve or Clough belonging to the said Water Works, or if any Person or Persons shall wilfully flush or draw off, or cause to be flushed or drawn off, the Water from any Part of the said Water Works, or shall leave open and running any of the Valves or Cloughs belonging to the same, or shall draw or cause to be drawn any Paddle, Valve or Clough in any of the Locks, Stop or Clew Gates on the said Water Works, so as to mis-spent or waste the Water thereof, its Courses or Feeders, or shall wilfully obstruct, hinder or prevent any Person in the Execution of this Act, every Person offending in any of the Cases aforesaid shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

Penalty.

Destroying  
Works.

XXXII. And be it further enacted, That if any Person or Persons shall knowingly, wilfully or maliciously break, throw down, damage or destroy any Banks, Reservoirs, Mounds, Gates, Flood Gates, Sluices, Pipes or other Works erected, made or maintained by the said Mayor and Commonalty, or by the said Commissioners for Victualling His Majesty's Navy, under the Authority of this or the said recited Act, or shall steal, take or carry away any Flood Gate, Pipe or Cock, or any Lead, Iron, Copper, Wood or other Material attached to the said Works, or any of them, or any Part thereof, then and in every such Case, every such Person so offending shall be judged guilty of Felony, and the Court by and before whom such Person or Persons shall be tried and convicted shall have Power and Authority to cause  
such

Felony.

uch Person or Persons to be transported for the Term of Seven Years, or in Mitigation of such Punishment, such Court may award such Sentence as the Law directs in Cases of Larceny.

Punishment.

XXXIII. And be it further enacted, That if any Person or Persons shall wilfully or maliciously hinder or interrupt the said Commissioners for Victualling His Majesty's Navy, or the said Mayor and Commonalty, or their respective Deputies, Agents, Workmen or Servants, or any of them, in doing or performing any of the Works, or in the Exercise of any of the Powers and Authorities by this Act granted, or shall in any wise cause or procure the same to be done, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, and also the full Amount of the Damage which shall be sustained by such Hindrance or Interruption, such Damage to be recovered in like Manner as any Penalty or Forfeiture may by virtue of this Act be recovered.

Persons interrupting Workmen.

Penalty 10*l*.

XXXIV. And Whereas Offences may be committed against this Act by Persons unknown to the said Commissioners for Victualling His Majesty's Navy, and the said Mayor and Commonalty, and their respective Agents, Officers, Servants and Workmen employed in the Execution of this Act; Be it therefore enacted, That it shall and may be lawful for the said Commissioners for the Time being, and the said Mayor and Commonalty, and their Successors, or any of them, or their respective Agents, Officers or Servants, or any of them, and such 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 Person or Persons unknown to him or them who shall commit any such Offence or Offences, and take him, her or them before any Justice of the Peace for the County or Place where the Offence or Offences shall be committed; and such Justice is hereby empowered, directed and required to proceed to the hearing and determining of the Complaint.

For securing transient Offenders.

XXXV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to enable the said Mayor and Commonalty, or their Successors, or any other Person whomsoever, to divert or turn, or in any wise to diminish or interfere with any Spring or Stream of fresh Water running and flowing from any Place whatsoever into the Towns of *Devonport*, *Stoke Damarel* or *Stonehouse*, or any of them, or by or from which the said Towns or either of them, or any of the Parts adjacent, are supplied with Water, under the Provisions of an Act passed in the Thirty third Year of the Reign of his late Majesty King *George* the Third, intituled *An Act for supplying the Towns of Plymouth Dock, Stoke Damarel, Stonehouse and the Parts adjacent, in the County of Devon, with Water*, or to hurt, injure or prejudice the Company of Proprietors by that Act established, or any other Person or Persons, in the Use, Occupation or Enjoyment of the said Springs or Streams, nor in any wise to interfere in the supplying the said Towns, or either of them, or any Part thereof, with fresh Water, or any other Place or Places now supplied by the said Company of Proprietors therewith.

Act not to interfere with the Plymouth Dock Water Company.

33 G 3. c. 85.

XXXVI. Pro-

Act not to pre-  
judice Rights of  
Lords of  
Manors to  
Mines, &c.

XXXVI. Provided always, and be it further enacted, That nothing herein contained shall extend to prejudice or affect the Right of any Lord or Lords, Lady or Ladies of any Manor or Manors, or of any Owner or Owners of any Lands or Grounds, in upon or through which the said Trench or Leat now passes, or in, upon or through the said Water Works, Reservoirs, Aqueducts, Trenches, Watercourses or Feeders shall be constructed or made, to the Mines and Minerals lying and being within or under the said Lands or Grounds, but all such Mines and Minerals are hereby reserved to such Lord or Lords, Lady or Ladies of such Manor or Manors, or to such Owner or Owners of such Lands or Grounds respectively, subject to the Conditions and Restrictions herein contained, to work, get, take and carry away to his, her or their own Use, such Mines and Minerals, he, she and they not thereby injuring, prejudicing or obstructing the Channel, Course or free Use of the said Water.

Fines and For-  
feitures how to  
be recovered  
and applied.

XXXVII. And be it further enacted, That all Fines, Penalties and Forfeitures inflicted by this Act, the Manner of levying and Recovery whereof is not particularly herein directed, shall, in case of Nonpayment hereof on Conviction of the Offender or Offenders respectively, be levied by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of any Justice of the Peace of the County, City, Borough or Place wherein the Offence shall be committed or the Offender shall be or reside: which Warrant such Justice is hereby empowered and required to issue, upon the Confession of the Party or Parties, or upon the Evidence of any credible Witness or Witnesses up Oath (which Oath such Justice is hereby empowered and required to administer); and all Fines, Forfeitures and Penalties (the Application whereof is not herein particularly directed) shall be paid, one Moiety thereof to the Informer or Party proceeding for the same, and the other Moiety to the said Mayor and Commonalty of the Town of *Plymouth*, to be applied and disposed of for the Use of the said Mayor and Commonalty; and the Overplus of the Money raised by such Distress and Sale, after deducting the Fines, Penalties or Forfeitures, and the Expences of such Distress and Sale, shall be rendered to the Owner of the Goods and Chattels so distrained: and for want of sufficient Distress, and in case the Fine, Penalty or Forfeiture shall not be forthwith paid, it shall be lawful for such Justice, by Warrant under his Hand and Seal, to commit such Offender to the Common Gaol or House of Correction, there to remain without Bail or Mainprize, for any Time not exceeding Six Calendar Months, unless such Fine, Penalty or Forfeiture, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied.

If no Distress,  
Imprisonment.

Form of Con-  
viction.

XXXVIII. And be it further enacted, That in all Cases where any Offence shall be committed against the Provisions of this Act for the committing of which Offence any Fine or Penalty is hereby imposed, it shall and may be lawful for any Justice of the Peace for the County, City, Borough or Place where the Offence shall be committed or where the Offender shall be or reside, and he is hereby required, on Complaint and Application to him made for that Purpose, to issue a Summons, directing the Party com-

omplained against to appear before him the said Justice, on a Day and at a Place to be therein named, and thereupon on the Day named, to proceed to hear the Matter of Complaint; and upon Proof of the Offence, either by the Confession of the Party or on the Oath or Oaths of One or more credible Witness or Witnesses, to convict the Offender; and in all such Cases the Form of Conviction shall be in the Words or to the Effect following; that is to say),

**BE** it remembered, That on this \_\_\_\_\_ Day of \_\_\_\_\_ in the \_\_\_\_\_ Year of the Reign of \_\_\_\_\_ *A. B.* is convicted before me \_\_\_\_\_ One of His Majesty's Justices of the Peace for the \_\_\_\_\_ of having [*setting forth the Offence*] contrary to the Statute in that Case made and provided; and I the said \_\_\_\_\_ do adjudge him [*her or them*] to forfeit and pay for the said Offence the Sum of \_\_\_\_\_ . Given under my Hand and Seal the Day and Year first above mentioned.'

XXXIX. And be it further enacted, That if any Person or Persons shall think himself, herself or themselves aggrieved by any Order, Judgment or Determination of any Justice or Justices of the Peace, relating to any Matter or Thing in this Act mentioned or contained, then and in every such Case such Person or Persons may appeal to the Justices of the Peace at the next General Quarter Sessions of the Peace to be holden in and for the County, City, Borough or Place in which the Cause of Appeal shall arise; and in case the Matter of such Appeal shall arise within the said Borough of *Plymouth*, then such Person or Persons may appeal to the Justices of the Peace at their next General Quarter Sessions, either for the Borough of *Plymouth* or the County of *Devon*, at his or their Option, first giving Twenty one Days Notice in Writing of such Appeal to the Person or Persons appealed against, and of the Nature and Matter thereof; and within Ten Days after giving such Notice, entering into a Recognizance before some Justice of the Peace for the County, City, Borough or Place, with Two sufficient Securities, conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon; and the said Justices at such Sessions, upon due Proof of such Notice having been given, and of such Recognizance having been entered into, shall either hear and determine the said Appeal at such General Quarter Sessions, or if they think proper may adjourn the Hearing thereof to the next General Quarter Sessions of the Peace to be holden for such County, City, Borough or Place, and then shall hear and finally determine the same; and the said Justices may award such Costs to the Parties appealing or appealed against as they the said Justices shall see proper, to be levied 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 Quarter Sessions shall be final and conclusive to all Intents and Purposes.

Appeal.

Final.

XL. And be it further enacted, That no Order, Verdict, Judgment, Conviction or other Proceeding touching or concerning any of the Matters aforesaid, or touching or concerning any \_\_\_\_\_ Proceedings not to be quashed for want of Form,

or removed by  
Certiorari.

Distresses not  
unlawful for  
want of Form.

Members of  
Corporation  
may act as Jus-  
tices, and Com-  
missioners of  
Victualling and  
Members of  
Corporation,  
&c. may be  
Witnesses.

Plaintiff not to  
recover without  
Notice, or after  
Tender of  
Amends.

any Offences against this Act, shall be quashed or vacated 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*; any Law or Statute to the contrary thereof in any wise notwithstanding.

XL I. And be it further enacted, That where any Distress shall be made for any Sum 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 Information, Summons, Conviction, Warrant of Distress or other Proceeding relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards done by the Party or Parties so distraining; but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the Special Damage in an Action upon the Case.

XL II. And be it further enacted, That no Justice of the Peace of the said Borough of *Plymouth* shall be deemed disqualified from acting as such in hearing and determining any Informant or Complaint, touching any Offence committed under this Act within his Jurisdiction by reason of such Justice being a Member of the Corporation of the said Mayor and Commonalty; and that no Person shall be deemed incompetent to give Evidence, or be disqualified from giving Testimony or Evidence in any Action, Suit, Prosecution 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 this Act, by reason of being a Commissioner for Victualling His Majesty's Navy, or holding any Office under, or being employed by or under the said Commissioners, or by reason of being an Inhabitant of the Town of *Plymouth*, or a Member of the Corporation of the Mayor and Commonalty of the said Town of *Plymouth*, or holding any Office under or being employed by or under the said Corporation; nor shall such Testimony or Evidence for any of the Reasons aforesaid be rejected or liable to be questioned or set aside.

XL III. Provided always, and be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any Thing done in pursuance of this Act, unless Notice in Writing of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action, shall have been given to the Defendant or Defendants, or left at his, her or their last or usual Place or Places of Abode, Fourteen Days before such Action shall be commenced; nor shall the Plaintiff or Plaintiffs recover in such Action, if Tender of sufficient Amends shall have been made to him, her or them, or to his, her or their Attorney, by or on Behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, any Time before Issue joined, to pay into Court such Sum of Money as he, she or they shall think fit, whereupon such Proceedings.

edings, Order and Judgment shall be had, made and given and by such Court, as in other Actions when the Defendant is allowed to pay Money into Court.

XLIV. 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, every such Action or Suit shall be brought or commenced within Six Calendar Months next after the Fact committed, or in case there shall be a Continuance of Damage, then within Six Calendar Months next after he doing or committing such Damage shall have ceased, and not afterwards, and shall be laid or brought in the County or Place where the Matter in Dispute or Cause of Action shall arise, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act in Evidence at any Trial to be had thereon, and that the same was done in pursuance and by the authority of this Act; and if it shall appear to have been so done, or if any such Action or Suit shall have been brought before the Expiration of Fourteen Days next after such Notice shall have been given as aforesaid, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time so limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then and in every such Case the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become Nonsuit, or suffer a Discontinuance of his, her or their Action or Suit after the Defendant or Defendants shall have appeared, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Double Costs, and shall have such Remedy for the same as any Defendant hath for Costs of Suit in other Cases of Law.

Limitation of Actions.

General Issue.

Double Costs.

XLV. 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. L.

An Act for amending 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 Two Acts of the Thirty first Year of the Reign of King George the Second, and the Thirteenth Year of His present Majesty, so far as relates to the Price and Assize of Bread to be sold out of the City of London and the Liberties thereof, and beyond the Weekly Bills of Mortality, and Ten Miles of the Royal Exchange.*

[3d June 1824.]

WHEREAS an Act was passed in the Fifty third Year of the Reign of His late Majesty King George the Third, intituled *An Act to alter and amend Two Acts of the Thirty first Year of King George the Second, and the Thirteenth Year of His present Majesty, so far as relates to the Price and Assize* of

53 G.3. c.116.

Allowance to Bakers under recited Act to be reduced in Manner herein mentioned.

Allowance specified.

of Bread to be sold out of the City of London and the Liberties thereof, and beyond the Weekly Bills of Mortality, and Ten Miles of the Royal Exchange: And Whereas by reason of the great Decrease that has taken place in the Prices of the several Articles in the making and baking of Bread since the passing of the said recited Act of the Fifty third Year of the Reign of His said late Majesty King *George the Third*, it is necessary and expedient that the Makers and Bakers of Bread for Sale should receive a less Allowance for their Charges, Labour, Pains and Profit, than is granted by the said Recited Act of the Fifty third Year of the Reign of His said late Majesty King *George the Third*: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *July* next after the passing of this Act and from time to time afterwards, and when and as often as any Court of Mayor and Aldermen of any City, Town Corporate or Borough, County, Riding, Division and Place within that Part of the United Kingdom of *Great Britain and Ireland* called *Great Britain*, where there shall be any such Court and when the same shall sit, and when such Court shall not sit, the Mayor of every such City; and where there shall be no such Court of Mayor and Aldermen in any such City, then the Mayor, Bailiffs or other Chief Magistrate or Magistrates of every such other City and in Towns Corporate and Boroughs, the Mayor, Bailiffs, Aldermen or other Chief Magistrate or Magistrates of every such Town Corporate or Borough; and any Two or more Justices of the Peace in Towns or Places where there shall be no such Mayor, Bailiffs, Aldermen, Chief Magistrate or Magistrates; and in Counties at large, any Two or more of His Majesty's Justices of the Peace, within their respective Jurisdictions, shall set an Assize of Bread, in Execution of the said recited Act of the Fifty third Year of the Reign of His late Majesty King *George the Third*; the Allowance to the Baker, when the Assize shall be set from the Average Price of Wheat, shall be Thirteen Shillings and Ten Pence Farthing *per* Quarter, and when the Assize shall be set from the Average Price of Flour, such Allowance shall be Eleven Shillings and Eight Pence *per* Sack of Flour, being in each Case a Decrease of One Half an Assize, or of One Farthing in the Quarter Loaf, of the Allowance given to the Baker by the said recited Act of the Fifty third Year of the Reign of His said late Majesty King *George the Third*; and the said Court of Mayor and Aldermen of any such City, Town Corporate or Borough, County, Riding, Division and Place where there shall be any such Court, and when the same shall sit, and when such Court shall not sit, the Mayor of every such City; and where there shall be no such Court of Mayor and Aldermen in any such City, then the Mayor, Bailiffs or other Chief Magistrate or Magistrates of every such other City; and in Towns Corporate and Boroughs, the Mayor, Bailiffs, Aldermen or other Chief Magistrate or Magistrates of every such Town Corporate or Borough; and any Two or more Justices of the Peace in Towns or Places where



ere there shall be no such Mayor, Bailiffs, Aldermen, Chief Magistrate or Magistrates; and in Counties at large, any Two or more Justices of the Peace, within their respective Jurisdictions, in setting the said Assize, shall make such Decrease by taking One Half of an Assize from each of the Prices specified in the Tables annexed to the said recited Act of the Fifty third Year of the Reign of His said late Majesty King *George* the Third, according to the Rules and Proportions contained in the said Tables, as nearly as can be.

II. And be it further enacted, That neither this Act or any Thing herein contained, shall extend or be construed to extend to prejudice the ancient Right or Custom of the Two Universities of *Oxford* or *Cambridge*, or either of them, or of their or either of their Clerks of the Market, or the Practice within the several Jurisdictions of the said Universities, or either of them, used to set, ascertain and appoint the Assize and Weight of all Sorts of Bread to be sold or exposed to Sale within their several Jurisdictions, but that they and every of them shall and may severally and respectively from time to time, as there shall be Occasion, set, ascertain and appoint, within their several and respective Jurisdictions, the Assize and Weight of all Sorts of Bread to be sold or exposed to Sale by any Baker or other Person whatsoever within the Limits of their several Jurisdictions; and shall and may enquire into and punish any Breach thereof fully and freely in all respects as they used to do, and as if this Act had never been made; any Thing herein contained to the contrary thereof notwithstanding.

Proviso for the Privileges of the Universities of Oxford and Cambridge in appointing the Assize and Weight of Bread.

III. And be it further enacted, That this Act shall commence and take effect on the First Day of *July* One thousand eight hundred and twenty four.

Commencement of Act.

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

Public Act.

C A P. LI.

An Act to repeal several Laws relating to the Fisheries carried on upon the Banks and Shores of *Newfoundland*, and to make Provision for the better Conduct of the said Fisheries for Five Years, and from thence to the End of the then next Session of Parliament. [3d June 1824.]

WHEREAS it is expedient to repeal and amend divers Statutes and Laws relating to the Fisheries on the Banks and Shores of *Newfoundland*, and to make such further Provisions as the present State and Condition of the Colony require; Be it therefore enacted by the King's most Excellent Majesty, by and with the 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 Act passed in the Tenth and Eleventh Year of the Reign of His Majesty King *William* the Third, intituled *An Act to encourage the Trade to Newfoundland*; and so much of another Act passed in the Fifteenth Year of the Reign of His late Majesty King *George* the Third,

The following Acts and Parts of Acts repealed, viz. 10 & 11 W. 3. c. 25.:

15 G. 3. c. 31.  
§ 2. 7. 12. 13,  
14. 17, 18.

So much of  
26 G. 3. c. 26.  
as relates to  
Wages, &c. :

29 G. 3. c. 53.  
§ 1.

Aliens not to  
fish in New-  
foundland or its  
Dependencies.

Exception.

Proviso for  
taking, curing,  
and drying Fish,  
occupying va-  
cant Places,  
cutting down  
Trees for build-  
ing, and doing  
things useful  
for their Fish-  
ing Trade by  
English Sub-  
jects.

Third, intituled *An Act for the Encouragement of the Fisheries carried on from Great Britain, Ireland and the British Dominions in Europe, and for securing the Return of the Fishermen, Sailors and others employed in the said Fisheries, to the Ports thereof, at the end of the Fishing Season*, as relates to the Masters and Crews of Fishing Ships occupying or using any vacant Spaces in *Newfoundland*, to the Privilege of drying Fish on the Shores to Fishing Ships or Boats not being liable to Restraint or Regulations with respect to Days or Hours of working, or making Entry at the Custom House, to the carrying or conveying of Passengers to the Continent of *America*, to Agreements or Contracts between Hirers or Employers and Seamen or Fishermen, to the Penalties on such Hirers or Employers advancing Wages, and on such Seamen or Fishermen absenting themselves from their Duty, or neglecting or refusing to work, and the Manner of determining Disputes and Offences; and also so much of another Act passed in the Twenty sixth Year of the Reign of His said Majesty King *George the Third*, intituled *An Act to amend and render more effectual the several Laws now in Force for encouraging the Fisheries carried on at Newfoundland and Parts adjacent, from Great Britain, Ireland and the British Dominions in Europe, and for granting Bounties for a limited Time, on certain Terms and Conditions*, as relates to the Wages of Green Men the using of Seams or Nets, Seamen or Fishermen absenting themselves or neglecting their Duty, or deserting or intending to desert; and also so much of another Act passed in the Twenty ninth Year of the Reign of His said Majesty *George the Third*, intituled *An Act for further encouraging and regulating the Newfoundland and Greenland and Southern Whale Fisheries*, as relates to the Privilege of landing and drying Fish in *Newfoundland*, shall be and the same are hereby repealed.

II. And be it further enacted, That no Alien or Stranger whatsoever shall at any Time hereafter take Bait, or use any Sort of Fishing whatsoever in *Newfoundland*, or the Coasts, Bays or Rivers thereof, or on the Coast of *Labrador*, or in any of the Islands or Places within or dependent upon the Government of the said Colony; always excepting the Rights and Privileges granted by Treaty to the Subjects or Citizens of any Foreign State or Power in Amity with His Majesty.

III. And Whereas it is expedient to obviate any Doubts which have arisen or may arise, as to what Persons are entitled to the Right or Privilege of taking, curing and drying Fish on the Shores and Banks of *Newfoundland*; Be it therefore enacted, That it shall and may be lawful for all His Majesty's Subjects residing in the United Kingdom of *Great Britain* and *Ireland*, or in any of His Majesty's Colonies, Plantations or Dominions, to have, use and enjoy the free Trade and Traffic and Art of Merchandize and Fishery to and from *Newfoundland* and the Coast of *Labrador* aforesaid, and all and every the Islands or Places within or dependent upon the Government of *Newfoundland*, and peaceably to have, use and enjoy the Freedom of fishing and taking Bait in any of the Seas, Rivers, Lakes, Creeks, Harbours or Roads in or about *Newfoundland* or the said Coast of *Labrador*, or any of the Islands adjacent thereunto respectively;

vely ; and Liberty to go on Shore on any vacant or unoccupied Part of *Newfoundland* or said Coasts of *Labrador*, or any of the said Islands adjacent thereunto respectively, for curing, salting, drying and husbanding of their Fish, and for making Oil ; and to cut down Wood and Trees on any such vacant or unoccupied Places as aforesaid, for building and making or repairing of Stages, Ship Rooms, Train Fats, Hurdles, Ships, Boats and other Necessaries for themselves and their Servants, Seamen and Fishermen, and all other Things which may be useful or advantageous to their Fishing Trade to do, as fully and freely as at any Time heretofore by virtue of any former Act of Parliament hath been there by any of His Majesty's Subjects, without any Hindrance, Interruption, Denial or Disturbance whatsoever.

IV. And be it further enacted, That whenever any Ship or Vessel shall be cleared out from any Port in the said Colony of *Newfoundland*, or in any other Part of His Majesty's Dominions, for the said Fisheries on the Banks or Coasts of *Newfoundland* or *Labrador*, or the Dependencies thereof, without having on board any Article of Traffic (except only such Provisions, Nets, Tackle and other Things as are usually employed in and about the said Fishery, and for the conduct and carrying on of the same), the Master of any such Ship or Vessel shall be entitled to demand from the Collector, or other Principal Officer of His Majesty's Customs at such Port, a Certificate under His Hand, that such Vessel hath been specially cleared out for the *Newfoundland* Fishery, for which Certificate a Fee of Five Shillings and no more shall be payable to such Collector or other Principal Officer as aforesaid, and such Certificate shall be in force for the Fishing Season of the Year in which the same may be granted, and no longer ; and upon the first Arrival in any Port in the said Colony of *Newfoundland*, or its Dependencies, of any Ship or Vessel having on board any such Certificate as aforesaid, a Report thereof shall be made by the Master of such Ship or Vessel, to the Principal Officer of His Majesty's Customs at such Port, who shall forthwith make an Entry of such Report in the Books of the Custom House to which he may be attached or belong, and for receiving and registering such Report, a Fee not exceeding Five Shillings shall and may be taken by such Officer of the Customs at *Newfoundland* ; and all Ships and Vessels having on board any such Certificate as aforesaid, which hath in Manner aforesaid been duly reported to some Officer of His Majesty's Customs within the said Colony, and being actually engaged in the said Fishery, or in carrying coastwise, to be landed or put on board any other Ships or Vessels engaged in the said Fishery, any Fish, Oil, Salt, Provisions or other Necessaries for the Use and Purposes thereof, shall be exempt from all Obligation to make any Entry at or obtain any Clearance from any Custom House at *Newfoundland*, upon entering the Ports or Harbours of the said Colony or its Dependencies, during the Continuance of the Fishing Season for which such Certificate may have been granted : Provided nevertheless, that when any such Ship or Vessel as aforesaid shall finally quit the said Fishery, for any Country or Place not being within the said Colony or the Dependencies thereof, such Ship or Vessel shall obtain the

Certificates to be granted for Vessels cleared out for the Fishery, for which 1s. shall be paid.

On Arrival Report to be made of such Certificate, and for Registry thereof a Fee not exceeding 5s. shall be paid.

On finally quitting the Fishery the

usual Clearance shall be obtained.

Vessels having on board any Goods other than Fish, &c. to forfeit the Fishing Certificate.

Persons throwing out Ballast, &c. to the Prejudice of the Harbours.

Penalty, or Imprisonment.

For preventing Annoyances in hauling Nets, and taking Fish out of the Net of others.

Agreements to be made with Seamen or Fishermen for Wages.

usual Clearance from some Port in the said Colony or the Dependencies thereof; and previously to obtaining such Clearance, the Master of such Ship or Vessel shall deliver up the before mentioned Certificate to the principal Officer of the Customs of such Port: Provided also, that in case any such Ship or Vessel shall have on board, during the Time the same may be engaged in the said Fishery, any Goods or Merchandizes whatsoever other than Fish, Seals, Oil made of Fish or Seals, Salt, Provisions or other Things, being the Produce of or usually employed in the said Fishery, such Ships or Vessels shall forfeit the said Fishing Certificate, and shall thenceforth become and be subject and liable to all such and the same Rules, Restrictions and Regulations, as such Ship or Vessel would have been subject or liable to if this Act had not been made; any Thing hereinbefore contained to the contrary notwithstanding.

V. And for preserving the Harbours of the said Colony of *Newfoundland* and its Dependencies from all Annoyances, be it further enacted, That no Ballast, Stones or any Thing else hurtful or injurious to any of the Harbours there, shall be thrown out of any Ship, Vessel or Boat, or otherwise, by any Person or Persons whatsoever, to the Prejudice of any of the said Harbours, but that all such Ballast and other Things shall be carried on Shore and be laid where they may do no Annoyance; and if any Person or Persons shall throw out of any Ship, Vessel or Boat, or otherwise, any Ballast, Stones or other Thing hurtful or injurious to any of the Harbours of the said Colony or its Dependencies, or shall wantonly or maliciously do or procure to be done any other Matter or Thing whereby any of the said Harbours shall or may be damaged or impaired, the Persons or Person so offending shall incur and become liable to the Payment of any Fine not less than Forty Shillings, nor more than Fifty Pounds Sterling *British Money*, or to Imprisonment for any Time not exceeding One Calendar Month, or both, at the Discretion of the Court before which any such Offenders or Offender may be convicted.

VI. And be it further enacted, That no Person or Persons whatsoever shall cast anchor or do any other Matter or Thing to the Annoyance or hindering of the drawing or hauling of Nets or Seans in the customary Baiting Places in *Newfoundland*, or the Dependencies thereof, or shoot his or their Net or Seans within or upon the Net or Seans of any other Person or Persons whatever; and also that no Person or Persons whatsoever shall steal, purloin or take any Fish or Bait out of the Net or Seans of any other Person or Persons whatsoever, lying adrift or drover for Bait by Night.

VII. And be it enacted, That no Person or Persons whatsoever shall employ or cause to be employed at *Newfoundland*, or any of the Dependencies thereof, for the Purpose of carrying on the Fishery there, any Seamen or Fishermen going as Passengers, or any Seamen or Fishermen, hired there, without first entering into an Agreement or Contract with every such Seaman or Fisherman declaring what Wages or Shares such Seaman or Fisherman is to have, and the Time for which he shall serve, and in what Manner such Wages or Shares are to be paid or allowed;

allowed; and every such Agreement or Contract shall be made in Writing, and shall be signed by all the Parties thereto.

VIII. And be it further enacted, That no Hirer or Employer of any such Seaman or Fisherman shall pay or advance, or cause to be paid or advanced to such Seaman or Fisherman in Money or Goods, during the Time he shall be in the Service of such Hirer or Employer, more than to the Amount of Three fourths of the Wages or Shares which by the said Contract or Agreement shall be agreed to be paid or allowed to such Seaman or Fisherman; but such Hirer or Employer shall and is hereby required and directed immediately at or upon the Expiration of every such Seaman or Fisherman's covenanted Time of Service, to pay either in Money or Goods (according as may be agreed upon as aforesaid in such Contract or Agreement in Writing), to every such Seaman or Fisherman, the full Balance of One fourth Part of his stipulated Wages or Shares aforesaid; and it shall not be lawful for any such Hirer or Employer to turn away or discharge any such Seaman or Fisherman, except for wilful Neglect of Duty or other sufficient Cause, before the Expiration of his stipulated Time of Service; and in case the Hirer or Employer of any such Seaman or Fisherman shall refuse or neglect to comply with any of the Terms hereinbefore mentioned, or shall otherwise offend against this Act, every such Person so offending shall forfeit for every such Offence any Sum not less than Five Pounds, nor more than Fifty Pounds Sterling Money, to the Use of such Person or Persons as shall inform or sue for the same, to be recovered in the Supreme Court of Newfoundland, or by Bill, Plaint or Information in any of His Majesty's Courts of Record at Westminster: Provided always, that every such Suit or Prosecution, if the same be commenced in Newfoundland, shall be commenced within One Year; and if commenced in any of His Majesty's Courts of Record at Westminster, within Two Years from the Time of the Commission of such Offence.

IX. And be it further enacted, That in all Cases where Disputes shall arise concerning the Wages of any such Seaman or Fisherman, the Hirer or Employer shall be obliged to produce the Contract or Agreement in Writing hereinbefore directed to be entered into with every such Seaman or Fisherman, and also to give a Copy thereof to every such Seaman or Fisherman, if so required.

X. And be it further enacted, That all the Fish and Oil which shall be taken and made by the Person or Persons who shall hire or employ such Seaman or Fisherman, shall be subject and liable in the first Place to the Payment of the Wages or Shares of every such Seaman or Fisherman, and of the Demands of such Person or Persons as shall *bonâ fide* supply Bait to such Seaman or Fisherman for the Use and Benefit of the Hirer or Employer of such Seaman or Fisherman.

XI. And be it further enacted, That in case any such Seaman or Fisherman shall at any Time wilfully absent himself from his Duty or Employ without the Leave and Consent of his Hirer or Employer, or shall wilfully neglect or refuse to work, according to the true Intent and Meaning of his said Contract or Agreement, such Seaman or Fisherman shall for every Day he shall so absent

Employers not to advance more than Three-fourths of Wages during Time of Service; and the Balance at the Expiration of Agreement.

Penalty.

Limitation of Actions.

Agreements to be produced by Hirer in case of Dispute.

Fish and Oil subject in the first Place to Payment of Wages.

Persons abs-enting themselves from Duty without leave of Employer.

Penalty,

and if for 14  
Days deemed a  
Deserter.

Punishment.

Instructions  
may be given to  
Governor of  
Newfoundland  
for Purposes of  
fulfilling Trea-  
ties, &c. with  
Foreign States.

Persons neg-  
lecting to com-  
ply with such  
Instructions.

Penalty 50l.  
Sterling.

Limitation of  
Prosecution.

himself, or neglect or refuse to work as aforesaid, forfeit any Number of Days' Pay or Shares not exceeding Thirty to such Hirer or Employer; and if any such Seaman or Fisherman shall wilfully absent himself from his said Duty or Employment for the Space of Fourteen Days without such Leave as aforesaid, he shall be deemed a Deserter, and shall forfeit to such Hirer or Employer all such Wages as shall at the Time of such Desertion be due to him; and it shall and may be lawful for any Justice or Justices of the Peace of *Newfoundland*, or the Dependencies thereof, to issue his or their Warrant or Warrants to apprehend every such Deserter, and on the Oath of One or more Credible Witness or Witnessess to commit him to Prison, there to remain until the next Court of Sessions; and if found guilty of the said Offence at such Court of Sessions, it shall and may be lawful to and for the said Court of Sessions to order such Deserter to be imprisoned for any Time not exceeding Three Calendar Months, and afterwards to be put on board a Passage Ship, in order to his being conveyed back to the Country whereto he belongs, in case such Deserter be not a Native of or settled within the said Colony.

XII. And be it further enacted, That it shall and may be lawful for His Majesty, His Heirs and Successors, by Advice of His or their Council, from time to time to give such Orders and Instructions to the Governor of *Newfoundland*, or to any Officer or Officers on that Station, as he or they shall deem proper and necessary to fulfil the Purposes of any Treaty or Treaties now in force between His Majesty and any Foreign State or Power; and in case it shall be necessary to that End, to give Orders and Instructions to the Governor, or other Officer or Officers aforesaid, to remove or cause to be removed any Stages, Flakes, Train Fats, or other Works whatever, for the Purpose of carrying on the Fishery, erected by His Majesty's Subjects on that Part of the Coast of *Newfoundland* which lies between *Cape Saint John* passing to the North, and descending to the Western Coast of the said Island to the Place called *Cape Raye*, and also all Ships, Vessels and Boats belonging to His Majesty's Subjects which shall be found within the Limits aforesaid; and also, in case of Refusal to depart from within the Limits aforesaid, to compel any of His Majesty's Subjects to depart from thence; any Law, Custom or Usage to the contrary notwithstanding.

XIII. And be it further enacted, That if any Person or Persons shall refuse, upon Requisition made by the Governor, or any Officer or Officers acting under him in pursuance of His Majesty's Orders or Instructions as aforesaid, to depart from within the Limits aforesaid, or otherwise to conform to such Requisitions and Directions as such Governor or other Officer as aforesaid shall make or give for the Purposes aforesaid, every such Person or Persons so refusing or otherwise offending against the same, shall forfeit the Sum of Fifty Pounds Sterling Money: Provided always, that every such Suit or Prosecution, if the same be commenced in *Newfoundland*, shall be commenced within One Year; and if commenced in any of His Majesty's Courts of Record at *Westminster*, within Two Years from the Time of the Commission of such Offence.

XIV. And

XIV. And Whereas by an Act passed in the Fifty first Year of the Reign of His said Majesty King *George the Third*, the Governor of the Island of *Newfoundland* is empowered to dispose of certain Places in the Harbour of *Saint John* in the said Island, called "Fishing Ships' Rooms," as therein particularly described: And Whereas it is expedient that all other Fishing Ships' Rooms in *Newfoundland* should be disposed of in like Manner; Be it further enacted, That the Governor of *Newfoundland* for the Time being shall have Power, and he is hereby authorized to sell, lease or dispose of all such Places within the said Island of *Newfoundland*, commonly called "Ships' Rooms," as may not be already disposed of under and by virtue of the said last mentioned Act, to be held in the same Manner as other Property in *Newfoundland*; provided however, that nothing herein contained shall extend or be construed to the Prejudice of any private Right of any Person whatever.

Governor of Newfoundland empowered to dispose of Ships Rooms.

XV. And be it further enacted, That it shall and may be lawful for His Majesty, His Heirs and Successors, to grant to any Persons or Person any waste and unoccupied Lands situate and being within the said Colony, and which have not hitherto been granted by His Majesty, or any of His Royal Predecessors, to any Persons or Person; any Thing in any Charter granted by any of His Majesty's Royal Predecessors, or in any Act of Parliament, to the contrary contained in any wise notwithstanding.

His Majesty may grant waste Lands, &c.

XVI. And be it further enacted, That all Penalties hereby imposed shall and may be sued for and recovered in any of His Majesty's Courts of Record in the said Colony of *Newfoundland*, or its Dependencies, and shall go and be applied, One Half to the Benefit of any Person who may sue or inform for the same, and the other Half to His Majesty, for and towards the Support of the Government of the said Colony.

Penalties may be sued for in Newfoundland.

XVII. And be it further enacted, That this Act shall continue and be in force for Five Years, and from thence until the End of the then next Session of Parliament.

Continuance of Act.

### C A P. LII.

An Act to amend so much of an Act of the Forty second Year of His late Majesty, for making additional Basons or Docks at *Kingston upon Hull*, as relates to certain Lands belonging to His Majesty. [3d June 1824.]

WHEREAS by an Act passed in the Forty second Year of the Reign of His late Majesty, intituled *An Act for amending an Act passed in the Fourteenth Year of the Reign of His present Majesty, intituled 'An Act for making and establishing public Quays or Wharfs at Kingston upon Hull, for the better securing His Majesty's Revenue of Customs, and for the Benefit of Commerce in the Port of Kingston upon Hull; for making a Bason or Dock, with Reservoirs, Sluices, Roads and other Works, for the Accommodation of Vessels using the said Port; and for appropriating certain Lands belonging to His Majesty, and for applying certain Sums of Money out of His Majesty's Customs in the said Port for those Purposes, and for establishing other necessary Regulations within the Town and Port of Kingston upon*

42 G.3. c.xci.

' Hull, and also for making additional Basons or Docks at King-  
 ' ston upon Hull, with an Entrance into the same from the River  
 ' Humber, and for granting certain Lands belonging to His Majesty  
 ' in Aid of the said Works : ' it was enacted, that from and after  
 ' the passing of the said Act all that Piece or Parcel of Ground,  
 ' being Part of the Land belonging to His Majesty's Military  
 ' Works at Kingston upon Hull, on the East Side of the River  
 ' Hull, containing by Estimation Thirty seven Acres or there-  
 ' abouts, situate, lying and being in the County of the Town of  
 ' Kingston upon Hull and County of York, or one of them, together  
 ' with and including the Foreshores of the same Piece or Parcel of  
 ' Ground, extending to the Low Water Mark of the River Humber,  
 ' the Building called the North Blockhouse, and all other Build-  
 ' ings, Gates, Walls, inner and outer Ditches, Cuts, Land covered  
 ' with Water, Ramparts, Jetties, Mooring Posts and other Works  
 ' in, upon or belonging to the said Piece or Parcel of Ground  
 ' and Premises, which said Piece or Parcel of Ground and Pre-  
 ' mises comprized the whole of the Land and Buildings belong-  
 ' ing to His Majesty's Military Works on the East Side of the said  
 ' River Hull, (save and except the Citadel and the Foreshore  
 ' thereof, and which said Citadel and Foreshore or Space com-  
 ' prehended between Two straight Lines drawn on a right Angle  
 ' with the Curtain of the said Citadel, and extending from the said  
 ' Citadel to the Low Water Mark of the said River Humber,  
 ' were meant and were thereby declared to be reserved to His  
 ' Majesty, His Heirs and Successors,) should be granted and con-  
 ' firmed, and the same were thereby accordingly granted and  
 ' confirmed unto the said Mayor and Burgesses and Guild or  
 ' Brotherhood, and their respective Successors for ever, freed  
 ' and discharged of and from all Claim, Right and Title what-  
 ' soever of His said Majesty, His Heirs and Successors, in Right  
 ' of His Crown or otherwise ; and it was by the said Act directed,  
 ' that the said Sum of Eight thousand Pounds should be paid  
 ' into the Treasury of His Majesty's Office of Ordnance, to be  
 ' applied to the current Service of the said Office of Ordnance  
 ' by the said Mayor and Burgesses, the said Guild or Brother-  
 ' hood, and the Dock Company of Kingston upon Hull aforesaid,  
 ' in the Proportions and at the Times thereafter mentioned ; that  
 ' is to say, the Sum of Four thousand Pounds, (being One Moiety  
 ' or equal Half part thereof) by the said Dock Company, and the  
 ' further Sum of Four thousand Pounds (being the Residue and  
 ' in full of the said Sum of Eight thousand Pounds) by the said  
 ' Mayor and Burgesses and the said Guild or Brotherhood, in  
 ' equal Shares and Proportions, by Eight Annual Instalments of  
 ' One thousand Pounds each, at the Times and in Manner therein  
 ' mentioned : And it was also further enacted, that until Payment  
 ' should be made of the said Sum of Eight thousand Pounds in  
 ' Manner therein mentioned, or of the Shares or Proportions  
 ' of the said Dock Company, the said Mayor and Burgesses  
 ' and the said Guild or Brotherhood respectively, on the several  
 ' Days and Times thereinbefore limited and appointed for that  
 ' Purpose, contrary to the true Intent and Meaning of the said  
 ' Act, the said Sum of Eight thousand Pounds should be charged  
 ' upon all and every the Estates, Lands and Hereditaments



of the said Dock Company, the said Mayor and Burgesses  
 and the said Guild or Brotherhood respectively; and that, in  
 Default of Payment thereof in Manner aforesaid, it should  
 be lawful to and for His said Majesty, His Heirs and Succes-  
 sors, into or upon all and every or any of the Estates, Lands  
 or Hereditaments of the said Dock Company, the said Mayor  
 and Burgesses, and the said Guild or Brotherhood, to enter  
 and distrain, and thereby, or by such other Ways and Means  
 as are therein mentioned, to raise the Sum or Sums of Money  
 which should be so in arrear or unpaid, and all Costs and  
 Charges attending the same, or in any wise relating thereto:  
 And Whereas after the passing of the said recited Act it was  
 found that the giving up of the Whole of the Ditch which  
 surrounded the said Citadel, and which formed Part of the  
 Piece or Parcel of Ground granted by the said Act, would be  
 prejudicial to the Defences of the Place, and otherwise inju-  
 rious to the Public Service; and such Part of the said Ditch as  
 was necessary for the Use and Protection of the said Citadel,  
 containing by Admeasurement Eight Acres One Rood and Two  
 Perches, was kept and retained for that Purpose, and that the  
 Residue only of the said Piece or Parcel of Ground was deli-  
 vered up to the said Mayor and Burgesses and Guild or Bro-  
 therhood: And Whereas on Account of such Retention as afore-  
 said, and on other Accounts, no Part of the said Sum of Eight  
 thousand Pounds in the said Act mentioned and directed to be  
 paid by the said Three Corporations was paid by them, or any  
 of them, at the Times and in Manner therein mentioned, or  
 at any Time since: And Whereas the said Mayor and Burgesses  
 and the said Guild or Brotherhood have duly performed and  
 fulfilled all the other Matters and Things which in and by the  
 said Act were undertaken to be performed and fulfilled by  
 them, and have suffered a very heavy Loss by reason of the  
 Retention of such Part of the said Ditch or Piece or Parcel  
 of Ground, containing Eight Acres One Rood and Two Perches  
 as aforesaid, wherefore the said Principal Officers of His Ma-  
 jesty's Ordnance did consent and agree that, as a Compensa-  
 tion for such Retention and Loss, they the said Mayor and  
 Burgesses and Guild or Brotherhood should receive, in equal  
 Proportions, from the said Dock Company, the said Sum of  
 Four thousand Pounds, so payable by them the said Dock  
 Company under the said Act into the Treasury of His Majesty's  
 Ordnance, and should be released and discharged from the Pay-  
 ment of the said other or remaining Sum of Four thousand  
 Pounds, so payable under the said Act by them the said Mayor  
 and Burgesses and Guild or Brotherhood into the said Treasury:  
 And Whereas, in pursuance of the said Agreement, the said  
 Dock Company did consent to pay and have accordingly paid  
 to the said Mayor and Burgesses and Guild or Brotherhood the  
 said Sum of Four thousand Pounds, in equal Shares or Propor-  
 tions between them: And Whereas it is necessary that the said  
 Piece or Parcel of Ground, containing Eight Acres One Rood  
 and Two Perches, so kept and retained by the said Principal  
 Officers, and now forming the Ditch of the said Citadel as afore-  
 said, should, together with another Piece of Land or Ground

‘ on the West Side of the said Citadel, now occupied by the  
 ‘ Sluice used for filling the said Ditch with Water, be divested  
 ‘ out of the said Mayor and Burgesses and the said Guild or  
 ‘ Brotherhood respectively, and that the said Two Pieces or  
 ‘ Parcels of Land or Ground and Sluice should thereupon be  
 ‘ vested in the said Principal Officers, in trust for His Majesty,  
 ‘ for the Use or Service of the Ordnance Department, and that  
 ‘ the several Estates, Lands and Hereditaments of the said Dock  
 ‘ Company, the said Mayor and Burgesses and the said Guild or  
 ‘ Brotherhood, which by the said recited Act are charged with  
 ‘ the Payment of the said Sum of Eight thousand Pounds, should  
 ‘ be released and discharged therefrom; which said several Mat-  
 ‘ ters and Things cannot be effected without the Aid and Autho-  
 ‘ rity of Parliament:’ 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 Parliament  
 assembled, and by the Authority of the same, That all that the  
 said Piece or Parcel of Land or Ground covered with Water, con-  
 taining by Admeasurement Eight Acres One Rood and Two  
 Perches or thereabouts, which has been so kept and retained  
 by the said Principal Officers, and which now forms the Ditch  
 surrounding the said Citadel of *Kingston upon Hull* as aforesaid,  
 and also all that other Piece or Parcel of Land or Ground on the  
 West Side of the said Citadel, now occupied by the said Sluice  
 used for filling up the said Ditch with Water, together with the  
 said Sluice and its Appurtenances, shall be and the same re-  
 spectively are hereby divested out of the said Mayor and Bur-  
 gesses and the said Guild or Brotherhood; and that the said Pre-  
 mises respectively shall be, and the same are hereby vested in the  
 said Principal Officers of His Majesty’s Ordnance and their Suc-  
 cessors, Principal Officers of the Ordnance for the Time being,  
 in trust for His said Majesty, His Heirs and Successors for ever,  
 for the Use or Service of the said Ordnance Department, or for  
 such other Public Service or Services as His said Majesty, His  
 Heirs and Successors, shall from time to time by any Order in  
 Council be pleased to direct, freed and discharged of and from  
 all Claim, Right and Title whatsoever of the said Mayor and Bur-  
 gesses and the said Guild or Brotherhood, and their respective  
 Successors, under and by virtue of the said recited Act, or other-  
 wise howsoever.

The Piece of  
 Land covered  
 with Water,  
 forming a Ditch  
 surrounding the  
 Citadel of  
 Kingston up-  
 on Hull, and  
 the Land occu-  
 pied by the  
 Sluice, &c.  
 divested out of  
 the Mayor, &c.  
 and vested in  
 the Ordnance  
 in Trust for the  
 Crown.

Estates of Dock  
 Company, the  
 Mayor and  
 Burgesses, &c.  
 discharged from  
 Payment of  
 8,000*l.* payable  
 under recited  
 Act.

† Sic.

The Piece of  
 Ground on the  
 West Side of  
 the Ditch of the

II. And be it further enacted, That all and every the Estates,  
 Lands and Hereditaments of the said Dock Company, the said  
 Mayor and Burgesses and the said Guild or Brotherhood, res-  
 pectively, which by the said Act are charged with the Payment  
 of the said Sum of Eight thousand Pounds, shall be and the  
 same are hereby fully released, exonerated and discharged there-  
 from, and from every Part thereof, and also of † from all and  
 every the Powers, Remedies and Means which in and by the  
 said Act are provided for raising or levying the same; any Thing  
 in the said Act contained to the contrary notwithstanding.

III. Provided always, and be it further enacted, That the said  
 Piece or Parcel of Ground on the West Side of the Ditch of the  
 said Citadel, now occupied by the Sluice used for filling the  
 said

id Ditch with Water, shall be used and occupied as a Sluice only, and shall contain in Breadth, from a Line drawn along the Centre of the said Sluice, Fifteen Feet and no more, and extend from the Wall of the said Ditch to the River *Hull*, and shall be subject to such Rights and Privileges of the said Mayor and Burgesses and the said Guild or Brotherhood therein, as hereinafter mentioned; that is to say, to the full, free and uninterrupted Use and Enjoyment by them the said Mayor and Burgesses and the said Guild or Brotherhood, and their respective Successors and Assigns, of the Surface of the said Piece or Parcel of Ground at all Times for ever hereafter, for the Purpose of laying out the same as a public Highway, for the Passage of Horses, Carriages and Foot Passengers, to and from the other Lands or Grounds of the said Mayor and Burgesses and the said Guild or Brotherhood, situated on each Side thereof, or for any other Purpose whatsoever, so as not to obstruct or interfere with the free Use and Enjoyment and Occupation of the said Sluice, and free Access thereto at all Times, for the Purpose of cleaning, repairing or altering the same, or otherwise, as Occasion may require; the Surface of the said Piece or Parcel of Ground being well, sufficiently and properly relaid or replaced by or at the Expence of His said Majesty, His Heirs and Successors, whenever the same shall or may be dug, broken or disturbed for any of the Purposes aforesaid.

Citadel to be used only for a Sluice, and the Surface of the Ground to be in the Mayor and Burgesses, &c. for laying out as a Public Highway, &c.

C A P. LIII.

An Act to permit the mutual Transfer of Capital in certain Public Stocks or Funds transferable at the Banks of *England* and *Ireland* respectively.

[3d June 1824.]

WHEREAS an Act was passed in the Fifty seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to permit the Transfer of Capital from certain Public Stocks or Funds in Great Britain to certain Public Stocks or Funds in Ireland*: And Whereas by an Act made in the Fifth and Eighth Year of His late Majesty's Reign, intituled *An Act for raising the Sum of Three Millions, by the Transfer of certain Three per Centum Annuities into other Annuities at the Rate of Three Pounds Ten Shillings per Centum; and for granting Annuities to discharge certain Exchequer Bills*; it is among other Things enacted, that the said Annuities at the Rate of Three Pounds Ten Shillings per Cent. created by the said Act, should, under the Provisions of the hereinbefore recited Act of the Fifty seventh Year of His said late Majesty's Reign, be transferable into Annuities at the Rate of Three Pounds Ten Shillings per Cent. payable and transferable at the Bank of *Ireland*: And Whereas another Act was made in the Fifty eighth Year of the Reign of His said late Majesty, for amending the said recited Act of the said Fifty seventh Year of His said late Majesty: And Whereas an Act was made in the Parliament holden in the First and Second Years of His present Majesty's Reign, intituled *An Act to permit, for Three Years, the Transfer from certain Public Stocks or Funds in Ireland to certain Public Stocks or Funds in Great Britain*: And Whereas by an Act made

57 G.3. c.79.

58 G.3. c.25.

58 G.3. c.80.

1 & 2 G.4. c.75.

in

3 G. 4. c. 17.

After July 5, 1824, no further Transfer under recited Acts.

Recited Acts repealed as to Transfers of Stock, except made before July 5, 1824.

‘ in the Third Year of the Reign of His present Majesty, intituled  
‘ *An Act for converting Annuities and Debentures of Five Pounds*  
‘ *per Centum per Annum, payable at the Bank of Ireland, into*  
‘ *new Annuities of Four Pounds per Centum per Annum, it was*  
‘ among other Things enacted, that it should be lawful for Persons  
‘ holding Stock in the new *Four per Cent. Annuities* transferable  
‘ at the Bank of *England*, to transfer such Stock for the Purpose  
‘ of having corresponding Sums written into and made Part of the  
‘ Capital of the old *Four Pounds per Centum Annuities* transferable  
‘ at the Bank of *Ireland*; and that it should be lawful for  
‘ Persons holding Stock in the new *Four per Centum Annuities*  
‘ transferable at the Bank of *Ireland*, to transfer such Stock,  
‘ for the Purpose of having corresponding Sums written into and  
‘ made Part of the Capital of the old *Four per Centum Consoli-*  
‘ *dated Annuities* transferable at the Bank of *England*, upon and  
‘ according to the Scale mentioned in the said Act, and under  
‘ such Rules, Regulations and Provisions, and subject to such  
‘ Restrictions as are contained in the hereinbefore recited Act  
‘ of the Fifty seventh Year, and in the secondly recited Act of  
‘ the Fifty eighth Year of the Reign of His said late Majesty, and  
‘ in the said recited Act of the First and Second Years of His  
‘ present Majesty’s Reign; And Whereas the Operation of the  
‘ said recited Acts hath been found highly beneficial, and as  
‘ Amount of Capital exceeding Eight Millions *British* Currency  
‘ hath been transferred under the said recited Acts from the Public  
‘ Stocks or Funds in *Great Britain* to the Public Stocks or Funds  
‘ in *Ireland*, and a certain Amount of Capital has been transfer-  
‘ red from the Public Stocks or Funds in *Ireland* to the Public  
‘ Stocks or Funds in *England*; and it is expedient that more  
‘ effectual Regulations should be made for facilitating the mutual  
‘ Transfer of Capital from certain Public Stocks or Funds trans-  
‘ ferable at the Bank of *England* to certain Public Stocks or  
‘ Funds transferable at the Bank of *Ireland*, and in like Manner  
‘ from certain Public Stocks or Funds transferable at the Bank  
‘ of *Ireland* to certain Public Stocks or Funds transferable at the  
‘ Bank of *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 Par-  
‘ liament assembled, and by the Authority of the same, That from  
‘ and after the Fifth Day of *July* One thousand eight hundred and  
‘ twenty four, no further Transfer of Capital shall be made under  
‘ the said recited Acts, or any of them, from any Public Stocks  
‘ or Funds in *Great Britain* to any Public Stocks or Funds in *Ire-*  
‘ *land*, nor from any Public Stocks or Funds in *Ireland* to any  
‘ Public Stocks or Funds in *Great Britain*; and that from and  
‘ after the said Fifth Day of *July* One thousand eight hundred and  
‘ twenty four, so much and such Parts of the said hereinbefore  
‘ recited Act made in the Fifty seventh Year of the Reign of His  
‘ late Majesty, and also of the said Two recited Acts of the Fifty  
‘ eighth Year of His said late Majesty’s Reign, and also of the said  
‘ recited Act made in the First and Second Years of His present  
‘ Majesty’s Reign, and also of the said recited Act of the Third  
‘ Year of His present Majesty’s Reign, as relates or relate to the  
‘ Transfer of Stocks, Funds or Annuities in the said Acts re-  
‘ spectively

pectively mentioned, shall be and the same are respectively revealed, and shall cease and determine; any Thing in the said recited Acts, or any or either of them to the contrary in any wise notwithstanding; except only so far as relates, or may relate, to any Transfers made under the said recited Acts, or either of them, at any Time before the said Fifth Day of July One thousand eight hundred and twenty four, and which Transfers shall and may be fulfilled and completed under the Provisions of the said recited Acts.

II. And be it further enacted, That from and after the Fifth Day of July One thousand eight hundred and twenty four, it shall and may be lawful for any Person or Persons holding Stock in the Three Pounds per Centum per Annum Consolidated Annuities, transferable at the Bank of England, to transfer such Stock or Annuities, for the Purpose of having corresponding Sums written into the Capital of a New Stock, to be called 'The Irish Three Pounds per Centum per Annum Consolidated Annuities,' and to be transferable at the Bank of Ireland, and to carry Interest after the Rate of Three Pounds per Centum per Annum; and that the Dividends of such Three Pounds per Centum per Annum Consolidated Annuities shall be payable Half Yearly at the Bank of Ireland, upon the Fifth Day of January and the Fifth Day of July in each and every Year, and the First Half Yearly Dividend thereon shall be paid on the Fifth Day of July or the Fifth Day of January next after every such Transfer shall be respectively made; and that it shall be lawful for any Person or Persons holding Stock in the Three Pounds per Centum per Annum Reduced Annuities, transferable at the Bank of England, to transfer such Stock or Annuities for the Purpose of having corresponding Sums written into the Capital of a New Stock, to be called 'The Irish Three Pounds per Centum per Annum Reduced Annuities,' and to be transferable at the Bank of Ireland, and to carry Interest after the Rate of Three Pounds per Centum per Annum; and that the Dividends of such Three Pounds per Centum per Annum Reduced Annuities shall be payable Half Yearly at the Bank of Ireland, upon the Fifth Day of April and the Tenth Day of October in each and every Year, and that the First Half Yearly Dividend thereon shall be paid on the Tenth Day of October or the Fifth Day of April next, after every such Transfer shall be respectively made; and that it shall be lawful for any Person or Persons holding any Annuities for the Term of Eighty Years from the Fifth Day of January One thousand seven hundred and eighty, commonly called Long Annuities, transferable at the Bank of England, to transfer such Annuities for the Purpose of having corresponding Sums written into certain Annuities to be called 'The Irish Long Annuities,' and to be transferable at the Bank of Ireland, and that such Annuities shall be payable Half Yearly at the Bank of Ireland, upon the Fifth Day of April and the Tenth Day of October Yearly, and shall cease and determine on the Fifth Day of January One thousand eight hundred and sixty, on which Day the Quarter's Annuity and no more shall be paid, and the First Half Yearly Payment of such Annuities shall be made on the Tenth Day of October or the Fifth Day of April next after every such Transfer shall be respectively

English 3 per Cent. Consols may be transferred into a new Stock to be called Irish 3 per Cent. Consols.

English 3 per Cent. Reduced into a new Stock to be called Irish 3 per Cent. Reduced.

And English Long Annuities into Irish Annuities to be called Long Annuities.

spectively made; and that all such Transfers shall be made according to the Scale and upon the Terms and Conditions hereinafter mentioned and set forth.

Such Irish Stocks, &c. redeemable as English Stocks.

Dividends chargeable on Consolidated Fund.

III. And be it further enacted, That the said Stocks, Funds or Annuities, to be called Three Pounds *per Centum per Annum* Irish Consolidated Annuities, Three Pounds *per Centum per Annum* Irish Reduced Annuities, and Irish Long Annuities, shall be respectively subject and liable to Redemption upon and at such Time and in such Manner as the Three Pounds *per Centum per Annum* Consolidated Annuities, and the Three Pounds *per Centum per Annum* Reduced Annuities, and the Long Annuities, transferable at the Bank of England, are or may be respectively liable to Redemption, and not at any other Time or in any other Manner; and the Interest, Dividends and Annuities payable in respect of the said Irish Three Pounds *per Centum per Annum* Consolidated Annuities, Irish Three Pounds *per Centum per Annum* Reduced Annuities, and Irish Long Annuities, shall be charged and chargeable upon, and shall be issued and paid out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and shall be free from all Taxes, Charges and Impositions in the same Manner as the Interest and Dividends of any other Stock or Annuities payable at the Bank of Ireland do stand charged on the said Fund.

Bank of Ireland to employ their Cashier and an Accountant General.

56 G. 3. c. 98.  
§ 6.

IV. And, for the more easy and sure Payment of the several Annuities to be created and established by virtue of this Act, be it further enacted, That the Governor and Company of the Bank of Ireland, and their Successors, shall from time to time employ their Chief or First Cashier or Cashiers, and their Accountant General, in the Execution of this Act; and that the Monies from time to time necessary for Payment of the said several Annuities shall, by Warrant of the Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being, countersigned by the Vice-Treasurer of Ireland for the Time being, in Manner directed by an Act made 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 Kingdom*, be issued and paid, according to the Course of the said Exchequer, to the said First or Chief Cashier or Cashiers of the said Governor and Company of the Bank of Ireland, and their Successors, for the Time being, for the Payment of the said Annuities respectively: and that such Cashier or Cashiers, to whom the said Monies shall from time to time be issued, shall from time to time, without Delay, apply and pay the same accordingly, and render his or their Accounts thereof according to the due Course of the said Exchequer.

Accountant General of Bank of Ireland to examine Receipts and Payments.

Each of such respective

V. And be it further enacted, That the said Accountant General of the said Bank of Ireland for the Time being shall from time to time inspect and examine all Receipts and Payments of the said Cashier or Cashiers, and the Vouchers relating thereunto, in order to prevent any Fraud, Negligence or Delay.

VI. And be it further enacted, That each of the several Stocks, Funds, or Annuities to be called Irish Three *per Centum per Annum*

*in Consolidated Annuities, Irish Three per Cent. per Annum reduced Annuities, and the said Annuities to be called Irish Long Annuities, created by virtue of this Act, shall be severally deemed, reputed and taken to be One Capital or Joint Stock of Consolidated Annuities, One Capital or Joint Stock of Reduced Annuities, and One Capital or Joint Stock of Long Annuities respectively; and that all and every Person and Persons, and Bodies Politic and Corporate whatsoever, shall have and be deemed to have a proportionable Interest and Share in such several Stocks, Funds or Annuities, and in the Dividends or Payments attending the same, at the Rates aforesaid; and that the said several Capitals or Joint Stocks, or any Share or Interest therein, and the proportional Annuity attending the same respectively, shall be assignable and transferable as directed by this Act, and not otherwise; and that there shall constantly be kept in the Office of the said Accountant General of the said Bank of Ireland for the Time being, within the City of Dublin, a Book or Books wherein all Assignments or Transfers of the said several Transfers, Capitals or Joint Stocks, or any Part thereof, and the proportional Annuity attending the same respectively, at the Rate aforesaid, shall be entered and registered; and such Entries shall be conceived in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers, or if any such Party or Parties be absent, by his, her or their Attorney or Attornies thereunto lawfully authorized, by Writing under his, her or their Hands and Seals, and shall be attested by Two or more credible Witnesses; and that the Person or Persons to whom such Transfer or Transfers shall be made, shall respectively underwrite his, her or their Acceptance thereof; and that no other Method of assigning or transferring the said Stock, and the Annuities attending the same, or any Part thereof, or any Interest therein, shall be good and available by Law; and that no Stamp Duties whatsoever shall be charged upon the said Transfers or any of them.*

Funds to be One Joint Stock.

Transfers may be made.

Transfers not liable to Stamp Duties.

Annuities to be Personal Estate.

*VII. And be it further enacted, That all Persons and Corporations entitled to any such Stocks, Funds, Annuity or Annuities to be created and established by virtue of this Act, and his, her or their Administrators, Successors and Assigns respectively, and all Persons and Corporations lawfully claiming under him, her or them, shall have good, sure, absolute and indefeasible Estates and Interests in the said respective Stocks, Funds and Annuities, according to the true Tenor and Meaning of this Act, and shall be possessed thereof as of a Personal Estate, devisable by such, and which shall not be descendible to Heirs; any Law, Custom or Usage to the contrary notwithstanding.*

*VIII. And be it further enacted, That from and after the said fifth Day of July One thousand eight hundred and twenty four, shall and may be lawful for any Person or Persons holding Stock of any such Irish Three per Cent. per Annum Consolidated Annuities to be created under this Act, and transferable at the Bank of Ireland, to transfer or cause to be transferred such Stock or Annuities for the Purpose of having corresponding Sums written and consolidated with and made Part of the Capital of the said Bank of Ireland, and three Pounds per Cent. per Annum Consolidated Annuities transferable*

The Irish 3 per Cent. Consols, 3 per Cent. Reduced, and Long Annuities so to be created, may be transferred into the English 3 per Cents. Consols, 3 per

Cents. Re-  
duced, and  
Long Annu-  
ities respectively.

English and  
Irish 3½ per  
Cents. may be  
mutually trans-  
ferred into each  
other respec-  
tively;

and also the  
New 4 per  
Cents.

ferable at the Bank of *England*; and that it shall and may be lawful for any Person or Persons holding Stock in the Three Pounds *per Centum per Annum Irish* Reduced Annuities to be created under this Act, and transferable at the Bank of *Ireland* to transfer or cause to be transferred such Stock or Annuities for the Purpose of having corresponding Sums written in and consolidated with and made Part of the Capital of the Three Pounds *per Cent. per Annum* Reduced Annuities transferable at the Bank of *England*; and that it shall be lawful for any Person or Persons holding any Annuities to be called *Irish Long Annuities*, to be created under this Act, and transferable at the Bank of *Ireland*, to transfer or cause to be transferred such Annuities, for the Purpose of having corresponding Sums written in and consolidated with and made Part of the Annuities for the Term of Eighty Years from the Fifth Day of *January* One thousand seven hundred and eighty, commonly called *Long Annuities*, transferable at the Bank of *England*; and that all such Transfers shall be made according to the Scale and on the Terms and Conditions in this Act prescribed, mentioned and set forth.

IX. And be it further enacted, That from and after the said Fifth Day of *July* One thousand eight hundred and twenty four. It shall and may be lawful for any Person or Persons holding Stock in any Three Pounds Ten Shillings *per Cent. per Annum* Annuities transferable at the Bank of *England*, to transfer or cause to be transferred such Stock or Annuities, for the Purpose of having corresponding Sums written in and consolidated with and made Part of the Capital of any Three Pounds Ten Shillings *per Cent. per Annum* Annuities transferable at the Bank of *Ireland*; and that it shall be lawful for any Person or Persons holding Stock in any Three Pounds Ten Shillings *per Cent. per Annum* Annuities and Debentures transferable at the Bank of *Ireland*, to transfer or cause to be transferred such Stock, Annuities or Debentures, for the Purpose of having corresponding Sums written in and consolidated with and made Part of the Capital of the Three Pounds Ten Shillings *per Cent. per Annum* Reduced Annuities created by an Act made in this present Session of Parliament, transferable at the Bank of *England*; and that it shall be lawful for any Person or Persons holding Stock in the New Four Pounds *per Cent. per Annum* Annuities transferable at the Bank of *England*, to transfer or cause to be transferred any such New Four Pounds *per Cent. per Annum* Annuities, for the Purpose of having corresponding Sums written into and consolidated with and made Part of the Capital of the New Four *per Cent. per Annum* Annuities transferable at the Bank of *Ireland*; and that in like Manner it shall be lawful for any Person or Persons holding Stock in the New Four *per Cent. per Annum* Annuities transferable at the Bank of *Ireland*, to transfer or cause to be transferred any such New Four *per Cent. per Annum* Annuities, for the Purpose of having corresponding Sums written into and consolidated with and made Part of the Capital of the New Four *per Cent. per Annum* Annuities transferable at the Bank of *England*; and that all such Transfers shall be made according to the Scale and on the Terms and Conditions in and by this Act prescribed, mentioned and set forth.



X. And be it further enacted, That the Scale upon which all and every such Transfers or Transfer shall be made under the Authority of this Act, of any Sum or Sums from the several hereinbefore mentioned Stocks, Funds or Annuities transferable at the Bank of *England*, or from the several Stocks, Funds, Annuities or Debentures transferable at the Bank of *Ireland* respectively, for the Purposes of this Act, shall be as follows; that is to say, that every Person who shall transfer any such Sum or Sums respectively, for every One hundred Pounds in the Three *per Centum per Annum* Consolidated Annuities, or in the Three *per Centum per Annum* Reduced Annuities, or in any Three Pounds Ten Shillings *per Cent. per Annum* Annuities, or in the New Four Pounds *per Cent. per Annum* Annuities transferable at the Bank of *England*, and so transferred under the Directions and for the Purposes of this Act, shall be entitled to the Sum of One hundred and eight Pounds Six Shillings and Eight Pence in the several Stocks, Funds, Annuities or Debentures of Three Pounds *per Cent. per Annum*, or Three Pounds Ten Shillings *per Cent. per Annum*, or New Four Pounds *per Cent. per Annum* respectively, which are or shall be transferable at the Bank of *Ireland*, into which corresponding Sums shall be written under the Provisions of this Act; and for every One hundred and eight Pounds Six Shillings and Eight Pence in the Three Pounds *per Cent. per Annum* *Irish* Consolidated Annuities, or in the Three Pounds *per Cent. per Annum* *Irish* Reduced Annuities, or in any Three Pounds Ten Shillings *per Cent. per Annum* Annuities, or in the New Four Pounds *per Cent. per Annum* Annuities, which are or shall be transferable at the Bank of *Ireland*, and shall be so transferred under this Act, every such Person shall be entitled to the Sum of One hundred Pounds in the several Stocks, Funds or Annuities of the Three Pounds *per Cent. per Annum* Consolidated or Reduced Annuities, Three Pounds Ten Shillings *per Cent. per Annum* Reduced Annuities, or New Four Pounds *per Cent. per Annum* Annuities respectively, transferable at the Bank of *England*, into which corresponding Sums shall be written under the Provisions of this Act; and for every One Pound *per Annum* of the said Annuities commonly called Long Annuities, transferable at the Bank of *England*, and which shall be so transferred under this Act, every such Person shall be entitled to the Sum of One Pound One Shilling and Eight Pence *per Annum* of such *Irish* Long Annuities, to be created and transferable at the Bank of *Ireland*; and for every One Pound One Shilling and Eight Pence of Annuities to be called *Irish* Long Annuities, to be created and transferable at the Bank of *Ireland*, and which shall be so transferred under this Act, such Person shall be entitled to the Sum of One Pound *per Annum* of the Annuities commonly called Long Annuities, transferable at the Bank of *England*; and all such Transfers shall be made under such Rules, Regulations and Provisions as are contained in this Act.

XI. Provided always, and be it enacted, That it shall not be lawful for any Person to make any Transfer for the Purposes of this Act, of any Stocks, Funds, Annuities or Debentures, the Dividends on which shall be payable on the Fifth Day of *January* and

Scale of Transfer of all such Stocks:  
For every 100*l.* of English Stock transferred, 108*l.* 6*s.*  
8*d.* *Irish* Stock shall be written in, and for every 108*l.* 6*s.* 8*d.* *Irish* Stock 100*l.* English.

For every 1*l.* English Long Annuities 1*l.* 1*s.* 8*d.* *Irish*, and for every 1*l.* 1*s.* 8*d.* *Irish* Long Annuities 1*l.* English.

No Transfers shall be made after certain Days preceding the several Dividend Days.

and the Fifth Day of *July* in each Year, at any Time on or after the Twenty fifth Day of *November* next preceding any such Fifth Day of *January*, nor on or after the Twenty fifth Day of *March* next preceding any such Fifth Day of *July*; nor to make any Transfer for the Purposes of this Act, of any Stocks, Funds, Annuities or Debentures, the Dividends on which shall be payable on the Fifth Day of *April* and the Tenth Day of *October* in each Year, at any Time on or after the Twenty third Day of *February* next preceding any such Fifth Day of *April*, nor on or after the Twenty fifth Day of *August* next preceding any such Tenth Day of *October*; any Thing hereinbefore contained to the contrary in any wise notwithstanding.

No Sums shall be written into the Books of the Banks of England or Ireland after certain Days preceding the several Dividend Days.

XII. Provided also, and be it enacted, That it shall not be lawful to write any Sum or Sums into the Books of the Governor and Company of the Bank of *England*, or into the Books of the Governor and Company of the Bank of *Ireland* respectively, relating to any Stocks, Funds, Annuities or Debentures, the Dividends on which shall be payable on the Fifth Day of *April* and the Tenth Day of *October* in any Year, at any Time on or after the First Day of *March* at the Bank of *England*, nor on or after the Twelfth Day of *March* at the Bank of *Ireland*, next preceding any such Fifth Day of *April*, nor on or after the First Day of *September* at the Bank of *England*, nor on or after the Twelfth Day of *September* at the Bank of *Ireland*, next preceding any such Tenth Day of *October*; nor to write into the Books of the Governor and Company of the Bank of *England* or *Ireland* respectively, any Sum or Sums relating to any Stocks, Funds, Annuities or Debentures, the Dividends on which shall be payable on the Fifth Day of *January* and the Fifth Day of *July* in each Year, at any Time on or after the First Day of *December* at the Bank of *England*, nor on or after the Twelfth Day of *December* at the Bank of *Ireland*, next preceding any such Fifth Day of *January*, nor on or after the First Day of *June* at the Bank of *England*, nor on or after the Twelfth Day of *June* at the Bank of *Ireland*, next preceding any such Fifth Day of *July*; any Thing in this Act contained to the contrary thereof in any wise notwithstanding.

Application may be made to the Bank of England and Ireland for Permission to make such Transfers to the Commissioners for the Reduction of the National Debt; and upon such Transfers being made Certificates shall be granted.

XIII. And be it further enacted, That it shall and may be lawful for any Person or Persons having or possessing any Stock in the several before mentioned Stocks, Funds, Annuities or Debentures transferable at the Bank of *England* or Bank of *Ireland* respectively, to apply in Writing, or to cause Application to be made by some Person on his, her or their Behalf, to the Governor and Company of the Bank of *England* or Bank of *Ireland* respectively, at which such Stocks, Funds, Annuities or Debentures shall be transferable, and which Application shall be according to such Form as shall be established by the Governor and Company of the Bank of *England* in concurrence with the Governor and Company of the Bank of *Ireland*, and shall be the same in all Cases, for Permission to transfer or cause to be transferred such Stocks, Funds, Annuities or Debentures respectively, for the Purpose of having corresponding Sums written into and consolidated with the several Stocks, Funds, Annuities or Debentures into which the same may be transferable under the

the Provisions of this Act at the Bank of *Ireland* or the Bank of *England* respectively, as the Case may require; and thereupon, and upon such Person or Persons transferring or causing to be transferred such Stocks, Funds, Annuities or Debentures so transferable into the Names of the Commissioners for the Reduction of the National Debt, for the Purpose of their cancelling and discharging the same from the National Debt in *England* or *Ireland*, as the Case may require, it shall and may be lawful for the Governor or Deputy Governor of the Bank of *England* or Bank of *Ireland*, at which it shall be desired that such Stock, Annuities or Debentures shall be transferred, or for the Accountant General or Deputy Accountant of such Governor and Company, or for the Secretary or Deputy Secretary of such Governor and Company for the Time being, and they are hereby respectively authorized and required to grant a Certificate to the Person or Persons making such Transfer, or on whose Behalf such Transfer shall have been made, directed to the Governor and Company of the Bank of *Ireland* or Bank of *England*, to which it shall be desired that such Stock, Annuities or Debentures shall be transferred; and which Certificate shall be according to such Form as shall be established by the said Governor and Company of the Bank of *England* in concurrence with the Governor and Company of the Bank of *Ireland*, and shall be the same in all Cases; and such Certificate shall state that the Person or Persons therein mentioned has or have transferred or caused to be transferred at the Bank of *England* or the Bank of *Ireland*, as the Case may be, the Stock, Funds, Annuities or Debentures therein described, to the Commissioners for the Reduction of the National Debt for the Purpose of having corresponding Sums written in the Name of such Person or Persons, and consolidated with such Stock, Funds or Annuities transferable at the Bank of *Ireland* or Bank of *England*, as the Case may be, to which the same are applicable, describing such Stocks, Funds, Annuities or Debentures, and stating the Amount in such Stocks, Funds, Annuities or Debentures, to which such Person or Persons shall be entitled in respect of such Transfer, according to the Scale set forth in this Act.

Form and Contents of such Certificate.

XIV. And be it further enacted, That in every Case where any Transfer for the Purposes of this Act shall be made at the Bank of *England*, the Governor and Company of the said Bank shall cause Notice of such Transfer to be given to the Commissioners for the Reduction of the National Debt at their Office, on the same Day on which such Transfer shall be made; and the said Commissioners shall, upon the Receipt of such Notice, transmit the same to the Governor and Company of the Bank of *Ireland*; and in like Manner, in every Case where any Transfer for the Purposes of this Act shall be made at the Bank of *Ireland*, the Governor and Company of the said Bank of *Ireland* shall cause Notice thereof to be given and transmitted to the said Commissioners for the Reduction of the National Debt at their Office in *London*, on the same Day on which such Transfer shall be made; and the said Commissioners shall, upon the Receipt of such

Notices of Transfers to be sent to Commissioners of the National Debt, and by them to the Bank into which the Stock is to be transferred.

Notice, cause such Notice to be delivered and transmitted to the Governor and Company of the Bank of *England*.

Stock transferred to Commissioners for the Reduction of the National Debt to be cancelled in G. B. and Ireland respectively.

XV. And be it further enacted, That immediately upon any such Transfer being made for the Purposes of this Act at the Bank of *England* to the Commissioners for the Reduction of the National Debt, the Stocks, Funds or Annuities so transferred to the said Commissioners shall be cancelled and for ever discharged from the Account of the National Debt in *Great Britain*; and that in like Manner, immediately upon any such Transfer being made for the Purposes of this Act at the Bank of *Ireland* to the said Commissioners for the Reduction of the National Debt, the Stock, Funds, Annuities or Debentures so transferred to them shall be cancelled and for ever discharged from the Account of the National Debt in *Ireland*.

Books to be provided for entering Transfers under this Act at the Banks of *England* and *Ireland* respectively; and Accountant General to certify Quarterly to the Auditor of the Exchequer the total Amount transferred, on which the Interest shall no longer be issued in the transferring Country.

XVI. And be it further enacted, That in the Office of the Accountant General of the Governor and Company of the Bank of *England*, and of the Bank of *Ireland* respectively for the Time being, a Book or Books shall be provided and kept, in which shall be fairly entered the Names of all Persons making any Transfer of any Stocks, Funds, Annuities or Debentures to the Commissioners for the Reduction of the National Debt under the Provisions of this Act, to which Book or Books it shall and may be lawful for all Persons making any such Transfer, their respective Executors, Administrators and Assigns, from time to time and at all reasonable Times to resort, and to inspect the same, without any Fee or Charge; and such Accountant General of the said Bank of *England* or Bank of *Ireland* respectively, shall, on or before the Fifteenth Day of *March*, the Fifteenth Day of *June*, the Fifteenth Day of *September*, and the Fifteenth Day of *December*, in each and every Year, transmit a Certificate fairly written on Paper of the total Amount of the several Stocks, Funds, Annuities or Debentures so transferred, specifying the Annual Interest thereon, into the Office of the Auditor of His Majesty's Exchequer in *Great Britain* and *Ireland* respectively, and also into the Office of the Commissioners for the Reduction of the National Debt in *London*, or into such other Office as shall or may be directed by the Commissioners of His Majesty's Treasury, or any Three of them; and the setting apart of Monies at His Majesty's Exchequer in *Great Britain* and *Ireland* respectively, for the Payment of the Interest of the Capitals of any Stocks, Funds, Annuities or Debentures so transferred, shall, from and after the Transmission of such Certificates respectively, cease and determine, and such Monies shall be no longer issued in *Great Britain* or *Ireland* respectively, for the Payment of such Interest in the Country from which such Stocks, Funds, Annuities or Debentures shall be so transferred.

On Production of Certificates from the Bank where the Transfer is made, the Bank to which the Transfer is made shall write

XVII. And be it further enacted, That whenever any Transfer shall be made of any Stock, Funds, Annuities or Debentures for the Purposes of this Act, at the Bank of *England* or at the Bank of *Ireland* respectively, then and in every such Case, upon the Production of any Certificate or Certificates of the Governor or Deputy Governor of the Bank of *England* or Bank of *Ireland* respectively, at which any such Transfer shall have been made, or of the Accountant General or Deputy Accountant, or of the Secretary

Secretary or Deputy Secretary of such Governor and Company respectively, given according to the Directions of this Act, it shall and may be lawful for the Governor and Company of the Bank of *Ireland* or Bank of *England* respectively, into the Books of which the corresponding Stocks, Funds, Annuities or Debentures are or ought to be written in pursuance of this Act, and such Governor and Company are hereby respectively authorized and required to write or cause to be written into the Books of such Bank of *Ireland* or Bank of *England* respectively, as the Case may require, relating to such corresponding Stocks, Funds, Annuities or Debentures, the Sums specified and contained in every such Certificate, in the Name or Names of the Party or Parties specified in every such Certificate, and all and every such Sums and Sum shall be written accordingly, into any corresponding Stock, Funds or Annuities authorized by this Act, or shall be added to and made one Joint Stock with any former or existing Capital of any such corresponding Stocks, Funds, Annuities or Debentures respectively, transferable at the Bank of *Ireland* or Bank of *England* respectively, as the Case shall require, and shall be payable and transferable at such Bank of *England* or Bank of *Ireland* respectively, at such Time and in such Manner as is directed by this Act, or at the same Time and in the same Manner as such former or existing Stocks, Funds, Annuities or Debentures are payable and transferable; and all such Sums so written into any such corresponding Stocks, Funds, Annuities or Debentures, in the Books of the Bank of *Ireland*, or of the Bank of *England* respectively, shall be entitled to Interest or Dividend from the Day on which the last Dividend became due, immediately previous to the Transfer made under this Act of the Funds, Stocks, Annuities or Debentures in respect of which such Sums were so written in, and up to which Day the Dividend or Interest on the Stocks, Funds, Annuities or Debentures so transferred, shall have been payable at the Bank where such Transfer shall have been made, except in Cases specially provided for by this Act.

XVIII. And be it further enacted, That the Governor and Company of the Bank of *England* and of the Bank of *Ireland* respectively, upon making up their Books preparatory to the Payment of each and every Half Yearly Interest or Dividend upon any Stocks, Funds, Annuities or Debentures transferable under this Act, shall certify to the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, and to the Auditor of the Receipt of His Majesty's Exchequer in *Great Britain*, and to the Vice Treasurer for *Ireland* respectively, or to such other Officer as the Commissioners of the Treasury shall direct, the Amount of all Stocks, Funds and Annuities which shall have been written into the Books of the Governor and Company of the said Bank of *England* and Bank of *Ireland* respectively, pursuant to this Act, in the Course of the preceding Half Year, and for which Interest or Dividend shall be and become payable pursuant to this Act; and upon the Receipt of such Certificate, it shall and may be lawful for the said Commissioners of His Majesty's Treasury, or any Three of them, to direct the Issue out of the Produce of the Consolidated Fund

the Sums into their Books in the corresponding Funds, &c.

Bank of *England* and *Ireland* to certify to the Treasury and Auditor of the Exchequer the Amount of Stock written into their Books within each Half Year, and the Interest shall be issued out of the Consolidated Fund.

Fund of the United Kingdom of *Great Britain* and *Ireland*, of such Sum of Money as shall be sufficient for paying to the Governor and Company of the Bank of *England*, and to the Governor and Company of the Bank of *Ireland* respectively, the Amount of all such Interest or Dividend as shall so appear to be payable, and all such Payments shall be made according to the Course of the Receipt of the Exchequer in *Great Britain* and *Ireland* respectively, any Act or Acts in force in *Great Britain* or *Ireland*, or any Law, Usage or Custom to the contrary in any wise notwithstanding.

XIX. And Whereas by reason that the Half Yearly Dividends on the Three Pounds Ten Shillings *per Cent. per Annum* Annuities, and on the New Four Pounds *per Centum per Annum* Annuities, transferable at the Bank of *England* are payable at different Periods of the Year from those on which the Dividends on the Three Pounds Ten Shillings *per Centum per Annum* Annuities or Debentures, and on the New Four *per Centum per Annum* Annuities, transferable at the Bank of *Ireland*, are payable; and in consequence thereof it will happen that upon the Transfer of certain of the said *English* or *Irish* Stocks, Annuities or Debentures respectively, under the Provisions and for the Purposes of this Act, the First Half Yearly Dividend on the corresponding *Irish* or *English* Stock would not become payable in certain Cases until the End of Three Quarters of a Year from the Time of the Payment of the last preceding Half Yearly Dividend on the Stock transferred, and in certain other Cases the First Half Year's Dividend on such corresponding Stock would become payable at the End of One Quarter of a Year from the Time of the Payment of the last preceding Half Yearly Dividend on the Stock transferred; and it is expedient that Provision should be made in such Cases; Be it therefore enacted, That whenever any Stocks, Funds, Annuities or Debentures transferable at the Bank of *England* or *Ireland* respectively, shall be transferred under the Provisions and for the Purposes of this Act at any Time in the Quarter of a Year commencing from the Day on which the last preceding Dividend was payable on the corresponding Stock or Annuities in the Country into which such Transfer is to be made, and ending on the Day on which the next succeeding Dividend would have been payable in the Country from which such Transfer shall be made, upon the Stock, Annuities or Debentures so transferred, in case the same had not been so transferred (whereby the First Half Yearly Dividend upon such corresponding Stock, Annuities or Debentures will not become payable until the End of Three Quarters of a Year from the Time of the Payment of the last preceding Dividends on the Stock, Annuities or Debentures so transferred), it shall and may be lawful for the Governor and Company of the Bank of *Ireland*, and they are hereby authorized and empowered to pay or cause to be paid to the Person or Persons who shall make or cause to be made any such Transfer at the said Bank of *Ireland*, or to the Person or Persons into whose Name any corresponding Stock, Annuities or Debentures shall be written at the said Bank of *Ireland*, for the Purposes aforesaid, a Sum of Money equal to One fourth Part of One Year's Dividend for every

When any Stock is transferred at such a Period that the Half Year's Dividend on the corresponding Stock accepted will not be payable until the End of Three Quarters of a Year from the Time of the Payment of the last preceding Dividend on the Stock transferred, the Bank of *Ireland* shall pay One Quarter's Dividend at the Time of the Transfer or Acceptance of the Stock in *Ireland*.

One hundred Pounds of such Stock or Annuities which shall be so transferred or accepted (as the Case may be) at the said Bank of *Ireland*, for the Purposes aforesaid, in pursuance of this Act; and such Payment of such Sum shall be made by the said Governor and Company of the Bank of *Ireland*, as the Case may require, either to the Person or Persons making any such Transfer at the Time when such Stocks, Funds, Annuities or Debentures shall be so transferred out of the Books of the said Bank of *Ireland*, or to the Person or Persons into whose Name any corresponding Stocks, Funds, Annuities or Debentures shall be written in the Books of the Bank of *Ireland* at the Time when such Stock, Annuities or Debentures shall be accepted by such Person in the Books of the said Bank of *Ireland*; and the Governor and Company of the Bank of *England* or Bank of *Ireland* respectively, shall, upon the Dividend Day next after any Transfer of any Stocks, Funds, Annuities or Debentures made under the Provisions and for the Purposes of this Act, and they are hereby authorized and required to pay to such Person or Persons as shall be entitled to receive the Dividend becoming due on the corresponding Stocks, Funds, Annuities or Debentures written into the Books of the Bank of *England* or Bank of *Ireland* respectively, the Amount of One Half Year's Dividend, and no more or less, in like Manner as upon all other such Stock, Annuities or Debentures standing in the Books of the Governor and Company of the Bank of *England* or Bank of *Ireland* respectively; and whenever any Stock, Annuities or Debentures, transferable at the Bank of *England* or Bank of *Ireland* respectively, shall be transferred for the Purposes of this Act at any Time in the Quarter of a Year commencing from the Day on which the last preceding Dividend was payable on the Stock, Annuities or Debentures so transferred, and ending on the Day on which the next succeeding Dividend will become payable on the corresponding Stock, Annuities or Debentures in the Country into which such Transfer is to be made (whereby the First Half Yearly Dividend on such corresponding Stock, Annuities or Debentures will become payable at the End of One Quarter of a Year from the Time of the Payment of the last preceding Dividend on the Stock, Annuities or Debentures so transferred), the Person or Persons who shall make or cause to be made any such Transfer at the Bank of *Ireland*, or the Person or Persons into whose Name any corresponding Stock, Annuities or Debentures shall be written at the said Bank of *Ireland*, shall pay to the said Governor and Company of the Bank of *Ireland*, and the said Governor and Company are hereby authorized and empowered to receive a Sum of Money equal to One Fourth Part of a Year's Dividend, for every One hundred Pounds of such Stock, Annuities or Debentures transferred or accepted at the said Bank of *Ireland* for the Purposes aforesaid in pursuance of this Act; and such Payment of such Sum of Money shall be made in *Ireland* to the said Governor and Company of the Bank of *Ireland*, as the Case may require, either by the Person making any such Transfer, at the Time when any such Stocks, Funds, Annuities or Debentures shall be so transferred out of the Books of the said Bank of *Ireland* for the Purposes of this Act, or by the Person or Persons into whose Name any

Half Year's  
Dividend to be  
paid when due.

When any Stock is transferred at such a Period that the Half Year's Dividend on the corresponding Stock accepted will be payable at the End of One Quarter of a Year from the Time of the Payment of the last preceding Dividend on the Stock transferred, the Bank of *Ireland* shall receive the Amount of One Quarter's Dividend from the Party transferring or accepting.

corresponding Stocks, Funds, Annuities or Debentures shall be written, at the Time when such corresponding Sums shall be accepted by such Person in the Books of the Bank of *Ireland*; and the Governor and Company of the Bank of *England* or Bank of *Ireland* respectively, shall, upon the Dividend Day next after any Transfer of any Stocks, Funds, Annuities or Debentures made under the Provisions and for the Purposes of this Act, and they are hereby authorized and required to pay to such Person or Persons as shall be entitled to receive the Dividends becoming due on the corresponding Stocks, Funds, Annuities or Debentures, written into the Books of the Bank of *Ireland* or Bank of *England* respectively, the Amount of One Half Year's Dividend, and no more nor less, in like Manner as upon all other such Stock, Annuities or Debentures standing in the Books of the said Governor and Company of the Bank of *England* or Bank of *Ireland* respectively.

Bank of Ireland shall certify to the Exchequer Half Yearly Amount of Payments and Receipts in respect of Transfers made at broken Periods, and may apply for Balance due to them to be issued accordingly.

XX. And be it further enacted, That the said Governor and Company of the Bank of *Ireland* shall, upon making up their Books preparatory to the Payment of each and every Half Yearly Dividend, certify to the Auditor General of His Majesty's Exchequer in *Ireland*, and the Loan Clerk there, or to such other Officer or Officers as shall be directed by the Commissioners of His Majesty's Treasury, or any Three of them, the Amount of all Sums of Money paid and received by the said Governor and Company to and from all Persons having made Transfers of, or having accepted any Stock, Funds or Annuities or Debentures under this Act at the said Bank of *Ireland*, at such Periods when the Amount of One Quarter's Dividend is by this Act required to be paid or received by the said Governor and Company to or from such Persons; and in case the whole Amount so paid by the said Governor and Company shall at any Time exceed the whole Amount so received by them, whenever the said Governor and Company shall make Application for the Payment or Issue of the Balance due to them in respect of such Payments and Receipts, or for the Payment or Issue of any Sum of Money on account of such Balance, such Loan Clerk or other Officer shall certify to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by his Signature, such Application for such Balance or Sum of Money; provided such Demand from the said Governor and Company shall be correct; and thereupon it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, and he or they is and are hereby authorized and required to grant his or their Warrant to issue out of the Produce of the Consolidated Fund of the United Kingdom a sufficient Sum of Money for paying to the said Governor and Company of the Bank of *Ireland* the Amount of such Balance, or of such Sum so applied for, any Act or Acts in force in *Ireland*, or any Law, Usage or Custom to the contrary in any wise notwithstanding.

Duplicates may be granted of Certificates lost or destroyed.

XXI. Provided always, and be it further enacted, That in case of the Loss or Destruction of any Certificate of the Governor or Deputy Governor, Accountant General or Deputy Accountant, Secretary or Deputy Secretary of the Bank of *England* or of the Bank of *Ireland* respectively, given for the Purposes of this Act,  
it



it shall and may be lawful for any such Governor or Deputy Governor, Accountant General or Deputy Accountant, Secretary or Deputy Secretary, and they are hereby respectively authorized and empowered, upon Proof of such Loss or Destruction to their Satisfaction, to grant a Duplicate of such Certificate; and such Duplicate shall be full and sufficient Authority for the Purposes of this Act, and shall stand in the Place and Stead of the original Certificate, if such original Certificate shall not have been previously found and acted upon: Provided always, that upon any Loss or Destruction or alleged Loss or Destruction of any such original Certificate, and on the Production of any such Duplicate Certificate, it shall and may be lawful for the Governor and Company of the Bank of *England* or Bank of *Ireland* respectively, and they are hereby authorized and required to demand and take from the Party or Parties tendering any such Duplicate, full and sufficient Security to His Majesty, His Heirs and Successors, to indemnify such Governor and Company against the Production of or any Claim which shall be made under or by virtue of any such original Certificate so lost or destroyed or alleged to have been lost or destroyed; and if at any Time after the Time when a Duplicate Certificate shall have been produced and acted upon under this Act, the Original of such Certificate shall be tendered to the Governor and Company of the Bank of *England* or Bank of *Ireland* respectively, it shall and may be lawful for such Governor and Company, and they are hereby authorized and required to detain such original Certificate, and to cancel the same, and to transmit the same so cancelled to the Governor and Company of the Bank of *England* or Bank of *Ireland*, as the Case may be, by or on whose Behalf such Certificate shall have been given, and to deliver up such Security as shall have been entered into touching the said original Certificate to the Party or Parties entering into such Security, or such of them as shall require the same.

Security to be given against the Production of or any Claim upon the Original,

and if in such Case Original shall be produced, Bank of *England* or *Ireland* may detain and cancel the same, and deliver up such Security.

XXII. And be it further enacted, That if any Person or Persons shall forge or counterfeit, or cause or procure to be forged or counterfeited, or shall willingly act or assist in the forging or counterfeiting any Certificate or Duplicate Certificate required by this Act; or shall alter any Number, Figure or Word therein, or shall alter or publish as true any such false, forged, counterfeited or altered Certificate, with Intent to defraud the Governor and Company of the Bank of *England*, or the Governor and Company of the Bank of *Ireland*, or any Body Politic or Corporate, or any Person or Persons whomsoever; every such Person or Persons so forging or counterfeiting, or causing or procuring to be forged or counterfeited, or willingly acting or assisting in the forging or counterfeiting, or altering, uttering or published as aforesaid, being thereof convicted in due Form of Law, shall be adjudged guilty of Felony, and shall suffer Death as a Felon without Benefit of Clergy.

Counterfeiting Certificates, &c.

Death.

XXIII. And be it further enacted, That no Fee, Reward or Gratuity whatsoever shall be demanded or taken of any of His Majesty's Subjects for receiving any such Certificate or Duplicate Certificate, or for paying the said Annuities, or any of them, or for any Transfer of any Sum, great or small, to be made in pur-

No Fees to be taken for receiving any Certificates, &c. Penalty 20*l*.

suance of this Act; upon pain that any Officer or Person offending by taking or demanding any such Fee or Reward or Gratuity, shall for every such Offence forfeit the Sum of Twenty Pounds to the Party aggrieved, with full Costs of Suit, to be recovered by Action of Debt, Bill, Plaint or Information, in any of His Majesty's Courts of Record at *Westminster* or *Dublin* respectively, wherein no Essoign, Protection, Privilege, Wager of Law, Injunction or Order of Restraint, nor any more than One Imparance, shall be granted or allowed.

## C A P. LIV.

An Act to repeal the Duties on Licences to brew and to retail Beer, Spirituous Liquors and Foreign Wine, and to grant other Duties in lieu thereof; and amend the Laws of Excise relating to such Duties, and to Brewers and Retailers of Beer. [4th June 1824.]

‘ WHEREAS it is expedient to repeal the several Licence Duties now payable by Brewers and by Retailers of Beer and of Spirits, and of Foreign Wine (being at the same Time Retailers of Beer or Spirits) respectively, and to grant other Licence Duties 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 Tenth Day of *October* One thousand eight hundred and twenty four, all and singular the respective Duties on Excise Licences taken out respectively by Common Brewers, and by Sellers of Beer, Ale, Cyder or Perry by Retail, to be drank or consumed in his, her or their House or Premises, granted by any Act or Acts of Parliament now in force, and by Sellers or Retailers of Beer under and by virtue of an Act passed in the Fourth Year of His present Majesty, for encouraging the Consumption of Beer, and amending the Laws for securing the Duties thereon; and all and singular the respective Duties on Excise Licences taken out by Retailers of distilled Spirituous Liquors or Strong Waters in *Great Britain*, and by Retailers of Foreign Wine in *Great Britain* who shall have taken out a Licence for retailing Beer, but shall not have an Excise Licence for retailing distilled Spirituous Liquors, and by retailers of Foreign Wine in *Great Britain* who shall have an Excise Licence for retailing distilled Spirituous Liquors, granted by any Act or Acts of Parliament now in force, shall cease and determine, and shall from that Time be no longer paid or payable; save and except in all Cases relating to the recovering, allowing or paying any Arrears thereof respectively which may on the said Tenth Day of *October* One thousand eight hundred and twenty four remain unpaid, or to any Fine, Penalty or Forfeiture, Fines, Penalties or Forfeitures relating thereto respectively, which shall on or before the said Tenth Day of *October* One thousand eight hundred and twenty four have been incurred, and then remain unpaid.

From Oct. 10, 1824, Duties on Licences to brew and to retail Beer, Spirits and Wine, to cease.

4 G. 4. c. 51.

II. And be it further enacted, That in lieu of the Duties by this Act repealed there shall be raised, levied, collected and paid unto His Majesty, His Heirs and Successors, the several Duties of Excise and Sums of Money hereinafter mentioned; *videlicet*, That from and after the Tenth Day of *October* One thousand eight hundred and twenty four, every Brewer of Beer in *Great Britain* for Sale shall annually take out an Excise Licence for that Purpose, and shall for every such Licence, if the Quantity of Beer brewed by such Brewer within the Year ending the Tenth Day of *October* previous to taking out such Licence shall not exceed Twenty Barrels, pay the Sum of Ten Shillings; if the same shall exceed Twenty Barrels, and shall not exceed Fifty Barrels, One Pound; if the same shall exceed Fifty Barrels, and shall not exceed One hundred Barrels, One Pound Ten Shillings; if the same shall exceed One hundred Barrels, and shall not exceed One thousand Barrels, Two Pounds; if the same shall exceed One thousand Barrels, and shall not exceed Two thousand Barrels, Three Pounds; if the same shall exceed Two thousand Barrels, and shall not exceed Five thousand Barrels, Seven Pounds Ten Shillings; if the same shall exceed Five thousand Barrels, and shall not exceed Seven thousand five hundred Barrels, Eleven Pounds Five Shillings; if the same shall exceed Seven thousand five hundred Barrels, and shall not exceed Ten thousand Barrels, Fifteen Pounds; if the same shall exceed Ten thousand Barrels, and shall not exceed Twenty thousand Barrels, Thirty Pounds; if the same shall exceed Twenty thousand Barrels, and shall not exceed Thirty thousand Barrels, Forty five Pounds; if the same shall exceed Thirty thousand Barrels, and shall not exceed Forty thousand Barrels, Sixty Pounds; or, if the same shall exceed Forty thousand Barrels, Seventy five Pounds: That every Person who shall, from and after the Tenth Day of *October* One thousand eight hundred and twenty four, first become a Brewer of Beer in *Great Britain* for Sale, on taking out such Licence as aforesaid for that Purpose shall pay the Sum of Ten Shillings, and within Ten Days after the Tenth Day of *October* One thousand eight hundred and twenty four, after taking out such Licence, pay such further additional Sum as, with the said Ten Shillings, shall amount to the Duty hereinbefore mentioned, according to the Number of Barrels of Beer brewed within the preceding Year: That every Brewer of Beer in *Great Britain* for Sale, who shall retail such Beer from his, her or their Brewery, to be consumed elsewhere than in his, her or their House or Premises, shall, from and after the Tenth Day of *October* One thousand eight hundred and twenty four, annually take out an Excise Licence for that Purpose, and shall for every such Licence pay the Sum of Five Pounds Five Shillings: That every Person in *Great Britain* who shall be duly authorized by Justices of the Peace or Magistrates to keep a Common Inn, Alehouse or Victualling House, and who shall sell Beer, Cyder or Perry by Retail, to be drunk or consumed in his, her or their House or Premises, shall, from and after the said Tenth Day of *October* One thousand eight hundred and twenty four, annually take out an Excise Licence to sell Beer, Cyder or Perry as aforesaid, and shall for every such Licence, if the Dwelling House in which such Person shall reside

In lieu of Duties repealed, the New Duties herein mentioned shall be paid, *vis.*

For Licences for Brewers of Beer:

Retail Licences for Brewers:

Licences for Persons authorized by Justices to keep Victualling Houses for retailing Beer;

or

or retail such Beer, Cyder or Perry, at the Time of taking out such Licence shall not, together with the Offices, Courts, Yards and Gardens therewith occupied, be rated, under the Authority of any Act or Acts of Parliament for granting Duties on inhabited Houses, at a Rent of Twenty Pounds *per Annum* or upwards, pay the Sum of One Pound One Shilling, and if rated as aforesaid at Twenty Pounds *per Annum*, or upwards, Three Pounds Three Shillings: That every Person in *Great Britain* who shall sell strong Beer only brewed by any other Brewer, in Casks containing not less than Five Gallons, or in not less than Ten Dozen reputed Quart Bottles, at one Time, to be drank or consumed elsewhere than in his, her or their House or Premises, shall, from and after the Tenth Day of *October* One thousand eight hundred and twenty four, annually take out an Excise Licence for that Purpose, and shall for every such Licence pay the Sum of Three Pounds Three Shillings: That every Retailer of distilled Spirituous Liquors or Strong Waters in *Great Britain* (not being a Retailer of plain *Aqua Vitæ* only made or distilled from *British* Materials in that Part of *Great Britain* called *Scotland*) shall, from and after the Tenth Day of *October* One thousand eight hundred and twenty four, annually take out an Excise Licence for that Purpose, and shall for every such Licence, if the Dwelling House in which such Retailer shall reside or retail such distilled Spirituous Liquors or Strong Waters at the Time of taking out such Licence shall not, together with the Offices, Courts, Yards and Gardens therewith occupied, be rated, under the Authority of any Act or Acts of Parliament for granting Duties on inhabited Houses, at a Rent of Twenty Pounds *per Annum* or upwards, pay the Sum of Four Pounds Fourteen Shillings; if rated as aforesaid at Twenty Pounds *per Annum* or upwards, and under Twenty five Pounds, Six Pounds Six Shillings; if at Twenty five Pounds *per Annum* or upwards, and under Thirty Pounds, Seven Pounds Seven Shillings; if at Thirty Pounds *per Annum* or upwards, and under Forty Pounds, Eight Pounds Eight Shillings; if at Forty Pounds *per Annum* or upwards, and under Fifty Pounds, Nine Pounds Nine Shillings; and if at Fifty Pounds *per Annum* or upwards, Ten Pounds Ten Shillings; and that every Person who, within the Limits of any Royal Burgh, Burgh of Barony or Regality, in any Part of *Scotland*, or in any Place in any other Part of *Scotland* other than within the Highlands of *Scotland*, limited and described in the Acts in that Case made and provided, shall retail any Spirits made or distilled from Malt, Corn, Grain, Barley, Beer, Bigg or other *British* Materials, and commonly called or known by the Name of *Aqua Vitæ*, in that Part of the United Kingdom, shall, from and after the Tenth Day of *October* One thousand eight hundred and twenty four, annually take out an Excise Licence for that Purpose, and shall for every such Licence to retail plain *Aqua Vitæ* only pay the Sum of Four Pounds; and that every Person who shall retail such Spirits within the several Counties and Districts of the Highlands of *Scotland*, the Royal Burghs, Burghs of Barony or Regality therein excepted, shall for every such Licence pay as aforesaid the Sum of Two Pounds; and that every Retailer of Foreign Wine in *Great Britain* who shall have taken

for retailing  
Spirits;

for retailing  
Spirits in Scot-  
land;

and for retailing  
Foreign Wine.

at a Licence for retailing Beer, Ale and other exciseable Liquors, ut shall not have an Excise Licence for retailing distilled Spirituous Liquors or Strong Waters, shall, from and after the tenth Day of *October* One thousand eight hundred and twenty four, annually take out an Excise Licence for that Purpose, and shall for every such Licence to retail Foreign Wine pay the Sum of Four Pounds Four Shillings; and that every Retailer of Foreign Wine in *Great Britain*, who shall have an Excise Licence for retailing distilled Spirituous Liquors or Strong Waters, shall for every such Licence to retail Foreign Wine pay the Sum of Two Pounds Four Shillings.

III. Provided always, and be it further enacted, That the Number of Barrels of Table Beer brewed by any Brewer, and charged with Duty as Table Beer, shall not be reckoned or included in the Account of the Number of Barrels of Beer brewed by such Brewer for the Purpose of increasing the Rate of Licence Duty, to be charged upon and paid for by such Brewer, over and above the Rate or Sum of Two Pounds.

IV. And be it further enacted, That the several Sums of Money and Licence Duties of Excise respectively above mentioned, and hereby imposed, granted and made payable as aforesaid, shall be under the Management of the Commissioners of Excise for the Time being, and 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 the Licence Duties of Excise respectively hereby repealed 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 Goods and Licences, Brewers, Retailers and Persons respectively before mentioned, shall be and the same are hereby made subject and liable to all and every the general and special Conditions, Regulations, Rules, Restrictions and Forfeitures to which any Licence to retail Beer, distilled Spirituous Liquors or Foreign Wine respectively, Brewers, Dealers in and Retailers of any Beer, distilled Spirituous Liquors or Foreign Wine respectively, are subject or liable (except as aforesaid) by any Act or Acts of Parliament in force at or immediately before the passing of this Act; 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 at or immediately before the passing of this Act, made for securing the Revenue of Excise on Beer, or for the Regulation or Improvement thereof, or the licensing of Sellers of Beer, distilled Spirituous Liquors or Foreign Wine, 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 respectively hereby charged, granted and made payable, in as full and ample Manner (except as aforesaid), to all Intents and Purposes whatever, as if all and every the said Acts, Clauses, Provisions, Powers, Directions, Fines, Pains, Penalties or Forfeitures,

Barrels of Table Beer not to be reckoned for increasing the Rate of Licence.

Duties to be under the Management of the Commissioners of Excise, and to be levied as former Licence Duties of Excise, except where altered by this Act.

Former Acts extended to this Act.

feitures, were particularly repeated and re-enacted in the Body of this Act.

Duties carried to Consolidated Fund.

V. 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*.

Brewers may retail Beer from Premises where brewed, and any Persons may sell Beer brewed by any other Brewer, in Casks of Five Gallons Content, or in Two Dozen Quart Bottles, to be consumed elsewhere, on taking out a Licence for that Purpose.

VI. And be it further enacted, That it shall and may be lawful for any Brewer or Brewers of Strong Beer only in *Great Britain* for Sale, who shall have taken out and paid for his, her or their Licence to brew at and after the Rate of Two Pounds at the least, to retail such Beer from the Premises where such Beer is or has been brewed, and for any Person not being a Brewer of Beer, either for Sale or private Use, to sell Strong Beer only brewed by any other Brewer, in Casks containing not less than Five Gallons, or in not less than Two Dozen reputed Quart Bottles at one Time, upon such Brewer or other Person respectively taking out under the Provisions of this Act such respective Excise Licence for that Purpose as before mentioned, 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 for the Time being, or of such Person or Persons as they the said Commissioners of Excise, or any Four 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 respective Hands and Seals of the several Collectors and Supervisors of Excise within their respective Collection 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 Commissioner and Assistant Commissioners of Excise in *Scotland* for the Time being, or of such Person or Persons as they or any Two of them for the Time being shall from time to time direct or employ for that Purpose; or if any such Licence shall be taken out in *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 Commissioner and Assistant Commissioners of Excise in *Scotland* respectively, or any Two or more of them respectively, and the Person or Persons to be directed or employed by the said Commissioners in *England* or *Scotland* respectively as aforesaid, and also all such Collectors and Supervisors, are hereby authorized and required to grant such Licences to such Persons as aforesaid who shall apply for the same, on such Person or Persons so applying first paying for such Licences respectively the Sums of Money hereinbefore mentioned, to be applied and accounted for as herein directed:

How Licences to be taken out in *London*, &c.

in *Edinburgh*, in *Scotland* out of the Limits of *Edinburgh*,

irected; and that every such Licence shall expire on the Tenth Day of *October* next after the Day on which such Licence shall be dated: Provided that no such Licence shall authorize such Brewer or Brewers, or other Person or Persons taking out any such Licence respectively as aforesaid, to sell any Table Beer, or any Beer 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 selling such Beer, or in which he, she or they shall have any Concern, or to sell, deal in or retail any other Beer whatsoever, or in any other Manner whatsoever than respectively as aforesaid, or shall entitle any such Brewer or Brewers, or other Person or Persons, to any Licence to sell or retail Cyder, Wine or Spirits: Provided also, that within the Limits of the Universities of *Cambridge* and *Oxford*, all Persons applying for such Licences shall apply to the Persons heretofore granting Common Ale Licences, who shall or may grant the same, in the same Manner and according to the same Rules and Usages by which they have been accustomed to grant the said last mentioned Licences; any Thing in this or any other Act or Acts of Parliament to the contrary thereof notwithstanding.

such Licences not to authorize the selling of Beer to be drank on the Premises, &c.

Within the Limits of the Universities of *Cambridge* and *Oxford*, Licences to be granted as heretofore.

VII. And be it further enacted, That where the entered Premises for brewing of any Brewer shall be situated out of a City or Market Town, and such Brewer shall by reason thereof not retail Beer, or be licensed as aforesaid to retail Beer from such Brewery, or make Entry of any Part of such Premises for that Purpose, it shall and may be lawful for any such Brewer or Brewers to make Entry of some one Place, Room, Storehouse, Cellar, Shop, House or Outhouse, for the Retail of Beer in any one adjoining City or Market Town, and to take out a Licence for and retail therefrom the Strong Beer brewed by him, her or them at such Brewery as aforesaid, to be drank or consumed elsewhere, subject nevertheless to the several Provisions and Penalties herein contained and imposed, relating to Brewers retailing Beer from the Premises where brewed: Provided always, that no Retail Brewer, not being duly licensed to sell Beer as a Keeper of a Common Inn, Alehouse or Victualling House, shall deal in or sell any Table Beer, or any Beer except the Strong Beer which he or they shall brew, and be charged with the Duty thereon, or shall at any one Time use, employ or consume any less Quantity than Sixteen Bushels of Malt at any one Brewing, upon Pain of forfeiting for each and every such Offence the Sum of One hundred Pounds.

How Entry made by Brewers whose Premises are out of a Market Town, &c.

Brewers not being licensed as Victuallers selling Table Beer; or using a less Quantity than 16 Bushels of Malt at a Brewing, Penalty 100l.

VIII. And be it further enacted, That no such Brewer or Brewers as aforesaid shall retail any Beer from the Premises where such Beer is or has been brewed, nor shall any such other Person or Persons sell Beer brewed by any other Brewery, in Casks containing not less than Five Gallons, or in not less than Two Dozen reputed Quart Bottles at one Time, after the Expiration of such his, her or their respective Excise Licence; and every such Brewer and Brewers, or other Person and Persons, shall take out a fresh Licence for the Purpose respectively hereinbefore mentioned, in the Manner hereinbefore directed, before

Licences to be renewed.

Brewers not conforming to Regulations in respect to retailing or selling Beer, and as to Quantity, and Place of selling and drinking, &c. Penalty 100*l*.

One Licence sufficient for Persons trading in Partnership.

Entry of the Place of Sale to be made at the Excise Office.

No Brewer entitled to renew his Retail Licence unless he shall have been charged

before the Expiration of such his, her or their former Licence, and so in like Manner renew every such Licence from Year to Year; and if any Brewer or Brewers (not being duly licensed to sell Beer as the Keeper of a Common Inn, Alehouse or Victualling House) shall retail or sell any Beer at or from the Premises where such Beer is or has been brewed in any less Quantity than a whole Cask containing Four Gallons and a Half, at one Time, without having first taken out and paid for a Licence to brew, under the Provisions of this Act, at and after the Rate of Two Pounds at the least; or if any Brewer or Brewers so licensed to retail Beer, shall brew, sell or have in his, her or their Possession any Table Beer; or if any Person or Persons so licensed as aforesaid to sell Beer brewed by any other Brewer, in Casks containing not less than Five Gallons, or in not less than Two Dozen reputed Quart Bottles at one Time, shall brew any Beer, or sell or have in his or her Possession any Table Beer, or shall sell any Beer in a less Quantity at one Time than as aforesaid; or if any Brewer or Brewers, not being duly licensed to sell Beer as the Keeper of a Common Inn, Alehouse or Victualling House, shall retail any Beer at or from the Premises where such Beer is or has been brewed, or any such other Person or Persons shall sell any Beer in Casks or Bottles as aforesaid, without first taking out such respective Excise Licence as aforesaid, authorizing her, her or them so to do, or without renewing the same as is herein in that Behalf directed, or shall sell any Beer 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, or shall sell, deal in or retail any other Beer whatsoever, or in any other Manner than is authorized by such respective Licence; every such Brewer and Brewers, Person and Persons so offending, shall for every such Offence forfeit and lose the Sum of One hundred Pounds: Provided always, that all 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 retailing any Beer from the Premises where brewed as aforesaid, or for selling any Beer brewed by any other Brewer, in Casks containing not less than Five Gallons, or in not less than Two Dozen reputed Quart Bottles at one Time; and that no one Licence which shall be granted by virtue of this Act shall authorize or empower any Person or Persons to retail or sell any Beer as aforesaid, in any other Place than in 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 Brewer or Brewers, or other Person or Persons for that Purpose respectively as aforesaid, at the Time of granting such Licence, and in respect whereof such Licence shall be granted.

IX. Provided also, and be it further enacted, That no Brewer of Beer in *Great Britain* for Sale shall be entitled to renew his or her Licence to retail Beer, unless he or she shall have brewed and been charged with Duty upon or for One hundred Barrels of Strong Beer at the least in the Year preceding the Termination of



such former Licence, or so in Proportion for such Part of each preceding Year for which such former Licence shall have been taken out, but that every such Brewer who shall first take out and pay for such Retail Licence as aforesaid shall be at liberty to retail Beer, under and according to the Provisions of this Act, from the Time of taking out such Licence, notwithstanding such Brewer shall then newly begin and set up the Trade of a Brewer, or shall not in any previous Year have brewed or been charged with Duty upon or for so much Beer as would make the Licence Duty to which such Brewer would be liable amount to Two Pounds; any Thing herein contained to the contrary thereof notwithstanding.

X. And Whereas Doubts have been entertained whether any licensed Brewer or Brewers may lawfully sell Beer brewed by him, her or them, by Retail, from the entered Premises of such Brewer or Brewers where brewed, to be drank and consumed elsewhere than upon such Premises; and it is expedient to relieve all such Person and Persons hereafter mentioned from all Penalties and Forfeitures, if any, thereby incurred; Be it therefore further enacted, That no licensed Brewer and Brewers who shall have disclaimed the Allowance made to Common Brewers for and in respect of the Duties on Beer, and who at any Time heretofore have sold, or before the Fifth Day of *July* One thousand eight hundred and twenty four may sell by Retail any Beer brewed by him, her or them, at or from the Premises where brewed, to be drank and consumed elsewhere, shall be liable to any Penalty or Forfeiture by reason of retailing such Beer without having an express Licence to retail Beer; and that every such Brewer and Brewers shall be altogether freed, exempted, acquitted and discharged from all Penalties and Forfeitures for or in respect of any such Sale by Retail as aforesaid, and all Proceedings for the Recovery thereof shall be null and void; any Act or Acts of Parliament to the contrary thereof notwithstanding.

XI. And be it further enacted, That no licensed Brewer of Beer for Sale, who shall also be duly licensed to retail such Beer under this Act, shall sell, deliver or send out, at or from his, her or their Brewery, or the Premises belonging thereto or entered as aforesaid, or to any of his, her or their Customers, any Beer in any Quantity less than a whole Barrel, except between the Hours of Six of the Clock in the Morning and Nine of the Clock in the Evening, or shall sell, deliver or send out any Beer during the usual Hours of Divine Service on *Sundays*, upon Pain of forfeiting for each and every such Offence the Sum of Twenty Pounds.

XII. And be it further enacted, That all the Powers, Authorities, Rules, Regulations, Restrictions, Exceptions, Provisions, Clauses, Matters and Things which in or by any Act or Acts of Parliament relating to Licences to Common Brewers, or for the brewing of Beer for Sale, or to the Retail of Beer, Cyder or Perry, or distilled Spirituous Liquors, or Strong Waters, or Foreign Wine respectively, in force at or immediately before the passing of this Act, are contained, provided, settled or established for or in respect of such Licences, and for preventing, detecting

with Duty for a certain Quantity of Beer in the preceding Year.

Licensed Brewers who have retailed Beer from their Breweries, before July 5, 1824, discharged from Penalties.

Retail Brewers not to retail Beer, except at Hours herein mentioned, or during Divine Service on *Sundays*.

Powers of former Acts relating to Licences to be taken out by Brewers and Retailers of Beer, Spirits and Wine, (unless hereby altered) to extend to this Act.

detecting and punishing Frauds relating thereto, or for granting or regulating such Licences respectively, on the brewing of Beer, or the Retail or Sale of the said Liquors respectively, and not being expressly altered, repealed, changed or controlled by this Act, or not being repugnant to any of the Matters, Clauses, Provisions or Regulations in this Act contained, shall be and continue in full force, and be duly observed, practised, applied and put in Execution throughout *Great Britain*, in and for the said several Duties by this Act imposed, and for preventing, detecting and punishing Frauds relating thereto, and for granting of such Licences respectively as aforesaid, and for regulating the brewing of Beer, and the Retail and Sale of the said Liquors respectively, so far as the same are applicable thereunto respectively, and not hereby repealed or altered, as fully and effectually, to all Intents and Purposes, as if all and every the said Powers, Authorities, Rules, Regulations, Restrictions, Exceptions, Provisions, Clauses, Matters and Things had been expressly inserted and re-enacted in this Act.

When Licences shall expire and be renewed.

XIII. And be it further enacted, That all and every Licence and Licences now, or which shall hereafter be granted or taken out, the Duty and Duties whereon are hereby repealed, and also every Licence by this Act imposed and directed to be taken out as aforesaid, shall expire on the Tenth Day of *October* in each Year; and that every Common Brewer or Brewers, who shall take out or renew his, her or their Licence for brewing Beer in *Great Britain* on or before the said Tenth Day of *October*, and expiring on that Day, shall pay Duty for the same for such Time or Part of the Year only as shall be between the Day when such Licence was or ought to have been renewed or taken out for that Purpose, and the said Tenth Day of *October*, and shall then renew such Licence under the Provisions of this Act, to expire on the Tenth Day of *October* One thousand eight hundred and twenty five.

XIV. And Whereas Licences to keep Common Inns, Alehouses or Victualling Houses, are in some Parts of *Great Britain* granted by the Justices and Magistrates at other Parts of the Year than in the Month of *September* in each Year, and Excise Licences to retail Beer, Spirits and Foreign Wine respectively, in such Common Inns, Alehouses or Victualling Houses, have been granted, and are now in force; Be it therefore enacted, That nothing in this Act shall extend to alter or affect any Licence duly granted and now in force, to retail or sell Beer, Spirits or Wine, in any Common Inn, Alehouse or Victualling House, before the Expiration of the current Year for which each such Licence respectively has been granted; but that in every such Case all such Licences to retail Spirits or Wine in any such Common Inn, Alehouse or Victualling House, shall, on their previous Expiration, be renewed for such Part only of the current Year, for which such Common Inn, Alehouse or Victualling House shall be so authorized to be kept and continued; and that the Commissioners of Excise, and other Persons authorized or appointed by them, and the several Collectors of Excise, are hereby authorized to receive from the several Persons liable to pay the same, a proportionate Part of the Duties payable on every

When Common Inns, &c. are licensed at other Times than September, the Spirit Licences shall expire on the succeeding Quarter Day.

every such Licence, and to grant such Licence for such Fractional Part of the Year between the Time when any such Licence shall expire, and the Remainder of the Year for which such Common Inn, Alehouse or Victualling House shall be so duly authorized to be kept and continued; and that in every future Year, every Excise Licence to sell Beer, Spirits or Wine, in any Common Inn, Alehouse or Victualling House duly authorized to be kept, shall be granted for the Year ending on the next succeeding Excise Quarter Day after the Expiration of the Year for which such Common Inn, Alehouse or Victualling House shall be authorized to be kept, and shall then respectively expire, and be renewed under the Provisions of this Act, to the Day of Renewal.

Licences for Fractional Parts of the Year.

XV. And be it further enacted, That every Person who shall by any Conviction be disabled from holding or having a Licence to keep, or from keeping a Common Inn, Alehouse or Victualling House, shall also by such Conviction be disabled from taking out any Excise Licence to sell, and from selling Beer by Retail in any Manner whatsoever; and if any such Person shall, after such Conviction as aforesaid, take out or have any Excise Licence to retail Beer, the same shall be void; and if any such Person shall after such Conviction sell Beer by Retail, he or she so offending shall for every such Offence forfeit and lose the Sum of Fifty Pounds; and in all Cases of Prosecution against any such Person for any Penalty imposed by this Act, a Certificate from the Clerk of the Peace, or Person acting as such, of any such Conviction as aforesaid, shall, on the Trial in such Prosecution, be legal Evidence thereof, which Certificate such Clerk of the Peace or other Person is hereby authorized and required to grant on Demand, without Fee or Reward.

Persons disabled by Conviction from keeping a Common Inn, &c. not allowed to take out a Retail Brewer's Licence.

Taking out such Licence. Penalty 50l.

XVI. Provided always, and be it enacted, That it shall and may be lawful for any Brewer or Brewers, who shall, within Three Months before the passing this Act, have been charged with Duties on Strong and Table Beer respectively, and shall at the Time of passing this Act be a licensed Brewer or licensed Brewers, carrying on the Trade and Business of a Brewer of Strong and Table Beer respectively, to take out such Licence to retail as aforesaid, and to retail under the Regulations of this Act the Strong Beer by them brewed and charged with Duty, without incurring any Penalty for brewing, or having in Possession, or selling the Table Beer by them brewed, and which shall be charged with Duty, upon Condition nevertheless that every such Brewer shall sell the whole of such Table Beer, and send the same out into Consumption in Casks containing at the least Nine Gallons in every such Cask, and accompanied with a Certificate, the Particulars whereof shall be duly entered in the Counterpart of every such Certificate, in the Certificate Book delivered by the Officer of Excise to and kept by such Brewer; and that if any such Brewer shall not sell the whole of the Table Beer brewed or made by him or her, or which shall come into his or her Possession, or on which such Brewer shall be charged with Duty as and for Table Beer, and at or below the Price of and allowed and limited for Table Beer, from time to time as the same is brewed or made; or shall sell or send

Licensed Brewers of Strong and Table Beer, charged with Duty thereon within Three Months before the passing of this Act, may take out Licence to retail Beer, on complying with the Regulations herein mentioned.

out any Part thereof otherwise than in a whole Cask, containing at the least Nine Gallons, or without such Certificate as aforesaid, expressing the Date on which each such Cask is sent out, and the Name and Place of Residence of such Brewer and Brewers, and of the Person or Persons to whom the same is sold, sent out and delivered, together with the Quantity of the Beer as Table Beer, and the Price at which the same is so sold, sent out and delivered; or shall grant, issue, write or enter any untrue Certificate or Counterpart for or in respect of any such Table Beer; or shall mix with or put any Table Beer Wort or Table Beer into or amongst any Strong Beer Wort or Strong Beer; or shall keep or have any Table Beer in the Place entered by such Brewer or Brewers, under the Regulations of this Act, for the Retail of Beer, every such Brewer shall for every such Offence forfeit and lose the Sum of One hundred Pounds; and upon the Conviction of any such Brewer of any such Offence, the Retail Licence granted to him or her shall be void, and such Brewer shall be wholly disabled from taking out, having or holding any such Retail Licence for the future.

Penalty 100*l*.

Duties on Beer to be charged reckoning the Barrel 36 Gallons.

' XVII. And Whereas it is expedient that the Duties on Beer should be charged throughout *Great Britain* by the same Measure: Be it therefore further enacted, That every Thirty six Gallons of Beer, taken either by Gauge or Measure, shall throughout *Great Britain* be reckoned, accounted and returned by the Officers of Excise for a Barrel of Beer; and the several Rates of Duty imposed in respect of Beer shall be charged thereon accordingly, and so in Proportion for any less Quantity; and no Beer shall be sold by any Brewer, Dealer or Retailer at any other Rate or Quantity for the Barrel than the aforesaid Quantity of Thirty six Gallons; any Law, Practice or Usage to the contrary notwithstanding.

22 & 23 C. 2.  
c. 5. § 10.

' XVIII. And Whereas by an Act made in the Twenty second and Twenty third Years of the Reign of His Majesty King Charles the Second, intituled *An Act for an additional Excise upon Beer, Ale and other Liquors*, it was amongst other Things enacted, that if any Person or Persons inhabiting in any Market Town, or in any City or Town Corporate, or Parts adjoining to any City or Town Corporate, where there is or shall be a Common Brewhouse, having and lawfully using any private Brewing Vessels for the brewing and making of Beer or Ale, to be spent and consumed in his or their private Families, shall lend out any of their Brewing Vessels to be made use of by any other Person or Persons, not being of his or their Family, for the brewing of Beer or Ale for the Use of any other Person or Persons, then such Person or Persons shall forfeit for every such Offence the Sum of Fifty Pounds: And Whereas it is expedient to repeal so much of the said Act as is hereinbefore recited: Be it therefore enacted, That from and after the passing of this Act, the same shall be and is hereby repealed.

repealed.  
Obstructing  
Officers.  
Penalty 200*l*.

' XIX. And be it further enacted, That if any Person or Persons whatsoever shall assault, resist, oppose, molest, obstruct or hinder any Officer or Officers of Excise in the due Execution of the Powers or Authorities by this Act, or any other Act or Acts of Parliament relating to any Duty of Excise on Beer, or any Draw-

back payable for or in respect thereof granted, or any or either of them, every Person so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds.

XX. 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.

XXI. And be it further enacted, That this Act shall commence and take Effect (except where otherwise specially provided) from and immediately after the Tenth Day of *October* One thousand eight hundred and twenty four.

Commencement of Act.

XXII. Provided always, and be it further enacted, That all and every the several Provisions and Regulations in this Act contained, so far as the same relate to or affect Brewers retailing Beer, shall commence and take Effect from the Fifth Day of *July* One thousand eight hundred and twenty four; and that it shall and may be lawful for the Commissioners of Excise, and the Person or Persons authorized or appointed by them, and the several Collectors of Excise, and they are hereby severally authorized and required to receive from the several Persons liable to pay the same on their Request, a proportionate Part of the Retail Licence Duty hereby imposed on and payable by such Retail Brewer on every Licence for that Purpose, and to grant such Licence for the Remainder of the Year ending the Tenth Day of *October* One thousand eight hundred and twenty four, under the several Provisions of this Act, any Thing herein contained to the contrary thereof notwithstanding.

But the Regulations as to Brewers retailing Beer to take Effect from July 5, 1824, and a proportionable Part of Licence Duty may be taken.

XXIII. 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.

#### C A P. LV.

An Act to assimilate the Duties and Drawbacks on Hides, Skins, Leather, Parchment, Paper and Paper Hangings, manufactured in *Ireland*, to the Duties and Drawbacks payable on the like Articles in *Great Britain*; and to equalize the Measures and Weights whereby the Duties of Excise and Customs shall be payable throughout the United Kingdom. [9th June 1824.]

WHEREAS Hides and Skins and Leather tanned or dressed in Oil in *Ireland*, and Vellum and Parchment and Paper made in *Ireland*, and Paper Hangings printed, painted or stained in *Ireland*, are subject to Duties of Excise, different in Denomination from the Duties in *Great Britain*, and are levied and collected under different Rules, Regulations, Re-

strictions

From Jan. 5, 1825, Duties and Drawbacks on Hides and Leather and Paper, &c. under 47 G.3. st.1. c.18. and on Licences to Tanners, Paper Makers and Paper Stainers, under 55 G.3. c.19. repealed;

59 G.3. c.60.

56 G.3. c.78. except as to the Manner of allowing the Drawbacks on Paper used for Bibles, &c.;

58 G.3. c.41. except as to the Manner of allowing the Drawbacks on

' strictions and ' Conditions to those by which the Duties on the  
' like Articles are levied and collected in *Great Britain*; and it  
' is expedient to discontinue such Duties in *Ireland*, and to im-  
' pose other Duties in lieu thereof, of like Denominations and  
' of equal Amount with the Duties payable in *Great Britain* on  
' such several Articles; and that the levying and collecting of  
' the said Duties, and the Manufacture of the said Articles,  
' should be conducted and carried on throughout the whole of  
' the United Kingdom, as nearly as may be, under and subject  
' to the same Rules, Regulations and Provisions; Be it there-  
fore enacted by the King's most Excellent Majesty, by and with  
the Advice and Consent of the Lords Spiritual and Temporal, and  
Commons, in this present Parliament assembled, and by the Au-  
thority of the same, That all and singular the Duties and Draw-  
backs of Excise upon Hides and Skins and Leather tanned or  
dressed in Oil in *Ireland*, and upon Vellum and Parchment made  
in *Ireland*, and upon Paper made in *Ireland*, and upon Paper  
printed, painted or stained in *Ireland*, to serve for Hangings or  
other Uses, granted and made payable by an Act made in the  
Forty seventh Year of the Reign of His late Majesty King *George*  
the Third, intituled *An Act to grant to His Majesty certain inland*  
*Duties of Excise and Taxes in Ireland, and to allow certain Draw-*  
*backs in respect thereof, in lieu of former Duties of Excise, Tax*  
*and Drawbacks*; and also the Duties upon Licences to Persons  
in *Ireland* to keep a Tan Yard or Tan Pit, or to tan Leather,  
or to dress Hides or Skins in Oil, or to make Vellum or Parch-  
ment, or to keep a Mill or Mills for making Paper, or to manu-  
facture Paper Hangings, granted and made payable by an Act  
made in the Fifty fifth Year of the Reign of His said late Majesty,  
for granting certain Duties of Excise upon Licences to Persons  
dealing in exciseable Commodities in *Ireland*, or by any Act or  
Acts for altering or amending the said Act, shall from and after  
the Fifth Day of *January* One thousand eight hundred and  
twenty five cease and determine, and shall be and the same are  
hereby repealed; and that from and after the said Fifth Day of  
*January* One thousand eight hundred and twenty five, the several  
Acts hereinafter mentioned shall also be repealed; that is to say,  
an Act made in the Fifty third Year of the Reign of His said  
late Majesty, intituled *An Act for the better Collection of the*  
*Duties on Hides or Skins tanned or dressed in Oil, and on Vellum*  
*and Parchment made in Ireland, and for preventing Frauds on His*  
*Majesty's Revenue therein*; and any Act or Acts for altering or  
amending the said recited Act or any Part thereof; and also an  
Act made in the Fifty sixth Year of His said late Majesty's  
Reign, intituled *An Act for the better regulating and securing the*  
*Collection of the Duties on Paper in Ireland, and to prevent*  
*Frauds therein*, except only so much of the said last recited Act  
as relates to the Manner of allowing the Drawback or Allowance  
for Paper used in printing Bibles, Testaments, Psalm Books and  
Books of Common Prayer, by the King's Printer in *Ireland*; and  
also an Act made in the Fifty eighth Year of His said late Majes-  
ty's Reign, for amending the said last recited Act of the Fifty  
sixth Year of His said late Majesty's Reign, except only so  
much of the said last recited Act as relates to the Manner of  
allowing

allowing the Drawback or Allowance for Paper used in printing certain Books at the Press of *Trinity College, Dublin*; and also so much of an Act made in the Forty fifth Year of His said late Majesty's Reign, for continuing and amending several Acts for regulating and securing the Collection of the Duties on Paper made in *Ireland*, and on Paper printed or stained in *Ireland*, to serve for Hangings or other Uses, as may be in force immediately before the passing of this Act; and also an Act made in the Fifty fifth Year of His said late Majesty's Reign, intituled *An Act to make further Provisions for collecting and securing the Duties of Excise on Paper printed, painted or stained in Ireland, to serve for Hangings or other Uses*; and all and every other Act or Acts in force in *Ireland* with respect to the said Duties and Drawbacks or any of them, and all the said Acts are hereby repealed accordingly, except as in and by this Act is specially provided; and save and except in Cases relating to the recovering, paying or allowing any Arrears of any such Duties and Drawbacks respectively, which shall or may remain unpaid on the said Fifth Day of *January* One thousand eight hundred and twenty five, or to any Fine, Penalty or Forfeiture, Fines, Penalties or Forfeitures relating thereto respectively, which shall have been incurred at any Time before the said Fifth Day of *January* One thousand eight hundred and twenty five.

II. And be it further enacted, That from and after the said Fifth Day of *January* One thousand eight hundred and twenty five, in lieu and instead of the said Duties hereby repealed, there shall be raised, levied, collected and paid unto His Majesty, His Heirs and Successors, the several Duties hereinafter mentioned, being alike in Denomination and equal in Amount with the Duties of Excise payable upon or in respect of the like Articles in *Great Britain*; that is to say,

For every Pound Weight Avoirdupois of Hides of what Kind soever, and of Calve Skins, Kips, Hog Skins, Dog Skins and Seal Skins which shall be tanned in *Ireland*, and of Sheep Skins and Lamb Skins which shall be tanned in *Ireland* for Gloves and Bazils, One Penny Halfpenny :

For every Dozen of Goat Skins tanned with Sumach, or otherwise in *Ireland*, to resemble *Spanish Leather*, Four Shillings :

For every Dozen of Sheep Skins tanned in *Ireland* for Roans, being after the Nature of *Spanish Leather*, Two Shillings and Three Pence :

For every Pound Weight Avoirdupois of all other Skins, and of all Parts and Pieces of Hides and Skins which shall be tanned in *Ireland*, not hereinbefore particularly charged, Sixpence :

For and upon all Hides of Horses, Mares and Geldings, which shall be dressed in Allum and Salt or Meal, or otherwise tawed in *Ireland*, for every such Hide, One Shilling and Sixpence :

For and upon all Hides of Steers and Cows, or any other Hides of what Kind soever, those of Horses, Mares and Geldings excepted, which shall be so dressed in Allum and Salt or Meal, or otherwise tawed in *Ireland*, for every such Hide, Three Shillings :

Paper used for Bibles, &c. ;

and also as to Paper Hangings, 45 G. 3. c. 106. and 55 G. 3. c. 106.

Except as to Duties, Drawbacks or Penalties remaining due.

Instead of the Duties repealed the following shall be levied, viz. :

On Hides, Skins and Parchment :

For every Pound Weight Avoirdupois of all Calve Skins, Kips and Seal Skins, which shall be so dressed in Allum and Salt or Meal, or otherwise tawed in *Ireland*, One Penny Halfpenny :

For every Dozen of Slink Calve Skins which shall be so dressed in Allum and Salt or Meal, or otherwise tawed in *Ireland*, with the Hair, on Three Shillings :

For every Dozen of Slink Calve Skins which shall be so dressed or tawed without Hair, and every Dozen of Dog Skins and of Kid Skins which shall be tawed as aforesaid in *Ireland*, One Shilling :

For every Pound Weight Avoirdupois of Buck and Doe Skins which shall be so dressed in Allum and Salt or Meal, or otherwise tawed in *Ireland*, Sixpence :

For every Dozen of Goat Skins and of Beaver Skins which shall be so dressed in Allum and Salt or Meal, or otherwise tawed in *Ireland*, Two Shillings :

For every Pound Weight Avoirdupois of Sheep Skins and Lamb Skins which shall be so dressed in Allum and Salt or Meal, or otherwise tawed in *Ireland*, One Penny Halfpenny :

For every Pound Weight Avoirdupois of all other Skins, and of all Parts and Pieces of Hides and Skins which shall be so dressed in Allum and Salt or Meal, or otherwise tawed in *Ireland*, not herein before particularly charged, Sixpence :

For every Pound Weight Avoirdupois of all Buck, Deer and Elk Skins, which shall be dressed in Oil in *Ireland*, One Shilling :

For every Pound Weight Avoirdupois of all Sheep and Lamb Skins which shall be dressed in Oil in *Ireland*, Three Pence :

For every Pound Weight Avoirdupois of all other Skins, and of all Hides and Parts and Pieces of Hides and Skins, which shall be dressed in Oil in *Ireland*, Sixpence :

For every Dozen of Vellum which shall be made in *Ireland*, Three Shillings and Sixpence :

For every Dozen of Parchment which shall be made in *Ireland*, One Shilling and Nine Pence :

The said several Duties for and upon all Hides and Skins, and Parts and Pieces of Hides and Skins, tanned, tawed or dressed in *Ireland*, and upon Vellum and Parchment made in *Ireland*, to be payable according to the Amount thereof in *British* Currency, and to be paid by the Tanners, Tawers and Dressers of Hides and Skins, and by the Makers of Vellum and Parchment respectively.

On Paper:

For every Pound Weight Avoirdupois of Paper made in *Ireland*, of the First Class or Denomination; that is to say, all Paper other than Brown Paper made of old Ropes or Cordage only, without separating or extracting the Pitch or Tar or any Part therefrom, and without any Mixture of other Materials therewith, and not being Glazed Paper for Clothiers and Hot Pressers, nor being Sheathing Paper or Button Paper or Button Board, Three Pence :

For every Pound Weight Avoirdupois of Paper made in *Ireland*, of the Second Class or Denomination; that is to say, all Brown Paper made of old Ropes or Cordage only as aforesaid, One Penny Halfpenny :



For every Hundred Weight of Glazed Paper for Clothiers and Hot Pressers, and of Millboard and Scaleboard, and Sheathing Paper, Button Paper and Button Board, made in *Ireland*, One Pound and One Shilling, and so in proportion for any greater or lesser Quantity :

For every Hundred Weight of all Pasteboard which shall be made in *Ireland* from Paper wholly of the Second Class or Denomination, Fourteen Shillings ; and for every Hundred Weight of all Pasteboard which shall be made in *Ireland* wholly or in part from any Paper, Millboard, Button Board, Button Paper, Glazed Paper or Sheathing Paper, other than Paper of the Second Class or Denomination, One Pound and Eight Shillings, and so in Proportion for any greater or lesser Quantity :

On Pasteboard :

The said Duties upon Paper, Pasteboard, Glazed Paper, Millboard, Scaleboard, Sheathing Paper, Button Paper, Button Board and Pasteboard, to be payable according to the Amount thereof in *British* Currency, and to be paid by the Makers thereof respectively.

For every Yard Square of Paper which shall be printed, painted or stained in *Ireland*, to serve for Hangings or other Uses, over and above the Duties payable for such Paper before the printing, painting or staining thereof, One Penny Three Farthings :

On Stained Paper :

The said Duties on printed, painted or stained Paper to be paid by the Printer, Painter or Stainer thereof.

For and upon all Licences to be taken out by the Persons hereinafter mentioned, within *Ireland*, to be paid by such Persons respectively, the several Annual Sums hereinafter mentioned, according to the Amount thereof in *British* Currency ; that is to say,

And on Licences.

Every Tanner, for every such Licence, Five Pounds :

Every Tawer, for every such Licence, Two Pounds :

Every Dresser of Hides and Skins in Oil, for every such Licence, Four Pounds :

Every Currier, for every such Licence, Four Pounds :

Every Maker of Vellum or Parchment, for every such Licence, Two Pounds :

Every Maker of Paper or Pasteboard, and every Paper Stainer, for every such Licence, Four Pounds.

III. And be it further enacted, That from and after the said Fifth Day of *January* One thousand eight hundred and twenty five, in lieu of the several Drawbacks hereby repealed, there shall be allowed and paid on all Hides and Skins and Leather, and on all Paper on which the Duties imposed by this Act shall have been duly paid and satisfied, the several Drawbacks and Allowances following, being equal in Amount to the Drawbacks and Allowances on the like Articles in *Great Britain* ; that is to say,

The following Drawbacks shall be paid in lieu of the Drawbacks repealed, viz.

For every Pound Weight Avoirdupois of all Hides and Skins, and Parts and Pieces of Hides and Skins, tanned or tawed in *Ireland*, and duly marked, for which the Duty imposed and payable thereon respectively shall have been paid, and which shall

On Hides, Skins and Leather :

shall be duly exported to Foreign Parts as Merchandize, Two Thirds of the respective Duty paid:

For every Pound Weight Avoirdupois of all Hides and Skins, and Parts and Pieces of Hides and Skins, tanned and curried in *Ireland*, and duly marked, for which the Duty imposed and payable thereon respectively shall have been paid, and which shall be duly exported to Foreign Parts as Merchandize, Two Pence:

For every Pound Weight Avoirdupois of all Leather tanned or tawed in *Ireland*, for which the Duty imposed and payable thereon respectively shall have been paid, and which shall be manufactured and actually made into Boots, Shoes, Saddles or Gloves, and duly exported to Foreign Parts as Merchandize, Three Pence:

For every Pound Weight Avoirdupois of all Leather tanned or tawed in *Ireland*, for which the Duty imposed and payable thereon respectively shall have been paid, and which shall be manufactured and actually made into Goods and Wares other than Boots, Shoes, Saddles or Gloves, in *Ireland*, and duly exported to Foreign Parts as Merchandize, Two Pence:

For all Goat Skins tanned with Sumach or otherwise, to resemble *Spanish Leather*, in *Ireland*, duly marked, and all Sheep Skins tanned for Roans (being after the Nature of *Spanish Leather*), in *Ireland*, duly marked, for which the Duty imposed and payable thereon respectively shall have been paid, and which shall be duly exported to Foreign Parts as Merchandize, the whole of the respective Duty paid:

For every Pound Weight Avoirdupois of Boots or Shoes made in *Ireland*, the Upper Leathers, Vamps and Boot Legs of which are made of Morocco, *Spanish Leather* or Kid Skins, and for which the Duty imposed and payable thereon respectively shall have been paid, and which shall be duly exported to Foreign Parts as Merchandize, Four Pence:

For every Pound Weight Avoirdupois of all Buck, Deer or Elk Skins dressed in Oil in *Ireland*, for which the Duty imposed and payable thereon shall have been paid, whether manufactured and actually made into Goods or Wares or not (but if not, then to be duly marked), and which shall be duly exported to Foreign Parts as Merchandize, One Shilling:

For all other Hides and Skins, and Parts and Pieces of other Hides and Skins, dressed in Oil in *Ireland*, and duly marked, for which the Duty imposed and payable thereon respectively shall have been paid, and which shall be exported to Foreign Parts as Merchandize, the Whole of the respective Duty paid, according to the Weight or Number thereof respectively exported:

For every Pound Weight Avoirdupois of all other Hides and Skins dressed in Oil in *Ireland* for which the Duty imposed and payable thereon respectively shall have been duly paid, and which shall be manufactured and actually made into Goods and Wares (except Sheep and Lamb Skins dressed in Oil and made into Goods and Wares other than Gloves), in *Ireland*, and duly exported to Foreign Parts as Merchandize, Sixpence:

For every Pound Weight Avoirdupois of all Sheep and Lamb  
Skins

Skins dressed in Oil in *Ireland*, for which the Duties imposed in respect thereof shall have been duly paid, and which shall be manufactured and actually made into Goods and Wares other than Gloves in *Ireland*, and duly exported to Foreign Parts as Merchandize, Four Pence :

For all such Glazed or other Press Papers made in *Ireland* for Clothiers and Hotpressers, as shall be actually and *bonâ fide* used, employed and consumed in the pressing of Woollen Cloths and Stuffs in *Ireland*, the whole Duty :

Allowances on Paper.

For all Paper made in *Ireland* of the first Class or Denomination, which shall be used by the King's Printer in *Ireland*, in printing Bibles, Testaments, Psalm Books and Books of the Common Prayer of the Church of *England* and *Ireland*, or which shall be used at the Press of the College of the Holy and Undivided Trinity of Queen *Elizabeth* near *Dublin*, in printing such Bibles, Testaments, Psalm Books and Books of Common Prayer, or in the printing of any Books in the Latin, Greek, Oriental or Northern Languages, or in the printing of any Confession of Faith, or the larger or shorter Catechism; the whole Duty :

For all Paper made in *Ireland*, for which the Duties imposed in respect thereof shall have been paid, and which shall be duly exported as Merchandize to Foreign Parts, all the Duties :

Drawbacks on Paper :

For every Hundred Weight of Pasteboard made in *Ireland*, from Paper wholly of the Second Class or Denomination, and for which all the Duties imposed for or in respect thereof shall have been paid, and which shall be duly exported as Merchandize to Foreign Parts, Fourteen Shillings :

On Pasteboard :

And for every Hundred Weight of all Pasteboard made in *Ireland*, wholly or in part from any Paper, Millboard, Button Board, Button Paper, Glazed Paper or Sheathing Paper, other than Paper of the Second Class or Denomination, and for which all the Duties imposed for or in respect thereof shall have been paid, and which shall be duly exported as Merchandize to Foreign Parts, One Pound Eight Shillings, and so in Proportion for any greater or lesser Quantity :

For every Hundred Weight of Millboard, Scaleboard, Sheathing Paper, Button Paper and Button Board, made in *Ireland*, for which the Duties imposed in respect of such Millboard, Scaleboard, Sheathing Paper, Button Paper and Button Board respectively shall have been paid, and which shall be duly exported as Merchandize to Foreign Parts, and so in Proportion for any greater or less Quantity, One Pound and One Shilling :

On Millboard :

For every Pound Weight Avoirdupois of Books in perfect and complete Sets (or if periodical Publications, in perfect Parts or Numbers), and of blank; plain or ruled Account Books, whether bound or unbound, made of or printed or ruled on Paper of the First Class or Denomination, the Duties in respect whereof shall have been paid, (for which Books no Drawback or Allowance whatever shall have been paid, received or obtained), and which shall be duly exported as Merchandize to Foreign Parts, Three Pence.

On Books.

IV. Provided also, and be it enacted, That any Person or Persons

Persons already licensed as

Tanners may be Curriers under certain Regulations herein mentioned.

sons in *Ireland*, who at the Time of the passing of this Act shall be licensed to keep a Tan Yard or Tan Pit, or to tan Leather, or to dress Hides or Skins in Oil, shall and may carry on the Trade or Business of a Currier together with that of a Tanner; any Act or Acts in force in *Great Britain* before the passing of this Act to the contrary in any wise notwithstanding: Provided that such Person shall take out a separate Licence to carry on such Trade and Business of a Currier; and that no Hide or Skin, or Part or Piece of any Hide or Skin, shall be found or kept or used in any Room or Place applied to the Purpose of currying, or shall be sold, delivered or sent out by such Tanner or Currier, unless every such Hide or Skin, and every Piece of any such Hide or Skin, shall be impressed with the proper Stamp or Mark, denoting the Payment of the Duty thereon as tanned, tawed or dressed in Oil; and that no Part or Piece of any Hide or Skin, on which such Duty shall have been paid, shall be found or kept in any Room or Place applied to the Purpose of tanning, unless the same shall be impressed with such Stamp or Mark as aforesaid, and that no Entry of any Room or Place shall be made, nor shall any Room or Place be used for the Purpose of carrying on the Business of a Tanner and also the Business of a Currier, but all such Rooms or Places shall be entered and kept separate and distinct, to all Intents and Purposes whatsoever.

Tanners before being licensed shall deliver Accounts required by 53 G.S. c. 60.

V. Provided also, and be it enacted, That before any Licences shall be granted to any Person or Persons in *Ireland* to keep a Tan Yard or Tan Pit, or to tan Leather, or to dress Hides or Skins in Oil, the Person or Persons requiring such Licence shall, before any such Licence shall be granted, make out, sign and deliver to the Collector of the Excise of the District such Account in Writing as is required by an Act made in the Fifty third Year of His late Majesty's Reign, intituled *An Act for the better Collection of Duties on Hides and Skins tanned or dressed in Oil, and on Vellum and Parchment made in Ireland, and for preventing of Frauds in His Majesty's Revenue therein*; and that so much and such Parts of the said recited Act as relate to such Account, or as impose any Penalty in respect thereof, shall be and continue in force, and be applied in the Execution of this Act; any Thing hereinbefore contained to the contrary thereof notwithstanding.

Duties under Management of Commissioners of Excise to be collected under Regulations of Acts in force in *Great Britain*.

VI. And be it further enacted, That the several and respective Duties by this Act imposed and made payable shall be under the Management of the Commissioners of Excise; and that the said respective Duties shall (except as herein otherwise specially directed or provided) be raised, levied, collected, recovered, secured and paid by such Persons, and at such Times, and in such Manner, and by such Ways and Means, and under and subject to all and every the Rules, Regulations, Restrictions and Provisions (save and except such thereof as are repugnant to the Provisions of this Act, and also save and except the Powers of adjudging Penalties and Forfeitures by the Commissioners of Excise in *England*), and also under and subject to all and every the Fines, Penalties and Forfeitures, and with and subject to such and the like Powers, Authorities, Rules and Directions, and by such Methods, and in such Manner and Form (except as before excepted), as the several and respective Duties on Hides, Skins and Leather.

er, Vellum and Parchment, and Paper and Pasteboards, made in *Great Britain*, and on Paper printed, painted or stained in *Great Britain*, to serve for Hangings or other Uses, are subject and liable to under and by virtue of any Act or Acts of Parliament relating to the said Duties respectively, and as are contained, provided, prescribed, directed, settled or established by any such Act or Acts of Parliament in force in *Great Britain* immediately before the passing of this Act, in relation to the said Duties respectively, or any of them, or for the Security or due Collection of the said Duties respectively, or any of them, or for preventing, detecting or punishing Frauds relating to the said Duties, or any of them respectively; and all and singular the Powers, Authorities, Rules, Directions, Regulations, Restrictions, Provisions, Fines, Penalties and Forfeitures contained in the said several Acts, or any of them, or in any Act or Acts for making any Provisions or Regulations whatever relating to the said Duties, or any of them respectively, so far as the said Acts or any of them, or any Part thereof, are in force immediately before the passing of this Act, and so far as the said Acts or any of them relate to the Duties on the several Articles aforesaid, or any of them respectively, and so far as the said Acts or any of them can and may be applied to the said Duties respectively, or any of them, shall be used, practised, applied and put in Execution, for ascertaining, raising, levying, collecting, recovering, securing and paying the several and respective Duties by this Act imposed; and for preventing, detecting and punishing Frauds relating thereto, as fully and effectually to all Intents and Purposes as if all and singular the said Powers, Authorities, Rules, Directions, Regulations, Restrictions, Provisions, Fines, Penalties and Forfeitures (except as before excepted) had been and were particularly repeated and re-enacted in this Act.

VII. And be it further enacted, That the several Drawbacks and Allowances by this Act allowed and made payable shall be paid according to the Amount thereof in *British* Currency, and shall and may be respectively paid and allowed in such and the like Manner, and in or by any such general or special Means, Ways or Methods, as any Allowances or Drawbacks of the Duties of Excise in *Great Britain* upon any Articles of the same Sorts or Kinds respectively are or may be paid or allowed; and the several Articles so by this Act respectively entitled to Allowances or Drawbacks shall be and the same are hereby made subject to all and every the Conditions, Regulations, Rules, Restrictions and Forfeitures, to which the like Articles respectively are subject and liable in *Great Britain* under or by virtue of any Act or Acts of Parliament in force immediately before the passing of this Act, relating in general to the Duties of Excise, or relating specially to any of the said Articles; and all and every Pain, Penalty, Fine or Forfeiture of any Nature or Kind whatever, for any Offence whatever committed against or in breach of any Act or Acts of Parliament in force immediately before the passing of this Act, made for securing the Revenue of Excise in *Great Britain*, or for the Regulation and Improvement thereof, and the several Clauses, Powers and Directions therein contained, shall be and are hereby directed and declared to extend to, and shall

Drawbacks to be paid and allowed in like Manner as like Drawbacks in *Great Britain*.

Regulations for securing the Revenue of Excise extended to Drawbacks under this Act.

shall be respectively applied, practised and put in Execution for and in respect of the several Allowances or Drawbacks by this Act allowed and made payable, in as full and ample a Manner, to all Intents and Purposes whatever, as if all and every the said Acts, Clauses, Provisions, Powers, Directions, Fines, Pains, Penalties or Forfeitures were particularly repeated and re-enacted in the Body of this Act.

Allowances on Paper used in printing Bibles, &c. by King's Printer and Trinity College, Dublin, to be made under 56 G. 3. c. 78. and 58 G. 3. c. 41.

VIII. Provided always, and be it enacted, That the severa hereinbefore mentioned Allowances, in respect of Paper used by the King's Printer in *Ireland*, or used at the Press of the College of the Holy and Undivided Trinity of Queen *Elizabeth* near *Dublin*, in printing of any Bibles, Testaments, Psalm Books, Books of Common Prayer, or Books in the Latin, Greek, Oriental or Northern Languages, or any Confession of Faith or Catechism, as hereinbefore specified, shall be made and paid under such Rules and Regulations as are contained, with respect to the Allowances in respect of Paper so used, in the said recited Act of the Fifty sixth Year of His said late Majesty's Reign, for the better regulating and securing the Collection of the Duties on Paper in *Ireland*, and in the said recited Act of the said Fifth eighth Year of His said late Majesty's Reign, for amending the said recited Act of the said Fifty sixth Year, and as if such Rules and Regulations were repeated and re-enacted in this Act.

Tables of Weights and Measures to be constructed under the Directions of Treasury, by which the Duties, &c. of Customs and Excise shall be uniformly collected throughout the United Kingdom.

IX. And Whereas it is expedient that the Measures and Weights by which the Rates and Duties and Drawbacks of Customs and Excise are charged and paid and allowed in *Ireland*, should be the same as the Measures and Weights by which the Rates, Duties and Drawbacks on the like Articles are charged and paid and allowed in *Great Britain*; Be it therefore enacted, That so soon as conveniently may be after the passing of this Act, there shall be prepared accurate Tables of the Measures and Weights, specifying the Contents thereof respectively, by and according to which all Duties and Drawbacks of Customs and Excise throughout the United Kingdom of *Great Britain* and *Ireland*, shall be charged and paid and allowed; and such Tables shall be prepared under the Direction of the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners of His Majesty's Treasury for the Time being, in order that the several Rates and Duties, and Drawbacks and Allowances of Customs and Excise throughout the United Kingdom, may be uniformly made payable according to the respective Contents and Quantities of such Measures and Weights, and by and according to the same Measures and Weights throughout the United Kingdom; and that such Tables shall be published in the *London* and *Dublin* Gazettes: and that from and after such Time as shall be appointed by the Lord High Treasurer or Commissioners of His Majesty's Treasury, or any Three of them, and as shall be specified in the Advertisement of such Tables in the *London* and *Dublin* Gazettes, all Rates and Duties, and all Drawbacks and Allowances on Goods, Wares and Merchandize, whether of the Growth, Produce or Manufacture of any Part of the United Kingdom, or of the Growth, Produce or Manufacture of Foreign Parts, which shall be collected or allowed by any of the Officers of His Majesty's Customs

Customs or Excise throughout the United Kingdom, shall be charged and calculated, and raised, paid, levied, collected, taken, received, recovered, allowed and accounted for, according to the Measures and Weights specified and set forth in such Tables to be prepared and published as aforesaid, and according to the Contents of such Measures and Weights respectively; any Law, Usage or Custom to the contrary thereof in any wise notwithstanding.

## C A P. LVI.

An Act to continue, until the Tenth Day of November One thousand eight hundred and twenty six, certain Parts of an Act of the Third Year of His present Majesty, among other Things for the preventing private Distillation in Scotland.

[9th June 1824.]

WHEREAS an Act was passed in the Third Year of His present Majesty's Reign, 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 Whereas by an Act passed in the last Session of Parliament, intituled *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*, certain Parts of the said recited Act of the Third Year of His present Majesty's Reign (among other Acts) were repealed: Be it enacted by the King's most Excellent Majesty, by and with the 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 of the said Third Year of His present Majesty's Reign as is not repealed by the said recited Act of the last Session of Parliament, and as shall be in force immediately before the passing of this Act, shall be continued and shall remain in force until the Tenth Day of November One thousand eight hundred and twenty six.

3 G. 4. c. 52.

4 G. 4. c. 94.

So much of  
3 G. 4. c. 52. as  
is not repealed  
by 4 G. 4. c. 94.  
continued till  
Nov. 10. 1826.

## C A P. LVII.

An Act to repeal Four Acts of His late Majesty, relating to the Use of Horse Hides in making Boots and Shoes, and for better preventing the damaging of Raw Hides and Skins in the flaying thereof.

[9th June 1824.]

WHEREAS an Act was passed in the Thirty ninth and Fortieth Years of the Reign of His late Majesty King George the Third, intituled *An Act to repeal so much of an Act passed in the Second Year of King James the First, as prohibits the Use of Horse Hides in making Boots and Shoes*; and

39 &amp; 40 G. 3. c. 66.

for.

- 41 G. 3. c. 53. (U. K.) ' for better preventing the damaging of Raw Hides and Skins in the flaying thereof: And Whereas another Act was passed in the Forty first Year of the Reign of His said late Majesty King George the Third, intituled *An Act to explain and amend an Act passed in the Thirty ninth and Fortieth Years of the Reign of His present Majesty, intituled ' An Act to repeal so much of an Act passed in the Second Year of King James the First, as prohibits the Use of Horse Hides in making Boots and Shoes: and for better preventing the damaging of Raw Hides and Skins in the flaying thereof: And Whereas another Act was passed in the Forty third Year of the Reign of His said late Majesty, to extend the Provisions of Two Acts passed in the Thirty ninth and Fortieth, and in the Forty first Years of the Reign of His present Majesty, relating to the Use of Horse Hides in making Boots and Shoes, and preventing the damaging of Raw Hides and Skins in the flaying thereof; and to alter and amend the same as to the Cities of London and Westminster, and Borough of Southwark, and Liberties thereof, and all Places within Fifteen Miles of the Royal Exchange of the said City of London: And Whereas another Act was passed in the Forty eighth Year of the Reign of His said late Majesty, for repealing an Act made in the Forty third Year of His present Majesty, for extending the Provisions of Two former Acts relating to the Use of Horse Hides in making Boots and Shoes, and preventing the damaging of Raw Hides and Skins in the flaying thereof; and for making other Provisions in lieu thereof: And Whereas the Provisions of the said Four recited Acts are no longer necessary, and have been found oppressive in their Operation, and it is expedient that the said Acts should be repealed: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fifth Day of July One thousand eight hundred and twenty four, the said Four recited Acts shall be, and the same are respectively hereby repealed, except only so far as the said first recited Act repeals any former Statute or Statutes, or any Part thereof, and all and every which said Statutes or Statute, or the Part or Parts thereof so repealed, shall remain and continue repealed to all Intents and Purposes whatsoever.*
- 43 G. 3. c. vii.
- 48 G. 3. c. lxxi.
- Recited Acts repealed, except so far as the first recited Act repeals any former Statute.

## C A P. LVIII.

An Act to continue for Four Years, and from thence until the End of the then next Session of Parliament, the Power of the Commissioners for enquiring concerning Charities in England and Wales. [9th June 1824.]

- 58 G. 3. c. 91. ' WHEREAS an Act was passed in the Fifty eighth Year of His late Majesty's Reign, intituled *An Act for appointing Commissioners to inquire concerning Charities in England for the Education of the Poor*; and another Act was passed in the Fifty ninth Year of the same Reign, intituled *An Act to amend an Act of the last Session of Parliament, for appointing Commissioners*
- 59 G. 3. c. 81.



missioners to inquire concerning Charities in England for the Education of the Poor, and to extend the Powers thereof to other Charities in England and Wales, to continue in force until the First Day of August One thousand eight hundred and twenty three, and from thence until the End of the then next Session of Parliament: And Whereas the Commissioners appointed under and by virtue of the said Acts have pursued the Enquiries thereby authorized and directed, and have made several Reports of their Proceedings, but further Time is requisite for enabling them to complete those Enquiries: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Acts shall be, and the same shall be hereby continued from the Expiration thereof for the Term of Four Years, and from thence until the End of the then next Session of Parliament.

Recited Acts  
continued for  
Four Years.

### C A P. LIX.

An Act for exhibiting a Bill for the Restoration of *John Francis Erskine of Mar*.

[9th June 1824.]

WHEREAS by an Act passed in the First Year of the Reign of His Majesty King George the First, intituled *An Act to attain John Earl of Mar, William Murray Esquire, commonly called Marquess of Tullibardine, James Earl of Linlithgow, and James Drummond Esquire, commonly called Lord Drummond, of High Treason*, it was enacted, that from and after the Nineteenth Day of January in the Year of our Lord One thousand seven hundred and fifteen, the said *John Earl of Mar* should stand and be convicted and attainted of High Treason: And Whereas it is His Majesty's gracious Intention to restore *John Francis Erskine of Mar* from the Effects of the said Attainder: And Whereas by an Act passed in the Seventh Year of the Reign of King James the First, intituled *An Act that all such as are to be naturalized or restored in Blood shall first receive the Sacrament of the Lord's Supper, and the Oath of Allegiance, and the Oath of Supremacy*, it is enacted, that no Person or Persons, being of the Age of Eighteen Years or above, shall be naturalized or restored in Blood, unless the said Person or Persons have received the Sacrament of the Lord's Supper, within One Month next before any Bill exhibited for that Purpose, and also shall take the Oath of Supremacy, and the Oath of Allegiance, in the Parliament House, before his or her Bill be Twice read: And Whereas, by reason of the advanced Age and Bodily Infirmary of the said *John Francis Erskine of Mar*, it may be impossible for him to comply with the Provisions of the said last recited Act: May it therefore please Your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That a Bill for the Restoration of the said *John Francis Erskine* as aforesaid may be

1 G. 1. c. 32.  
St. 2.

7 Jac. 1. c. 2.

A Bill for the  
Restoration of

be

John Francis Erskine of Mar may be exhibited, he having received the Sacrament, and taken and subscribed the Oath of Allegiance and Supremacy, in manner directed by

6 Ann. c. 23.

Entry in the Journals of the House of Lords, as to the Fact, to be Evidence.

be exhibited and brought into Parliament and Twice read, as Thing in the said recited Act of His Majesty King James the First, or in any other Act or Acts to the contrary notwithstanding: Provided always, that the said *John Francis Erskine* shall have received the Sacrament of the Lord's Supper within Two Months next before the exhibiting of such Bill, and shall have taken and subscribed the Oath of Allegiance and Oath of Supremacy in the Manner in which certain Oaths are required to be taken by Peers of *Scotland*, by an Act passed in the Sixth Year of the Reign of Her Majesty Queen *Anne*, intituled *An Act to make further Provision for electing and summoning Sixteen Peers of Scotland to sit in the House of Peers in the Parliament of Great Britain, and for trying Peers for Offences committed in Scotland, and for the further regulating of Voters in Elections of Members to serve in Parliament*; and that Evidence thereof shall be given at the Bar of the House of Lords, upon the Oath of a Witness who was present at the said *John Francis Erskine's* so taking the Sacrament and the Oaths respectively.

II. And be it further enacted, That a Copy of the Entry in the Journals of the House of Lords, duly authenticated by the Clerk of Parliaments, of the Fact of the said *John Francis Erskine* having received the Sacrament of the Lord's Supper, and taken the Oaths as aforesaid, shall be Evidence of such Fact in all Courts of Justice or elsewhere in the United Kingdom.

#### C A P. LX.

An Act to carry into Effect the Will of *Richard Payne Knight* Esquire, so far as the same relates to a Bequest by the said *Richard Payne Knight*, of a Collection of Coins, Medals and other valuable Articles, to the *British Museum*: and to vest the said Collection in the Trustees of the said *British Museum*, for the Use of the Public.

[17th June 1824.]

26 G. 2. c. 22.

§ 4.

§ 14.

WHEREAS by an Act of Parliament made and passed in the Twenty sixth Year of the Reign of His Majesty King *George the Second*, intituled *An Act for the Purchase of the Museum or Collection of Sir Hans Sloane, and of the Harleian Collection of Manuscripts; and for providing one General Repository for the better Reception and more convenient Use of the said Collections, and of the Cottonian Library, and of the Additions thereto*; it was amongst other Things enacted, that certain Persons in the said Act named and their Successors, and also certain other Persons in the said Act named, and their Heirs, as in the said Act particularly described, should be Trustees for putting the said Act in Execution; and it was by the said Act further enacted, that the said Trustees thereby appointed should be a Body Corporate in Deed and in Name, and have Succession for ever, by the Name of "The Trustees of the *British Museum*," and should also have full Power, Capacity and Ability to purchase, take, hold and enjoy, for the Purposes of that Act, as well Goods and Chattels, as Lands, Tenements and Hereditaments, as in the said Act is more particularly mentioned

tioned and set forth, with such Powers and under such Directions as are therein expressed: And Whereas *Richard Payne Knight*, deceased, late of *Stonebrooke Cottage* in the Parish of *Leintwardine* in the County of *Hereford*, and of *Soho Square* in the Parish of *Saint Anne, Westminster*, in the County of *Middlesex*, Esquire, by his last Will and Testament, bearing Date the Thirtieth Day of *June* in the Year One thousand eight hundred and fourteen, gave and bequeathed all his Coins and Medals, and all wrought or sculptured Articles in every Kind, of Metal, Ivory and Gems or precious Stones, together with all descriptive Catalogues of the same, and all Drawings or Books of Drawings of every Kind which should be found in the Gallery or Western Room of his House in *Soho Square*, to the *British Museum*, on Condition, that within one Year after his Decease the next Descendant in the direct Male Line, then living, of *Richard Knight of Downton*, the Grandfather of the said Testator *Richard Payne Knight*, should be made an Hereditary Trustee, with all the Privileges of the other Family Trustees, to be continued in perpetual Succession to his next Descendants in the direct Male Line, so long as any should exist; and in case of their Failure, to the next in the Female Line; and also upon Condition that all Duties and other Expences attending the taking Possession of and removing the said Articles should be paid out of the Funds of the said Museum: And Whereas the said *Richard Payne Knight* departed this Life on or about the Twenty ninth Day of *April* now last; and the said Goods and Chattels so given and bequeathed by the said *Richard Payne Knight* to the said *British Museum*, being a Collection of great Curiosity and Value, have been transferred by the Executor of the said *Richard Payne Knight* to the Trustees of the said Museum, and have been removed to the said Museum: And Whereas it is expedient that the further Condition in the Will of the said *Richard Payne Knight* should be complied with and effected, and that *Thomas Andrew Knight of Downton Castle* in the said County of *Hereford*, Esquire, being the next Descendant in the direct Male Line of the said *Richard Knight*, the Grandfather of the said *Richard Payne Knight*, should be an Hereditary Trustee of the said Museum, with all the Privileges of the other Family Trustees, to be continued in perpetual Succession to the next Descendants in the direct Male Line of the said *Richard Knight*, so long as any shall exist; and in case of their Failure, to the next in the Female Line: 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 *Thomas Andrew Knight*, being such Descendant as aforesaid, shall be added to and associated with the Trustees for the Time being of the said *British Museum*, as an Hereditary Trustee of the Museum, with all the Privileges of the other Family Trustees of the said Museum, with perpetual Succession to his next Descendants in the direct Male Line, so long as any shall exist; and in case of their Failure to the next Descendants in the direct Male

Will of  
R. Payne  
Knight, Esq.  
June 30, 1814;

who died  
April 29, 1824.

Thomas Andrew Knight,  
Esq. added to  
the Trustees of  
the British Museum,  
with perpetual  
Succession to his  
Descendants;

Line of the said *Richard Knight*; and in case of their Failure, then to the next Descendants in the Female Line of the said *Richard Knight*.

and shall be deemed Hereditary Family Trustees.

II. And be it further enacted, That the Trustee hereby appointed, and every Person hereafter becoming a Trustee by virtue of such Succession as hereinbefore is mentioned, shall be deemed and taken to be an Hereditary Trustee of the said Museum, with the Privileges of the other Family Trustees of the said Museum, and shall severally have the like Powers and Privileges in all respects in the Execution of the Trusts reposed or to be reposed by the said recited Act or any other Act in the Hereditary Trustees of the said *British Museum*, as are or shall be by the said Acts or any of them given to the Hereditary Trustees therein named or described.

Bequest of R. P. Knight vested in the Trustees of the British Museum in Perpetuity.

III. And be it further enacted, That from and after the passing of this Act the said Goods and Chattels so given and bequeathed by the said *Richard Payne Knight* as aforesaid shall be vested in the Trustees for the Time being of the said *British Museum* and their Successors, in Perpetuity, for the Purposes of the said Act of the Twenty sixth Year of the Reign of His Majesty King *George the Second*.

C A P. LXI.

An Act to amend certain Acts for the Relief of Insolvent Debtors in England. [17th June 1824.]

1 G. 4. c. 119. § 20, 21. 39.

3 G. 4. c. 123. § 9. 14.

So much of said Acts as gives Jurisdiction to Justices of Sessions repealed;

except as to Wales.

Court for Relief of Insolvent Debtors may make Order to

WHEREAS an Act passed in the First Year of His present Majesty's Reign, intituled *An Act for the Relief of Insolvent Debtors in England, to continue in force until the First Day of June One thousand eight hundred and twenty five*; and a certain other Act passed in the Third Year of His Majesty's Reign, intituled *An Act to amend an Act of the First Year of His present Majesty, for the Relief of Insolvent Debtors in England*; and it is expedient to alter and amend 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 so much of the said Acts as gives any Power, Authority or Jurisdiction, or enables the Court for Relief of Insolvent Debtors to give or delegate any Power, Authority or Jurisdiction to any Justices of the Peace at their General or General Quarter Sessions of the Peace, or at any Adjournment thereof, for any County, Riding, City, Cinque Port, Antient Town or Member, Division, Liberty or Place, shall be from and after the First Day of *September* One thousand eight hundred and twenty four, repealed; except as to the Justices of the Peace at their General or General Quarter Sessions of the Peace, or at some Adjournment thereof, for any County, City, Liberty or Place in the Principality of *Wales*; and the same is hereby repealed accordingly, except as aforesaid.

II. And be it further enacted, That where any Prisoner shall be in any County Gaol, or other Gaol or Prison in *England*, except in the Counties of *Middlesex* or *Surrey*, or in the City of *London*, or

or the Borough of *Southwark*, upon any Process whatsoever issuing out of His Majesty's Superior Courts in *Westminster Hall*, or out of any Court whatsoever in *England*, then and in such Case, upon Petition being made to the said Court for Relief of Insolvent Debtors by such Prisoner, in Manner directed by the said recited Acts or either of them, and upon such Schedule being delivered into the said Court as is required by the said recited Acts or either of them, it shall be lawful for the said Court, and the said Court is hereby authorized and required, on the Application of such Prisoner, to make a Rule or Order to cause such Prisoner to be brought to and to appear at the Court House or other Place in any Assize or other Town in the County, or County of a City or Town, where such Prisoner shall be imprisoned, on such Day and at such Time as shall be mentioned and specified in such Order, not being more than Four Calendar Months after the Date of such Order; and the Expence of conveying such Prisoner to any such Assize or other Town, in every Case where the Gaol in which such Prisoner shall be confined shall not be situate within such Assize or other Town, not exceeding One Shilling a Mile, shall be paid to the Keeper or Gaoler, or Officer who shall bring such Prisoner to such Assize or other Town, in obedience to such Rule or Order, out of the Estate or Effects of such Prisoner, if the same shall be sufficient to pay such Expence, and if not, then such Expence shall be paid by the Treasurer of the County, County of a City or Town, in which such Prisoner shall be imprisoned, as the same shall be directed or ordered by the Commissioner before whom such Prisoner shall be brought; and the Justices of the Peace of such County, County of a City or Town, are hereby empowered and required to order at their General or General Quarter Sessions next ensuing the Day mentioned in such Rule or Order, such Treasurer to pay the same; and the said Court shall cause like Notice of every such Petition and Schedule of such Prisoner, and of such Rule or Order of the Court for bringing such Prisoner to such Assize or other Town thereupon, as is required by the said first mentioned Act, as to the Matter of Petitions heard before the Court.

III. And be it further enacted, That on such Day so appointed by Order of the said Court for Relief of Insolvent Debtors, it shall be lawful for any One Commissioner of the said Court, and he is hereby authorized and required to attend at such Court House or other Place in such Assize or other Town, and to proceed on such Day, and from Day to Day if requisite, in hearing the Matter of the Petitions of any and every such Prisoner or Prisoners, who shall appear at or be brought to such Assize or other Town, and to pronounce any such Judgment, and to make all such Orders, and to give all such Directions, and to do all such other Matters and Things requisite for the discharging or remanding of any and every such Prisoner, and for the Assignment and Application of the Estate and Effects of every such Prisoner; and such Commissioner shall have such Power to discharge or remand any and every such Prisoner, and in all other respects to act and do with respect to any and every such Prisoner, and with respect to the Petition and Schedule of any and every such

bring Prisoner to Court House in Assize Town of County where such Prisoner is in Custody.

Expence of conveying Prisoner to Assize Town paid to Keepers, &c. but not to exceed 1s. per Mile.

Notice to Creditors.

Commissioners to attend at such Court House, and give such Relief or otherwise, as in Insolvent Court in London.

Power to discharge or remand.

Prisoner, as the said Court for the Relief of Insolvent Debtors could or may do under or by virtue of the said recited Acts, or either of them; and all Judgments, Rules, Orders, Directions, Proceedings, Acts, Matters and Things, for or relating to such Prisoner, Creditors and Assignees, done by such Commissioner, shall be as good, valid and effectual to all Intents and Purposes, as if such Judgments, Rules, Orders, Directions, Proceedings, Acts, Matters and Things had been done by the said Court for the Relief of Insolvent Debtors; and the same shall be made a Record of the Proceedings in such Court for the Relief of Insolvent Debtors, and shall be transmitted to such Court, signed by such Commissioner, to be a Record of the said Court, and to be kept as such among the Records thereof.

All Acts, &c. to be of Record in Insolvent Court.

His Majesty to appoint an additional Commissioner.

Circuits to be made.

Travelling Expences to be paid by the Treasury.

Clerk of the Peace or his Deputy shall attend and act as Clerk to Commissioner.

Fee to him 5s. from each Prisoner.

Notice of Attendance of Commissioner.

IV. And be it further enacted, That it shall be lawful for His Majesty to appoint One other Commissioner, being a Barrister at Law of Ten Years standing at least, in addition to those already appointed, and that Three of the said Commissioners shall from time to time severally make Circuits, and give their Attendance respectively at the several Assize or other Towns at which any Prisoner or Prisoners shall be ordered to appear in Manner aforesaid, so that the Circuits shall be Three Times in each Year, if requisite; and during the said Circuits One of the said Commissioners shall be attendant and presiding in the said Court established by the first mentioned Act; and the Time and Manner of making such Circuits, and the Officers necessary to attend the Commissioners making the same, shall be regulated in such Manner as shall be agreed on between the Commissioners of the said Court, with the Approbation of One of His Majesty's Principal Secretaries of State for the Time being; and it shall and may be lawful for the Lord High Treasurer, or Lords Commissioners of His Majesty's Treasury of the United Kingdom of Great Britain and Ireland for the Time being, to direct that such Sum or Sums shall be paid as may appear fit and necessary for defraying the travelling Expences of such Commissioners and Officers in the Execution of their Duties under this Act or the said recited Acts, or either of them.

V. And be it further enacted, That in every County or County of a City or Town, the Clerk of the Peace of the County, or, if the Court shall think fit, his sufficient Deputy, to be approved of by the said Court, shall attend on all such Occasions, with proper Officers to preserve Order in the said Court House or other Place, and may act as Clerk to the Commissioner under this Act, to assist him in his Performance of his several Duties under this Act in such County or County of a City or Town; and the said Clerk of the Peace or his said Deputy shall, in Consideration and Recompence of and for his said Trouble, be entitled to receive from every such Prisoner, in whose Case he shall so act, the Sum of Five Shillings and no more, the same to be in lieu of all Fees of every Nature and Kind for the Performance of the Duties under this Act; and such Fee shall be paid previous to the bringing up such Prisoner before such Chief or other Commissioner.

VI. Provided always, and be it further enacted, That Notice of the Time and Place or Places of the Attendance of such Commissioner

missioner in each County or County of a City or Town, shall be given in the *London Gazette*, and in some Public Journal or Newspaper published in each such County respectively, once in each of the Two Weeks immediately preceding the Time appointed for such Attendance.

VII. And be it further enacted, That if on the Day appointed for the Arrival of such Commissioner, he shall not have arrived, or shall not attend at such Court House or other Place, then and in every such Case the Court shall be considered as adjourned to the ensuing Day, not being a *Sunday*; and if the ensuing Day should be a *Sunday*, then to the next Day, *Monday*, and so on from Day to Day, until the Arrival of the said Commissioner; and that all Persons summoned or bound, or having Occasion to attend the said Court, shall thereupon be bound to attend the same according to every such Adjournment, in the same Manner in all respects as if such Commissioner had regularly sat; and so adjourned the same; and that such Commissioner who shall so arrive, shall proceed to sit and dispatch the Business of the said Court, in the same Manner in all respects as if he had regularly sat, and had himself made such Adjournments of the said Court.

When Commissioner does not attend on Day appointed, the Court shall stand adjourned to the next Day.

VIII. Provided always, and be it enacted, That such Chief or other Commissioner, who shall not arrive at any such Assize or other Town on the Day so appointed by the said Court in that Behalf as aforesaid, shall, without Delay, state in Writing the Reason or Cause which prevented him from arriving, and shall send the same forthwith by His Majesty's Post, subscribed by himself, to One of His Majesty's Principal Secretaries of State.

Nonattendance on Day appointed to be accounted for to Government.

IX. And Whereas it may sometimes be highly expedient that all the said Commissioners should be absent from *London*, *Westminster* and *Middlesex*, in different Cities, Towns and Places at the same Time; Be it therefore enacted, That on any particular Occasion, when the said Commissioners shall be of Opinion that it would be expedient that all the said Commissioners should be absent from *London*, *Westminster* and *Middlesex*, in different Places at the same Time, it shall and may be lawful to and for such Chief and other Commissioners to state such Opinion, together with the Grounds and Reasons thereof, in Writing, to One of His Majesty's Principal Secretaries of State for the Time being, and thereupon, if such Secretary of State shall approve thereof, and the same shall be notified in Writing to such Chief and other Commissioners by such Secretary of State, it shall and may be lawful to and for all the Commissioners to be absent from *London*, *Westminster* and *Middlesex*, at the same Time, in such Places respectively as shall be so mentioned and allowed, and for that Purpose to adjourn the said Court for Relief of Insolvent Debtors, for such Time as shall be permitted in and by such Notification; any Thing in the said recited Acts, or either of them, to the contrary notwithstanding.

All Commissioners may be absent from the Court in *London*, &c. in certain Cases, to be by them stated to the Secretary of State.

X. And be it further enacted, That the said Court, or the said Commissioner upon his Circuit, shall from time to time, as Occasion may require, appoint as many fit Persons as the said Court or he shall judge sufficient, to be Examiners for the Purposes of the said recited Acts and this Act, or any or either of

Examiners to be appointed in Counties:

them; and if it shall appear to the said Commissioner on his said Circuit to be expedient and proper that the Accounts of any Prisoner, and the Matters of the Schedule of such Prisoner, should be further investigated and examined, then it shall be lawful for such Commissioner to adjourn the Hearing of the Petition of such Prisoner, and at the Request of any One or more of the Creditors, to order and direct that some one of the Examiners so appointed shall examine into the Matters of the said Schedule, and certify his Opinion thereon, as directed by such Commissioner, of which all Parties interested shall take Notice; and that such Examiner shall and may receive for his Trouble the Sum of One Pound, and no more, for every Meeting under such Order, to be paid by the Person or Persons requiring the same.

Fee 1l. for every Meeting.

Schedules and Books to be lodged with the Clerk of the Peace;

who shall produce them to, Creditors:

His Fee.

Insolvent Acts to extend only to Prisoners within the Walls; and not to Prisoners removed by Habeas Corpus.

XI. And be it further enacted, That where an Order has issued for the Hearing of the Matter of the Petition and Schedule of any Prisoner at any Assize or other Town, such Prisoner shall cause the Duplicate of such Petition and Schedule, and all Books, Papers and Writings relating thereto, in his or her Possession or Power, to be lodged with the Clerk of the Peace of the County, or his said Deputy, where he or she shall be in Custody, within Ten Days after such Order issued, or on such earlier Day as shall be named in such Order, and such Prisoner shall be subject to such Order as the Court shall make to enforce Compliance with the Directions of this Act in this Behalf; and that the said Clerk of the Peace or his said Deputy shall, on the reasonable Request of such Prisoner, or of any Creditor or Creditors of such Prisoner, or his or her Attorney, produce and show to such Prisoner, Creditor or Creditors, or his, her or their Attorney, such Petition and Schedule, and Books, Papers and Writings of such Prisoner, and permit him, her or them to inspect and examine the same, and may and shall receive the Fee of One Shilling from each and every Creditor, or his, her or their Attorney, at each Time of his, her or their so requesting and having the Production thereof, or any of them; and that such Clerk of the Peace or his said Deputy shall provide for any such Creditor or Creditors, or his, her or their Attorney requesting the same, a Copy or Copies of such Petition or Schedule, or such Part thereof as shall be so required; and that such Clerk of the Peace, or his said Deputy, shall be entitled to receive Four Pence for every Sheet so copied containing Seventy two Words, and no more, unless the same shall be the last or only Sheet, in which Case he shall be entitled to Four Pence for such last or only Sheet, although it does not contain Seventy two Words; and that every such Prisoner shall cause the said Duplicate of his Schedule, and his said Books, Writings and Papers, to be brought to and be produced at his Hearing.

XII. And be it further enacted, That the said recited Acts, or either of them, shall not extend to any Person in actual Custody, who shall not be at the Time of filing his Petition, and during all the Proceedings thereon, in actual Custody within the Walls of the Prison, and not within any Rules or Liberties thereof; nor to any Prisoner who, after his Commitment to any Prison in any County or Place where he or she had, at or lately before his or her



her Arrest, his or her usual Place of Abode, other than in *Middlesex, Surrey, London or Southwark*, aforesaid, shall cause himself to be removed by any Writ of *Habeas Corpus*, or otherwise, from such respective Prison to any other Prison.

XIII. And be it further enacted, That where it shall appear to the Satisfaction of the said Court or Commissioner that any Prisoner arrested within the Counties of *Middlesex or Surrey*, or the City of *London*, or Borough of *Southwark*, had, at or lately before such Arrest, his or her usual Place of Abode in some County or Place other than the said Counties of *Middlesex or Surrey*, or the City of *London*, or the Borough of *Southwark*, and hath been arrested in the said Counties of *Middlesex or Surrey*, or the City of *London*, or Borough of *Southwark*; or where any Prisoner, having been arrested in any County or Place other than *Middlesex, Surrey*, or the City of *London*, or Borough of *Southwark*, shall be rendered in Discharge of his Bail; it shall and may be lawful for the said Court or Commissioner, upon the Request and at the Expence of any of his or her Creditor or Creditors, to order, in any of such Cases, such Prisoner to be taken to the Gaol of the County or Place where such Prisoner had, at or lately before such Arrest or Render, his or her usual Place of Abode, and to be brought for Hearing and Examination to the Assize or other Town of the County, or County of the City or Town, to the Gaol whereof he shall have been so removed; and such Expence incurred by such Creditor or Creditors shall be repaid to him or them by the Assignee or Assignees of such Prisoner, out of the Estate, Effects, and Property of such Prisoner, before any Dividend shall be made thereof.

Power to Court, at the Request of Creditors, to remove Prisoners from the Prisons in London, Middlesex or Surrey, if their usual Residence is elsewhere.

XIV. And be it further enacted, That the filing of the Petition of every Person in actual Custody, who shall be subject to the several Statutes concerning Bankrupts or any of them, and who shall apply by Petition to the said Court for his or her Discharge from Confinement, according to the Provisions of the said recited Acts or this Act, or any or either of them, shall be accounted and adjudged an Act of Bankruptcy from the Time of filing his said Petition: Provided always, that no Commission of Bankrupt shall issue against such Person upon such Act of Bankruptcy, after the said Court or Commissioner shall have ordered such Prisoner to be discharged forthwith, or at any future Period, or not to be discharged until a certain Period, according to the Provisions of the said recited Acts and this Act, or either of them.

Filing Petition to be an Act of Bankruptcy.

No Commission of Bankrupt to issue against Prisoner after Order of Discharge.

XV. And be it further enacted, That where the said Court or Commissioner shall, after the filing of any Prisoner's Petition, and before the said Court or Commissioner adjudge him entitled to his Discharge, appoint One or more Assignee or Assignees of the Estate and Effects of such Prisoner, and where the said Court or Commissioner shall appoint One or more Assignee or Assignees of a Prisoner of unsound Mind, every such Assignee or Assignees, as well as such Assignee or Assignees as have hitherto been in such Cases appointed by the said Court, shall, if the said Court or Commissioner shall so direct, cause Fourteen Days Notice to be given in the *London Gazette*, and such One or

Assignees appointed before Discharge of Insolvent to make Dividend; and also Assignees of a Lunatic.

Notice of Dividend to be given.

Acceptance of Dividend and Discharge.

Provisions of 3 G. 4. c. 39. extended to Assignees of Insolvent Debtor.

Voluntary Preference by Insolvent Debtor, either before or after Imprisonment, fraudulent and void.

more Newspaper as the said Court or Commissioner shall order, of the Day on which, and Place where, a Dividend shall be made amongst the Creditors of such Prisoner, who shall prove their Debts before such Assignee or Assignees, unless such Prisoner, or his or her Assignee or Assignees, or any other Creditor of such Prisoner, shall object to any such Debt, in which Case the same shall be examined into by the said Court or Commissioner, in the Manner in the said first recited Act mentioned; and every such Prisoner shall be thenceforth discharged from the Debts of all such Creditors who shall accept any such Dividend, in the same Manner and to the same Extent as if the said Court or Commissioner had declared such Prisoner to be entitled to the Benefit of the Act, and to be discharged out of Custody forthwith, and no further or otherwise; and it shall be lawful for the said Court or Commissioner to make an Order accordingly, specifying the Debts from which such Prisoner shall be so discharged.

XVI. And Whereas an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act for preventing Frauds upon Creditors by secret Warrants of Attorney to confess Judgment*: And Whereas it is expedient to extend the Provisions of such Act; Be it therefore enacted, That the last mentioned Act shall extend to the Provisional or other Assignee or Assignees of every Prisoner who shall, after the Expiration of Twenty one Days next after his Execution of such Warrant of Attorney, or his giving of such *Cognovit Actionem* as therein mentioned, apply by Petition to the said Court for his or her Discharge from Confinement, according to the Provisions of the said recited Acts or either of them, as if the last mentioned Act had been expressly herein enacted; and every such Warrant of Attorney, and Judgment and Execution thereon, and every such *Cognovit Actionem*, and any Judgment entered up thereon, and any Execution taken out on such Judgment, as are declared by the last mentioned Act to be fraudulent and void against the Assignees under a Commission of Bankrupt, shall be deemed equally fraudulent and void against the Provisional or other Assignee or Assignees of such Prisoner; and such Provisional or other Assignee or Assignees shall be entitled to recover back and receive, for the Use of the Creditors of such Prisoner, all and every the Monies levied or Effects seized under or by virtue of any such Judgment or Execution.

XVII. And be it further enacted, That if any Prisoner who shall file his Petition for his Discharge under the said recited Acts, or either of them, shall before or after his Imprisonment, being in insolvent Circumstances, voluntarily convey, assign, transfer, charge, deliver or make over any Estate, Real or Personal, Security for Money, Bond, Bill, Note, Money, Property, Goods or Effects whatsoever, to any Creditor or Creditors, every such Conveyance, Assignment, Transfer, Charge, Delivery or making over, shall be deemed and is hereby declared to be fraudulent and void, as against the Assignee or Assignees of the Estate of the said Prisoner appointed under the said Acts or either of them: Provided always, that no such Conveyance, Assignment, Transfer, Charge, Delivery or making over, shall be

deemed fraudulent or void, unless made within Three Months before the filing of the said Petition, or with the View or Intention by the Party so conveying, assigning, transferring, charging, delivering or making over, of filing a Petition for his or her Discharge under the said Acts or either of them.

XVIII. And be it further enacted, That it shall be lawful for the said Court, or Chief or other Commissioner, to order such Portion of the Salary, Pay, Emoluments or Pension of any Prisoner, being or having been an Officer or Clerk, or being or having been otherwise employed or engaged in the Service of His Majesty, in the Customs or Excise, as on Communication from the said Court or Commissioner to the Commissioners of the Customs or Excise, they may respectively consent to, in Writing, to be applied in Payment of the Debts of such Person, and for that Purpose to be paid to his Assignee or Assignees; and such Portion of the Salary, Pay, Emoluments or Pension, as shall be specified in such Order and Consent, shall, upon the same being lodged with the Officer or Person appointed to pay or paying such Salary, Pay, Emoluments or Pension, be paid to the Assignee or Assignees of such Prisoner, until the said Court shall make Order to the contrary.

Court may make order as to Salary of Prisoners being or having been Officers of Customs and Excise.

XIX. And be it further enacted, That in all Cases in which a Person shall take the Benefit of the said Acts, or either of them, and such Person shall be entitled to any Lease or Agreement for a Lease, and his Assignee or Assignees shall accept the same and the Benefit thereupon, as Part of the Insolvent's Estate and Effects, the Insolvent shall not be or be deemed to be liable to pay the Rent accruing due after such Acceptance of the same as aforesaid; and after such Acceptance the Insolvent shall not be liable to be in any Manner sued in respect or by reason of any subsequent Non-observance or Non-performance of the Conditions, Covenants or Agreements therein contained: Provided, that in all such Cases as aforesaid, it shall be lawful for the Lessor or Person agreeing to make such Lease, his Heirs, Executors, Administrators or Assigns, if the Assignee or Assignees shall decline, upon his or their being required so to do, to determine whether he or they will or will not accept such Lease or Agreement for a Lease, to apply to the said Court or Commissioner, praying that he or they may either so accept the same, or deliver up the Lease or Agreement for the Lease, and the Possession of the Premises demised or intended to be demised; and such Court or Commissioner shall thereupon make such Order as in all the Circumstances of the Case shall seem meet and just, and such Order shall be binding on all Parties.

Insolvent entitled to Lease or Agreement for Lease, upon delivering up same to Assignees, shall not remain liable for Rent, &c.

Lessor may apply to Court.

XX. And be it further enacted, That wherever any Creditor or Creditors opposing a Prisoner's Discharge shall prove to the Satisfaction of the said Court or Commissioner, that such Prisoner, with Intent to conceal the State of his Affairs, or to defeat the Objects of the said recited Acts or this Act, or either of them, has destroyed or otherwise wilfully prevented or purposely withheld the Production of any Books, Papers or Writings relating to such of his Affairs as are subject to Investigation under the said Acts or either of them, or shall have kept or caused to be kept false Books or made false Entries, or shall have wilfully and fraudulently

Costs to opposing Creditors, on satisfactory Proof of Fraud on the Part of the Prisoner, to be paid out of his Estate.

fraudulently altered or falsified any such Books, Papers & Writings, or shall in any respect have been guilty of Fraud in discharging or concealing any Debt due to or from the said Prisoner, or shall have fraudulently made away with, charged, mortgaged or concealed any Part of his or her Property, of what Kind soever, either before or after his or her said Imprisonment for the Purpose of diminishing the Sum to be divided among his or her Creditors, or of giving an undue Preference to any of the said Creditors, the said Court shall order the Taxed Costs of the said Opposition to be paid to such opposing Creditor or Creditors out of the Estate and Effects of such Prisoner, by his Assignee or Assignees, before any Dividend made thereof; and in all other Cases of Opposition to a Prisoner's Discharge being substantiated or effectual, it shall be lawful for the said Court or Chief or other Commissioner to make a like Order, if it shall to them or him seem fit.

One Commissioner to hear Matters out of Court on Summons.

XXI. And be it further enacted, That it shall be lawful for the Chief or any one Commissioner, to hear and determine out of Court, upon Summons to the proper Parties, all Matters and Things relating to any Prisoner or Person discharged by any Act for the Relief of Insolvent Debtors or to his Estate, Property and Effects, or his Assignee or Assignees thereof, except the Hearing, Re-hearing or any Examination of any such Prisoner or Person discharged; and the Order made in any such Behalf by such Chief or other Commissioner shall be of as full Force and Effect to all Intents and Purposes as if the same had been made by the said Court, unless the same shall upon Application to the said Court, at the next following Sitting thereof, be by the said Court altered or rescinded.

Court may make order in respect of Salary or Pay of Prisoner being or having been Officers or Clerks in His Majesty's or the East India Company's Service, &c.

XXII. And be it further enacted, That it shall be lawful for the said Court or Chief or other Commissioner, to order such Portion of the Salary, Pay, Emoluments or Pension of any Prisoner being or having been an Officer or Clerk, or being or having been otherwise employed or engaged in the Service of His Majesty in any Civil Office, or of the Court of Directors of the Honourable *East India* Company or any other Department whatsoever, as the said Court or Chief or other Commissioner may order in Writing, and as upon Communication with the Chief Officer of the Department in which such Insolvent may be belonging at the Time, or in which he may have served, and to which such Chief Officer shall consent in Writing, to be applied in Payment of the Debts of such Person, and for that Purpose to be paid to his Assignee or Assignees; and such Portion of the Salary, Pay, Emoluments or Pension as shall be specified in such Order, shall, upon the same being lodged with the Officer or Person appointed to pay or paying such Salary, Pay, Emoluments or Pension, be paid to the Assignee or Assignees of such Prisoner, until the said Court shall make Order to the contrary.

Commencement and Continuance of Act.

XXIII. And be it further enacted, That this Act shall commence and take Effect upon and after the First Day of *September* One thousand eight hundred and twenty four, and continue in force until the First Day of *June* One thousand eight hundred and twenty five, and from thence until the End of the then next Session of Parliament.

C A P. LXII.

An Act to amend the several Acts for the Encouragement of Banks for Savings, in *England* and *Ireland*.

[17th June 1824.]

WHEREAS an Act was made in the Fifty seventh Year of the Reign of His late Majesty King George the Third, intituled *An Act to encourage the Establishment of Banks for Savings in England*; and which Act was amended by an Act made in the Fifty eighth Year of the Reign of His said late Majesty; and both the said Acts were amended by an Act made in the First Year of the Reign of His present Majesty: And Whereas an Act was made in the said Fifty seventh Year of the Reign of His said late Majesty, intituled *An Act to encourage the Establishment of Banks for Savings in Ireland*: And Whereas it is expedient that the said last mentioned Act should be amended in conformity with the said Act of the First Year of His present Majesty's Reign, relating to Savings Banks in *England*, and that all the said Acts should be further amended with relation to the Savings Banks in *England* and *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 Twentieth Day of *November* One thousand eight hundred and twenty four, so much and such Parts of the said recited Act of the Fifty seventh Year of His said Majesty's Reign, for the Establishment of Banks for Savings in *Ireland*, whereby the issuing of any Debenture or Debentures, or under the Authority of the Commissioners for the Reduction of the National Debt, is authorized or required upon the Payment of any Money into the Bank of *Ireland* to the Account of the said Commissioners by the Trustees of any Savings Bank, shall, as to any such Payments which shall be made into the Bank of *Ireland* by the Trustees of any Savings Bank at any time after the said Twentieth Day of *November*, cease and determine, and shall be and the same is and are hereby repealed.

II. And be it further enacted, That upon the Payment of any Sums of Money into the Bank of *Ireland* at any Time after the said Twentieth Day of *November* One thousand eight hundred and twenty four, to the Account of the Commissioners for the Reduction of the National Debt, by the Trustees of any Savings Bank in *Ireland*, under the said recited Act, it shall be lawful for the Officer or Officers of the said Commissioners in that Behalf, and he and they is and are hereby authorized and empowered to issue, upon every such Payment being made, a Receipt signed by One of the Cashiers of the Governor and Company of the Bank of *Ireland*, for the Amount of such Payment, carrying Interest at the Rate of Three Pence per Centum per Diem from the Day of such Payment inclusive, payable with the Principal, at the Bank of *Ireland*, whenever the same shall be required or drawn for in Manner directed by this Act, and such Receipt shall be dated on the Day on which the Payment

57 G.3. c. 130.

58 G.3. c. 45.

1 G.4. c. 85.

57 G.3. c. 105.

§ 11—17.

So much of Irish Savings Bank Act, 57 G.3. c. 105. as relates to issuing Debentures in future, repealed.

On Payment of Money into Bank of Ireland by Trustees of Savings Banks to Account of Commissioners of National Debt, their Officer to give a Receipt carrying Interest at 3d. per Cent. per Diem.

ment of any such Sum or Sums of Money shall be made respectively; and every such Receipt shall be in such Form as shall be from time to time directed by the said Commissioners; and the Principal and Interest of all Sums mentioned in any such Receipt shall be charged and chargeable upon, and the same are hereby charged and made payable out of the Monies or Funds standing in the Names of the said Commissioners in the Books of the Bank of Ireland.

Interest on all such Sums shall be calculated Half yearly up to 20th November and 20th May, and carried to Account of the Savings Banks in Ireland, as additional Principal.

No Interest on Fractional Parts of a Pound.

Interest arising to Depositors to be calculated Twice a Year, and carried to their Credit as Principal.

Before drawing for Money, Trustees of Savings Banks in Ireland shall

III. And be it further enacted, That all Interest which shall become due and payable upon any Sum of Money mentioned in any such Receipt, upon the Twentieth Day of November and the Twentieth Day of May in every Year next after the Date of any such Receipt, shall be from time to time calculated and computed by the Officer of the said Commissioners, and shall in each and every Year be placed to the Credit of the Savings Bank on whose Account any such Sum of Money was paid, within Thirty Days from such Twentieth Day of November and Twentieth Day of May respectively, and shall be carried to and written on the Account of such Savings Bank, and shall become Principal, and shall from thenceforth carry Interest as Principal Money paid into the said Bank of Ireland on the Account of such Savings Banks; and a Receipt, according to such Form as the said Commissioners shall approve, shall be signed by the Officer of the said Commissioners, and shall be issued by the said Officer Half Yearly, within Thirty Days after such Twentieth Day of November and Twentieth Day of May, and such Receipt shall bear Date the Twenty first Day of November and Twenty first Day of May respectively, for the Amount of such Interest so credited and made Principal as aforesaid, as if the Amount thereof had been a Payment made by the Trustees of such Savings Bank to the Account of the said Commissioners: Provided always, that no Interest shall be computed or calculated on the Fractional Part of a Pound, or any Sum less than a Pound, standing in the Books of the said Commissioners on account of any Savings Banks, on any Twentieth Day of November or Twentieth Day of May respectively: Provided also, that it shall be lawful for the Managers and Trustees of any such Savings Bank, if they shall so think fit, to direct that all Interest which shall become due and payable to the Depositor on any Sum of Money deposited in such Savings Bank, shall Twice in each and every Year be calculated and computed by the Trustees of such Savings Bank, or such Person or Persons as they shall appoint, and shall be carried to the Credit of the Person or Persons depositing the said Sum or Sums of Money, and shall become Principal, and shall from thenceforth carry Interest in all respects as other Principal Money deposited in the said Bank, or as if the said Sum of Interest so calculated had actually been paid to the said Depositors, and by them repaid to the said Trustee or Trustees; any Law, Statute or Usage to the contrary notwithstanding.

IV. And be it further enacted, That before any Trustees of any Savings Bank in Ireland shall, at any Time after the said Twentieth Day of November One thousand eight hundred and twenty four, make any Order or Draft for Payment by the said

Com.

Commissioners for the Reduction of the National Debt, of any Sum or Sums of Money, under the said recited Act for the Establishment of Banks for Savings in *Ireland*, or this Act, the Trustees of such Savings Bank shall make, give, sign and execute an Appointment under the Hands and Seals of not more than Four nor less than Three of such Trustees, and the Execution of which shall be attested by Three Managers of the same Savings Bank, empowering and authorizing some Person or Persons named in such Appointment to be Agent or Agents for receiving all and every such Sum and Sums of Money as such Trustees shall from time to time require to be paid by such Commissioners; and every such Appointment shall be produced by or on Behalf of the Person or Persons named therein, to the Officer of the said Commissioners, Fourteen Days at least before the Payment of any such Sum or Sums of Money on account of such Savings Bank; and such Appointment shall remain deposited in the Office of such Officer; and every such Appointment shall be made in such Form and under such Regulations as shall from time to time be directed or required, or approved of by the said Commissioners or their Officer.

V. Provided always, and be it enacted, That it shall and may be lawful for the Trustees of any Savings Bank in *Ireland*, by whom any such Appointment shall be made, given, signed and executed, or for the Survivors or Survivor of such Trustees, to revoke such Appointment by any Certificate or other Instrument under the Hands and Seals, or Hand and Seal, of such Trustees or Trustee, attested by not less than Three Managers of such Savings Bank, and in such Form and under such Regulations as shall be directed or required, or approved of by the said Commissioners or their Officer; and in case of the Decease of every such Trustee except one, it shall and may be lawful for the surviving Trustee together with any other Trustee or Trustees, being not less than Three nor exceeding Four in the Whole, of the said Savings Bank; and in case of the Decease of all such Trustees, or in case all such Trustees shall decline or refuse to do so, it shall and may be lawful for any other Trustees of the said Savings Bank, not exceeding Four in the Whole, from time to time to make, give and execute an Appointment in Manner aforesaid, reappointing the Person or Persons named in such Appointment, or any other Person or Persons in his or their Room or Stead, to be the Agent or Agents of such Trustees; and every such Certificate or Instrument of Revocation, and every such new Appointment, shall be produced to the Officer of the said Commissioners, by the Person or Persons named in such new Appointment, Fourteen Days at the least before the Payment of any Sum or Sums of Money to the Person or Persons named in such new Appointment, and shall remain deposited in the Office of such Officer.

VI. And be it further enacted, That it shall and may be lawful for the Trustees of any such Savings Bank in *Ireland*, from time to time (by any Draft or Order in Writing under the Hands of any three Trustees of such Savings Bank, attested by three other Trustees, or Managers, or by any Three credible Witnesses, according to such Form as the said Commissioners for

sign an Appointment of an Agent to receive the same, which shall be deposited with Officer of Commissioners for Reduction of National Debt.

Such Appointments may be revoked, and in case of Death or Refusal of Trustees to act as herein mentioned, other Appointments may be made from time to time.

Trustees of Savings Banks in *Ireland* may draw at any time for the Whole or any Part of any

Sum placed to their Account by Drafts on Commissioners for the Reduction of the National Debt, which shall be indorsed by their Officer, with the Interest added thereto, and paid by the Cashiers of the Bank.

Signature of such Persons a Discharge to the Bank.

Sums due on Irish Debentures outstanding on Nov. 20, 1824, shall be placed to Account of Savings Banks, and the Interest consolidated with Interest accruing.

the Reduction of the National Debt shall from time to time direct), to require that the Whole or any Part of the Principal Sum or Sums of Money standing in the Names of the said Commissioners, to the Credit of the Trustees of such Savings Bank respectively, shall be paid to such Person or Persons as such Trustees shall from time to time require, being the Agent or Agents named in some Appointment executed under this Act and lodged with the Officer of the said Commissioners as hereinbefore mentioned, and then remaining in force; and every such Draft or Order shall be addressed to the said Commissioners: and upon the same being produced to the Officer of the said Commissioners, the said Officer shall, within Five Days after the Production thereof, upon the Back of such Draft or Order indorse and sign an Order in such Form as shall or may from time to time be directed and required by the said Commissioners, for the Payment of the Sum mentioned in the Draft or Order of such Trustees, together with the Amount of all Interest due on such Sum up to the Day immediately preceding the Day of the Date of the Order of such Officer; and which Order of such Officer, previous to the issuing thereof, shall be entered and countersigned by the Clerk or other proper Officer making such Entry, and shall be addressed to the Cashiers of the Governor and Company of the said Bank of Ireland; and such Cashiers or One of them shall, upon the Production of such Order, pay the Sum mentioned therein to the Person or Persons mentioned in the Draft or Order of the said Trustees, and the Signature of such Person or Persons jointly or severally shall be a sufficient Discharge to the said Governor and Company; and all Payments made in pursuance of such Drafts or Orders respectively shall be deemed and taken to be Payments made by the said Commissioners for the Reduction of the National Debt to the Trustees of such Savings Bank respectively, according to the numerical Order and Priority of Date in which the original Receipts of Money deposited on account of such Savings Bank respectively shall have been issued to the Trustees thereof respectively, in Manner hereinbefore mentioned.

VII. And be it further enacted, That all and every Sum and Sums of Money which shall be due on the Twentieth Day of *November* One thousand eight hundred and twenty four, for Interest upon or in respect of any Debenture or Debentures which shall have been or shall be issued to the Trustees of any Savings Bank in *Ireland*, under the said recited Act of the Fifth seventh Year of His late Majesty's Reign, for the establishing of Banks for Savings in *Ireland*, at any Time before the said Twentieth Day of *November* One thousand eight hundred and twenty four, and which may be outstanding on such Twentieth Day of *November* One thousand eight hundred and twenty four, shall, within Thirty Days after such Twentieth Day of *November* One thousand eight hundred and twenty four, be placed to the Credit of the Trustees of the respective Savings Banks on whose Account respectively such Debentures were originally issued; and the said Interest so due shall be consolidated with the Interest which shall accrue from time to time, on every such Twentieth Day of *May* and Twentieth Day of *November* respectively



actively, upon all or any Sum or Sums then standing on the account of such respective Savings Bank.

VIII. Provided always, and be it enacted, That it shall be lawful for the Trustees of any Savings Bank in *Ireland*, on whose Account any such outstanding Debentures may have been issued by an Order made under the Hands of any Three of such Trustees, in such Form as the said Commissioners shall direct, and upon the Production of the Debentures to which such Order shall refer, severally indorsed with the Names and under the Hands of the same Three Trustees who shall sign the said Order) to draw upon the said Commissioners for Payment in Money of the Whole or of any Part of the Principal Sum contained in any such outstanding Debenture or Debentures (together with the Interest due thereon); and that at any Time before or on the said Twentieth Day of *November* One thousand eight hundred and twenty four, it shall and may be lawful for such Trustees, in lieu of receiving the whole Amount of such Principal and Interest, or any Part thereof, in Money, to accept from the Officer of the said Commissioners a Receipt for the Whole, or for any Part of such Principal and Interest, according to the Provisions of this Act, dated either before or on the said Twentieth Day of *November* One thousand eight hundred and twenty four, and it shall be lawful for the said Officer to indorse such Order of the said Trustees for Payment of the whole Principal and Interest of such Debenture or Debentures, or any Part thereof, in Money, in the Manner hereinbefore directed, or to issue and deliver to the Person or Persons applying for the same, a Receipt carrying Interest at the Rate of Three Pence *per Centum per Diem*, according to the Directions contained in this Act, for such Sum of Money as shall be required by such Order of such Trustees; and such Sum of Money contained in such Receipt shall thereupon be carried to the Account of the Trustees of such Savings Bank, as if the same had been an original Deposit under the Directions of this Act, and shall be subject to all the Regulations contained in this Act and in the said recited Acts, as the same are altered or amended by this Act; and all Debentures which shall be so paid or exchanged shall be thereupon cancelled, and shall cease, determine and become utterly void.

Parties may receive the Whole or Part of Irish Debentures in Money, or take a Receipt for the same, according to the Provisions of this Act.

IX. Provided also, and be it enacted, That if at any Time between the passing of this Act, and the Twentieth Day of *November* One thousand eight hundred and twenty four, the Trustees of any Savings Bank in *Ireland* shall require any Payment to be made in Part or on Account of any Debenture, whether an original Debenture or a renewed Debenture, it shall and may be lawful for the said Trustees to require, and for the Officer of the said Commissioners to issue, a Receipt for the whole of the Principal and Interest which shall remain due on any such Debenture, after deducting the Payment required to be made thereon; and the Sum of Money specified in such Receipt shall be carried to the Account of the Trustees of such Savings Bank, in like Manner as is hereinbefore provided and directed with respect to Receipts to be issued at any Time after the said Twentieth

Receipts may be given in lieu of Irish Debentures.

Twentieth Day of *November* One thousand eight hundred and twenty four.

Trustees of Savings Banks in Ireland may make Rules for the Application of increased Stock or Property,

alter and revoke the same.

No Application of Surplus Funds of Savings Banks in England or Ireland made until after Ten Years from Institution, &c.

One half of such Surplus reserved, to answer Deficiencies.

Thirty Days Notice of such Distribution.

X. And be it further enacted, That in all Cases where the Joint Stock or Property of the Depositors in any Savings Bank in *Ireland* may have been or may be increased, by any Change of Stock, or by any increased Rate of Interest paid or to be paid on any Debentures or Receipts, beyond the Rate of Interest payable to the Depositors by the original Rules and Regulations of such Savings Bank, or any other Means, it shall and may be lawful to and for the Trustees for the Time being of any such Savings Bank, to make such Rules, Orders and Regulations for the Application and Disposal of any increase Stock or Property belonging to any such Savings Bank, to and amongst Depositors therein, either by way of an Increase or Interest beyond the Rate of Interest originally stipulated to be paid to such Depositors, or by way of Bonus or Increase of Capital to the Sums deposited by them respectively, or by both Means, as the Trustees and Managers of such Savings Bank, or the major Part of them, at any General Meeting to be duly convened according to the Rules, Orders and Regulations of such Savings Bank, shall from time to time think fit and proper; and it shall and may be lawful to and for such Trustees and Managers, or the major Part of them, from time to time, at any other General Meeting so duly convened, to revoke, amend, alter or make void any such Rules, Orders and Regulations, and to make any other Rules, Orders and Regulations relating thereto, as such Trustees and Managers for the Time being, or the major Part of them, shall think fit and proper.

XI. Provided always, and be it enacted, That it shall not be lawful for the Trustees of any Savings Banks in *England* or *Ireland*, to apply or dispose of any increased Stock or Property belonging to any such Savings Bank, to and amongst the Depositors therein, under the Authority of this Act or of the said recited Act of the First Year of His present Majesty's Reign, for amending the Acts for the Encouragement of Banks for Savings in *England*, until after the Expiration of Ten Years from the Date of the first Institution or Establishment of any such Savings Bank respectively; and that no further Application or Disposition of such increased Stock or Property shall be made, until after the Expiration of Ten Years next after the Time when any such Application or Disposition shall have been made; and that before any such Application or Disposition shall take place, One half Part at least of the Amount of such increased Stock or Property shall be set apart for the Purpose of meeting any Deficiency which at any Time may arise and which may require to be provided for; and that no such Application or Distribution shall at any Time take place, unless Notice of the Intention of the making such Application or Division shall be given to the Commissioners for the Reduction of the National Debt Thirty Days previous to the making such Application or Division, stating in such Notice the Amount intended to be applied or distributed; and such Notice shall be given in Writing, signed by not less than Five of the Trustees or Managers of the Saving Bank with respect

pect to which such Application or Division shall be intended to be made.

XII. Provided always, and be it enacted, That whenever the Sum to be drawn for by the Trustees of any Savings Bank in *Ireland* shall amount to Two thousand Pounds or upwards, the Draft or Order for that Purpose shall be signed by not less than Four such Trustees, and that the Signature of each and every of the said Four Trustees shall be separately attested by at least One Manager of such Savings Bank or by some One other credible Person; and that any Manager or other Person attesting the Signature of any One of the said Four Trustees shall not be an attesting Witness to the Signature of any other of such Four Trustees.

Drafts of 2000*l.* and upwards to be signed by Four Trustees, and attested by separate Witnesses.

XIII. And be it further enacted, That in case any Debenture which shall have been issued under the Authority of the said recited Act of the Fifty seventh Year of the Reign of His late Majesty, for the Establishment of Savings Banks in *Ireland*, at any Time after the passing of this Act, shall have been or shall be lost, destroyed or defaced, it shall and may be lawful for the said Commissioners for the Reduction of the National Debt on Application by any Three Trustees on Behalf of the Savings Bank on whose Account such Debenture was originally issued, and upon Proof on Oath or otherwise, to the Satisfaction of the said Commissioners, of the Date, Contents and Value of such Debenture, and of the Circumstances of the Loss, Destruction or Defacing thereof, to direct and order the Officer of the said Commissioners to issue to the Person or Persons making such Application (upon their giving and entering into such Security as shall be required and directed by the said Commissioners, in case the said Commissioners shall think any such Security to be requisite) a Receipt carrying Interest as aforesaid, according to the Direction contained in this Act, for a Sum of Money equal in Amount to the Principal and Interest due on such Debenture so lost, destroyed or defaced, and in lieu of such Debenture and the Principal and Interest due thereon; and such Sum of Money shall be subject to all the Regulations contained in this Act and the said recited Act, as the same is altered or amended by this Act.

Receipts may be given under this Act in lieu of Debentures lost, &c. on Application of Three Trustees.

XIV. And be it further enacted, That from and after the passing of this Act, in all Cases where the whole Estate and Effects of any deceased Depositor, for or in respect of which any Letters of Administration shall be granted pursuant to the Directions of the said recited Act of the Fifty seventh Year of His late Majesty's Reign, for the Establishment of Banks for Savings in *Ireland*, shall be under the Value of Fifty Pounds Sterling, no Stamp Duty shall be chargeable upon the Bond required to be given by the Administrator for the due Administration of the Effects of such deceased Depositor, nor upon any Affidavit or Document leading to or connected with such Administration, but that every such Bond and Affidavit shall be exempted from Stamp Duty, in like Manner, and under the like Regulations, as are provided in and by the said recited Act with respect to such Letters of Administration, and that no Receipt, nor any Draft or Order, nor any Appointment of any Agent or Agents, nor any Certificate or other Instrument for the Revocation of any such Appointment,

Administration Bonds, &c. for Effects of Depositors in *Ireland* under 50*l.* and Receipts and other Instruments or Documents under this Act, exempt from Stamp Duty.

ment, nor any other Instrument or Document whatever, required or authorized to be given, issued, signed, made or produced in pursuance of the said recited Act or this Act, shall be subject or liable to any Stamp Duty whatever; any Thing in any Act for imposing any Duty on Stamps in *Ireland* to the contrary in any wise notwithstanding.

Trustees in *Ireland* may pay into the Bank of *Ireland* not less than 50*l.* as under 57 G. S. c. 105. § 10.

XV. And be it further enacted, That from and after the passing of this Act it shall and may be lawful for the Trustees of any Savings Bank in *Ireland* to pay into the Bank of *Ireland* any Sum or Sums of Money, not being less than Fifty Pounds, to the Account of the Commissioners for the Reduction of the National Debt, in like Manner, and for the like Purposes, as such Trustees by the said recited Act of the Fifty seventh Year of His late Majesty's Reign, for the Encouragement of such Banks in *Ireland*, are empowered or enabled to pay any Sum or Sums of Money, not being less than One hundred Pounds.

All Interest on outstanding Debentures in *England* or *Ireland* shall cease on Nov. 20, 1824.

XVI. Provided always, and be it enacted, That all Interest upon any Debenture or Debentures which shall have been issued in *England* or *Ireland*, at any Time before the Twentieth Day of *November* One thousand eight hundred and twenty four, under any of the said hereinbefore recited Acts, shall cease and determine on and from the Twentieth Day of *November* One thousand eight hundred and twenty four, and that no Sum or Sums of Money shall be placed to the Credit of any Savings Bank for Interest for any Time subsequent to such Twentieth Day of *November* One thousand eight hundred and twenty four, upon or in respect of any such Debenture or Debentures which may be outstanding on the Twentieth Day of *November* One thousand eight hundred and twenty four; any Thing in any of the said recited Acts or in this Act to the contrary thereof in any wise notwithstanding.

Trustees of Savings Banks in *England* or *Ireland* appearing in Person may receive Payments of Drafts of Trustees instead of their Agent,

XVII. And be it further enacted, That in case any One or more Trustee or Trustees of any Savings Bank in *England* or *Ireland* respectively, who shall have made, given, signed and executed any such Appointment under or by virtue of the said Act of the First Year of His present Majesty's Reign in *England*, or under or by virtue of this Act in *Ireland*, or in case any One or more other Trustee or Trustees of any such Savings Bank shall at any Time appear in Person at the Office of the said Commissioner in *England* or *Ireland* respectively, and require Payment of any Sum or Sums of Money which might be required by the Person or Persons authorized to receive the same by such Appointment, or if any Trustee or Trustees of any Savings Bank shall appear in Person where no such Appointment shall have been made, and if such Trustee or Trustees so appearing shall produce a Draft or Order signed by any Two or more Trustees of such Savings Bank in *England*, or by any Three or more Trustees of such Savings Bank in *Ireland*, no such Trustee or Trustees being himself or themselves the Party or Parties who signed such Draft or Order, and if the Identity of the Person of the Trustee or Trustees so appearing shall be ascertained to the Satisfaction of the said Commissioners or their Officer, it shall be lawful for the said Officer to direct Payment to be made to such Trustee or Trustees so appearing, of any Sum or Sums required to be paid by

by such Draft or Order, in like Manner as if the Person or Persons authorized by such Appointment to receive the same had required such Payment; any Thing contained in the said recited Act of the First Year of His present Majesty's Reign, or in this Act, to the contrary in any wise notwithstanding.

notwithstanding 1 G. 4. c. 63.

XVIII. And be it further enacted, That from and after the passing of this Act it shall and may be lawful for the Trustees and Managers of any Savings Bank in *England* or *Ireland* respectively, to pay any Sum of Money not exceeding in the whole Twenty Pounds, exclusive of Interest thereon, which any Depositor in the Funds of any such Savings Bank shall die possessed of or entitled to at any Time after the Decease of any such Depositor, in case such Trustees shall be satisfied that no Will was made and left by such deceased Depositor, and that no Letters of Administration will be taken out of the Goods and Chattels of such Depositor; and such Payment shall be made to such Person as such Trustees are by the said recited Act of the Fifty seventh Year of His late Majesty's Reign authorized to make Payment, if no Will shall be proved or no Letter of Administration taken out within Six Calendar Months after the Death of such Depositor.

Trustees may pay Sums not exceeding 20l. at any Time after Decease of Depositor, instead of Six Months.

XIX. And be it further enacted, That whenever any Trustees or Managers of any Savings Bank in *England* or *Ireland* shall at any Time after the Decease of any Depositor have paid and divided any such Sum of Money not exceeding Twenty Pounds, to or amongst any Person or Persons who shall at the Time of such Payment appear to such Trustees or Managers to be entitled to the Effects of any deceased intestate Depositor, according to the Statute of Distributions, or according to the Rules and Regulations of any such Savings Bank, the Payment of any such Sum or Sums of Money shall be valid and effectual, with respect to any Demand of any other Person or Persons as next of Kin to such deceased intestate Depositor, or as the lawful Representative or Representatives of such Depositor, against the Funds of such Savings Bank, or against the Treasurers or Trustees or Managers thereof; but nevertheless such next of Kin or Representatives shall have Remedy for such Money so paid as aforesaid against the Person or Persons who shall have received the same.

Payment not exceeding 20l. to Persons appearing to be next of Kin, declared valid.

Remedy against Persons receiving.

XX. And be it further enacted, That from and after the Twentieth Day of *November* One thousand eight hundred and twenty four, so much and such Parts of the said recited Act of the Fifty seventh Year of King *George* the Third, for the Encouragement of Banks for Savings in *Ireland*, whereby it is provided, that the Amount to be received by any such Bank from any One Person in any One Year shall not exceed the Sum of Fifty Pounds; and also so much of the said Act which permits the Trustees of any such Savings Bank to place any Portion of the Funds of such Bank, not exceeding One Fifth Part in the Whole at any One Time of the Funds of such Institution, in the Hands of any Banker; and also so much of the said recited Act of the Fifty seventh Year of King *George* the Third, for the Encouragement of the Establishment of Banks for Savings in *England*, whereby it is provided, that the Amount to be received by any such

57 G. 3. c. 105. § 20.

57 G. 3. c. 130. § 19.

limiting Deposits in Savings Banks; and of 58 G. 3. c. 48. limiting anonymous Subscriptions, repealed.

such Bank from any One Person shall not exceed the Sum of One hundred Pounds in the First Year, and Fifty Pounds in every Year afterwards, in the whole from each Depositor; and also so much of the said recited Act of the Fifty eighth Year of the Reign of King *George* the Third, whereby it is provided, that the Sums paid into any such Bank by any such Person who shall pay or subscribe any Sum by Ticket or Number or otherwise, shall not exceed the Sum of Ten Pounds in any One Year, shall from and after the Twentieth Day of *November* One thousand eight hundred and twenty four be repealed, and so much and such Parts of the said several recited Acts are hereby repealed accordingly; and from and after the said Twentieth Day of *November* One thousand eight hundred and twenty four, no Sums shall be paid or subscribed into any Savings Bank in *England* or *Ireland* by any Person or Persons, by Ticket or Number or otherwise, without disclosing his or her Name to the Trustees of such Savings Bank.

No anonymous Subscriptions permitted in future.

Deposits of any one Depositor shall not exceed the Sums herein mentioned.

XXI. And be it further enacted, That from and after the Twentieth Day of *November* One thousand eight hundred and twenty four, it shall not be lawful for the Trustees of any Savings Bank in *England* and *Ireland* respectively, to receive from any One Depositor any Sum or Sums exceeding Fifty Pounds in the Whole, during the Year next ensuing such Twentieth Day of *November* One thousand eight hundred and twenty four, or exceeding Thirty Pounds in the Whole, exclusive of Interest, in any One Year afterwards ending on the Twentieth Day of *November*, nor to receive from any Depositor any Sum or Sums of Money whatever which shall make the Sum to which such Depositor shall be entitled exceed the Sum of Two hundred Pounds in the Whole, exclusive of Interest.

Depositors having made their full Deposit in any Year may withdraw the Sums, and again subscribe to the same Amount.

XXII. Provided always, and be it enacted, That where it shall happen that any Depositor, in the Course of the Year next ensuing the Twentieth Day of *November* One thousand eight hundred and twenty four, shall have subscribed any Sum or Sums not exceeding Fifty Pounds in the Whole, or that any Depositor in the Course of any Year afterwards ending on the Twentieth Day of *November* shall have subscribed any Sum or Sums not exceeding Thirty Pounds, exclusive of Interest, it shall and may be lawful for such Depositor from time to time to withdraw such Sum so subscribed, or any Part thereof, out of and from such Savings Bank, and again to deposit in the same Savings Bank the same or any other Sum or Sums not exceeding the several Amounts aforesaid, at any Time during the Course of every such Year respectively, so nevertheless that such Depositor shall not at the End of any such Year, or at any one Time in the Course of any one such Year, be possessed of or entitled in the Whole to more, exclusive of Interest, than the several Sums by this Act allowed to be received from such Depositor at the End of such Year.

Persons (not being Depositors) allowed to subscribe as Trustees on behalf of others.

XXIII. And be it further enacted, That it shall and may be lawful for the Trustees of any Savings Bank in *England* or *Ireland* to receive from any Person acting as Trustee or Trustees on Behalf of any Depositor, any Sum or Sums not exceeding the annual Amount hereinbefore mentioned; provided that such Trustee

or Trustees shall make such Declaration on the Behalf of himself or themselves, and also on Behalf of such Depositor, and subject to the like Conditions as by this Act is required in the Case of any Person making any Deposit on his or her own Account; and all Deposits made by any such Trustees shall be inserted in the Books of such Savings Bank, in the joint Names of such Trustee or Trustees and of the Person on whose Account such Sum shall be so deposited; and the Receipt and Receipts of such Trustee or Trustees, or the Survivor of them, or the Executors or Administrators of any sole Trustee or surviving Trustee, shall be as good and effectual to all Intents and Purposes as the Receipt and Receipts of the Person on whose Account such Sum shall be so deposited.

XXIV. And be it further enacted, That from and after the passing of this Act so much and such Part of the said recited Act of the First Year of His present Majesty's Reign, for amending the Acts for encouraging the Establishment of Banks for Savings in *England* shall be repealed, whereby it is enacted that it shall be lawful for the Trustees of any Charitable Institution or Society in *England* from time to time to subscribe the Whole or any Part of the Funds of such Institution or Society into the Funds of any Savings Bank; and so much and such Part of the said recited Act shall be and the same is hereby repealed accordingly.

XXV. And be it further enacted, That from and after the passing of this Act it shall not be lawful for any Person or Persons, who shall have made any Deposit in or any Subscription to, or who shall be entitled to any Benefit from the Funds of any Savings Bank in *England* and *Ireland*, to make any Deposit in or to subscribe any Sum into the Funds of any other Savings Bank in *England* or *Ireland*; and that every Person desirous of making any Deposit in or any Subscription to any Savings Bank, shall at the Time of making the First Deposit in any Savings Bank next after the Twentieth Day of *November* One thousand eight hundred and twenty four, and at such other Time or Times as such Depositor shall be required so to do by the Trustees or Managers of any such Savings Bank, sign a Declaration in such Form as shall be directed or approved of by the Commissioners for the Reduction of the National Debt, or their proper Officer, that the Person or Persons, on whose Behalf any such first Deposit or Subscription shall be required to be made, is not or are not entitled to any Deposit or any such subsequent Deposit or Subscription in, or any Benefit from, the Funds of any Savings Bank in *England* or *Ireland*, other than that into which such Deposit or Subscription shall be made; and in case any such Declaration shall not be true, or if any Person shall at any Time have or hold or be possessed of any Deposit or Funds in more than one Savings Bank within the United Kingdom, every such Person shall forfeit and lose all Right and Title to any Deposit in or to any Funds of any and every such Savings Bank, and the Managers and Trustees of such Savings Bank shall and they are hereby required in such Case to close the Account of such Depositor, and to cause the Sum or Sums so forfeited to be forthwith paid into the Bank of *England* or Bank of *Ireland*, as the Case may be, to the Account of the Commissioners for the Reduction of the

57 G. 3. c. 130.  
 § 6.  
 57 G. 3. c. 105.  
 § 6.  
 1 G. 4. c. 83.  
 § 12.  
 repealed.

Subscribers to one Savings Bank shall not subscribe to any other.

Declaration to be made at the Time of Subscription.

Making false Declaration; Forfeiture of Deposit to Sinking Fund.

National Debt, standing in the Books of the Governor and Company of the said Banks respectively, under the Title of "The Account of the Commissioners for applying certain Sums of Money annually to the Reduction of the National Debt;" and the Cashier or Cashiers of the said Governor and Company is and are hereby required to receive all such Sums, and to place the same to the said Account, to be applied in like Manner as all other Money placed to the said Account; and every such Declaration so made shall be filed and kept and preserved by the Trustees of every such Savings Bank; and a printed Notice of such Regulation and Prohibition shall be affixed in the Office or Place appointed for the receiving of Deposits to any Savings Bank, in such Form as the Commissioners for the Reduction of the National Debt, or their proper Officer, shall from time to time direct or require or approve.

Declaration to be filed.

Deposits may be withdrawn from one Savings Bank to be placed in another.

Certificates to be granted to such Depositor,

to be indorsed by Party applying.

Proceedings thereon.

XXVI. Provided always, and be it enacted, That at any Time after the passing of this Act, it shall and may be lawful for any Depositor in any Savings Bank in *England* or *Ireland* to withdraw from such Savings Bank the whole of his or her Deposits at any one Time (but not in Parts or Shares), for the Purpose of investing the same in any other Savings Bank in *England* or *Ireland*; and in such Case it shall be lawful for the Trustees and Managers of any such Savings Bank from which such Deposit shall be intended to be withdrawn, or any Two or more of them in *England*, or any Three or more of them in *Ireland*, and they are hereby required, to grant to any such Depositor a Certificate under the Hands of such Two or Three Trustees and Managers respectively, attested by the Secretary or Actuary of such Savings Bank, and such Depositor shall also subscribe his or her own Name to such Certificate in the Presence of One or more of the said Trustees and Managers, and such Certificate shall state the whole Amount of the Deposit of such Depositor in such Savings Bank, and shall be in such Form as shall be directed or approved of by the Commissioners for the Reduction of the National Debt, or their Officer; and upon the Production of such Certificate, signed as hereinbefore directed, to the Trustees and Managers of the Savings Bank into which such Deposit is intended to be removed, the Person applying shall, and he or she is hereby required to indorse his or her Name on the Back of such Certificate in the Presence of One or more of the Trustees and Managers of such Savings Bank, and such Indorsement shall be attested by One of such Trustees and Managers; and if such Trustee or Trustees, and Manager or Managers, shall be satisfied that such Certificate is authentic, and that no Abuse is intended thereby, it shall and may be lawful for the Trustees and Managers of such Savings Bank to receive the Sum specified in such Certificate, and to place the same to the Account of the Person therein described in the Books of such Savings Bank, any Thing in the said recited Acts or any of them, or in this Act, to the contrary thereof in any wise notwithstanding: Provided always, that previous to such Investment a like Declaration shall be made by the Person applying to make such Deposit, as is required in other Cases of making Deposits in Savings Banks according to the Provisions contained in this Act; and such Person shall



shall be considered in all respects as an original Subscriber to such Savings Bank, and shall be liable to all such Rules, Regulations and Restrictions as any original Subscriber to such Bank, as to the Amount to be subscribed in any subsequent Year, and as to the total Amount allowed to be deposited by such Subscriber.

Person applying considered as an original Subscriber.

XXVII. And be it further enacted, That from and after the Twentieth Day of *November* One thousand eight hundred and twenty four the several Sums of Money belonging to any Savings Bank in *England* and *Ireland* respectively, which the Trustees of such Savings Banks respectively are authorized to invest under the said recited Acts or any of them, or this Act, or under any Rules or Regulations of any such Savings Banks, shall be paid into and invested in the Bank of *England* or the Bank of *Ireland*, as the Case may require, in the Names of the Commissioners for the Reduction of the National Debt, according to the Provisions of the several Acts and this Act, enabling such Trustees to make Investments in the Names of the said Commissioners; and no such Sum or Sums shall be paid or laid out by the Trustees of such Savings Bank in any other Manner, or upon any other Security whatever, any Thing in the several hereinbefore recited Acts, or in any of them, to the contrary in any wise notwithstanding: Provided always, that nothing herein contained shall restrain or prevent any Depositor, or any Trustee or Trustees acting on Behalf of any Depositor or Depositors, or any Friendly Society, from withdrawing from any such Savings Bank any Sum or Sums of Money which shall have been deposited by such Depositor or Friendly Society, and investing the same in any other Securities.

Trustees of Savings Banks shall invest all Money in the Bank of *England* or *Ireland* only, and not in any other Security.

Proviso for Depositors withdrawing their Money from Savings Banks.

XXVIII. And be it further enacted, That from and after the Twentieth Day of *November* One thousand eight hundred and twenty four, every Officer or Person whosoever receiving any Salary or Allowance for their Services from the Funds of any Savings Banks, who shall be intrusted with the Receipt or Custody of any Sum or Sums of Money subscribed or deposited for the Purposes of any such Savings Bank, or any Interest or Dividend from time to time accruing thereby, and all and every other Officers or Officer receiving Salaries or Allowances as aforesaid, appointed or employed by or under the Trustees or Managers of any such Savings Bank, shall become bound with Sureties for the just and faithful Execution of such Office or Trust in a sufficient Sum of Money; and such Security shall be given by Bond to the Clerk of the Peace, and such Bond shall and may be proceeded upon in such Manner as is directed by the said several recited Acts of the Fifty seventh Year of the Reign of King *George* the Third, for the Establishment of such Savings Banks in *England* and *Ireland* respectively.

Security to be given by Treasurers, &c. as by 57 G. 3. c. 105. § 7. c. 130. § 7.

XXIX. And for the more effectually ascertaining from time to time the actual and progressive State of the several Savings Banks in *England* and *Ireland* respectively, Be it enacted, That from and after the Twentieth Day of *November* One thousand eight hundred and twenty four, the Trustees or Managers of any Savings Banks in *England* and *Ireland* respectively shall annually cause a general Statement of the Funds of such Savings Bank to be prepared, up to the Twentieth Day of *November* in

Savings Banks to make up Annual Accounts of their Progress, and transmit such Accounts to Commissioners for Reduction

of National  
Debt.

Neglecting to  
deliver such  
Returns, or to  
obey Orders of  
Commissioners,  
Commissioners  
may close their  
Account, &c.

Proviso.

A Duplicate of  
such Account  
to be affixed in  
the Office of  
Savings Bank.

Savings Banks  
to compute In-  
terest to 20th  
May and 20th  
November,  
Half Yearly or  
Yearly.

each Year, showing the Balance or Principal Sum due to all the Depositors collectively in such Savings Bank, and stating in whose Hands such Balance shall then be remaining, and every such annual Statement shall be attested by Two Managers or Two Trustees, or by One Manager and One Trustee of such Savings Bank, and every such annual Statement shall be countersigned by the Secretary or Actuary of such Savings Bank, and all such annual Statements shall be transmitted to the Office of the said Commissioners for the Reduction of the National Debt in *London or Dublin*, as the Case may be, within Thirty Days next after the Twentieth Day of *November* in each Year; and in case the Trustees of any such Savings Bank shall neglect or refuse to make out and transmit such Account as aforesaid, or in case any such Trustees shall at any Time neglect or refuse to obey any Orders or Directions given by the said Commissioners for the Reduction of the National Debt, or their Officer, pursuant to the Directions of the said recited Acts or this Act, it shall and may be lawful for the said Commissioners to close the Account of the Trustees of such Savings Bank, and to discontinue the keeping any further Account with the Trustees of such Savings Bank, and to direct that no further Sum shall be received at the Bank of *England*, or at the Bank of *Ireland*, from the Trustees of such Savings Bank, to the Account of the said Commissioners, until such Time as such Commissioners shall think fit: Provided always, that it may be lawful for the said Commissioners to reopen such Account, and to allow the growing Interest of such Account during the Time of such Discontinuance, and to authorize the Receipt of Money at the Banks of *England or Ireland* whenever such Commissioners shall think fit so to do, upon such Trustees complying with the Directions of such Commissioners, or their Officer.

XXX. And be it further enacted, That the Trustees or Managers of every such Savings Bank shall cause a Duplicate of every such annual Statement, attested and countersigned as aforesaid, to be publicly affixed and exhibited in some conspicuous Part of the Office or Place where the Deposits of such Savings Bank are usually received, for the Information of all Persons making Deposits therein; and every such Duplicate shall from time to time remain so affixed and exhibited, until the ensuing annual Statement shall in like Manner be affixed and exhibited as aforesaid.

XXXI. And for the Purpose of rendering the Accounts of the several Savings Banks in *England and Ireland* respectively uniform and correspondent with the Accounts of the Commissioners for the Reduction of the National Debt, Be it enacted, That from and after the Twentieth Day of *November* One thousand eight hundred and twenty four, the Interest or Dividends due to each Depositor in each Savings Bank in *England and Ireland* respectively shall be computed Half Yearly to the Twentieth Day of *May* and the Twentieth Day of *November*, or Yearly to the Twentieth Day of *November* in each Year, or up to such Period nearest to such Twentieth Day of *May* or Twentieth Day of *November* as such Interest shall be payable, according to the Rules

ules or Regulations of such Savings Banks respectively, and to other Periods.

XXXII. And be it further enacted, That from and after the passing of this Act, in lieu of the Accounts by the said recited Acts of the Fifty seventh Year of His late Majesty's Reign, for encouraging the Establishment of Banks for Savings in *England* and *Ireland* respectively, required to be annually laid before both Houses of Parliament by the Commissioners for the Reduction of the National Debt, the following Accounts shall be prepared by the said Commissioners, and shall be annually laid before both Houses of Parliament, on or before the Twenty fifth Day of *March* in every Year, if Parliament shall be sitting; and if Parliament shall not be sitting, then within Fourteen Days after the Commencement of the then next Session of Parliament; that to say, Accounts made up to the Twentieth Day of *November* next preceding of the gross Amount of all Sums received and credited, and of all Sums paid from the Time of the passing of the said several Acts of the Fifty seventh Year of His late Majesty's Reign, for the encouraging the Establishment of Banks for Savings in *England* and *Ireland* respectively, up to such Twentieth Day of *November*, by the said Commissioners, on account of the Trustees of the several Savings Banks in *England* and *Ireland*; and also on account of any Friendly Societies in *England* and *Ireland* respectively, and of the gross Amount of all Sums, Stocks, Funds and Annuities, standing in the Names of such Commissioners on the Twentieth Day of *November*, on account of any such Savings Banks or Friendly Societies respectively, and the Sums paid for the Purchase of such Stocks, Funds or Securities, and the gross Amount of Interest or Dividends received thereon by the said Commissioners, and the gross Amount of Interest paid by such Commissioners up to such Twentieth Day of *November* on all Debentures or Receipts issued to the Trustees of any such Savings Banks or Friendly Societies in *England* and *Ireland* respectively.

XXXIII. And Whereas it will be advantageous to enable the Commissioners for the Reduction of the National Debt more readily to provide for the making of the several Payments required by the said several recited Acts or this Act to be made to the Trustees of Savings Banks or Friendly Societies from time to time; Be it therefore enacted, That from and after the passing of this Act it shall and may be lawful for the Commissioners for the Reduction of the National Debt, or for the proper Officer or Officers of the said Commissioners, from time to time to make Application to the Lord High Treasurer or to the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, stating and certifying what Sum of Money may be required for satisfying any Demands which shall from time to time be made upon the said Commissioners for the Reduction of the National Debt, by the Trustees of any Savings Bank or Friendly Society in *England* or *Ireland*; and thereupon it shall and may be lawful for the Lord High Treasurer or Commissioners of the said Treasury, or any Three of them, in case they shall think fit and proper so to do, by Warrant under their Hands to cause or direct any Number of Exchequer Bills

Accounts to be annually laid before Parliament by Commissioners for Reduction of National Debt in lieu of Accounts under 57 G.3. c.105. § 19. 57 G.3. c.130. § 18.

Treasury may issue Exchequer Bills on Application of Commissioners for Reduction of National Debt, for Payments to Savings Banks.

Bills to be made out at the Receipt of His Majesty's Exchequer in *Great Britain*, for such Sum or Sums of Money as shall be from time to time stated and certified in any such Application of the said Commissioners for the Reduction of the National Debt, or their Officer or Officers, under the Directions of the said Commissioners, or for any Part of any such Sum or Sums: and such Exchequer Bills shall be made out in the same or like Manner, Form and Order, and according to the same or like Rules and Directions as are prescribed and directed in and by an Act made in the Forty eighth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for regulating the issuing and paying of Exchequer Bills*.

as by 48 G. 3.  
c. 1.

Banks may  
make Advances  
to Commissioners  
upon such  
Exchequer  
Bills.

How such Ex-  
chequer Bills  
paid off by  
Commissioners  
for Reduction  
of National  
Debt.

Regulations  
when such Bills  
are paid off by  
Advances from  
the Sinking  
Fund.

XXXIV. And be it further enacted, That it shall and may be lawful for the Governor and Company of the Bank of *England* and Bank of *Ireland* respectively, from time to time to advance to the said Commissioners for the Reduction of the National Debt such Sum or Sums of Money, on the Credit of any such Exchequer Bill or Bills, and at such Times as the said Commissioners shall from time to time require; any Law or Statute to the contrary thereof in any wise notwithstanding.

XXXV. And be it further enacted, That the Principal Sum of every such Exchequer Bill upon which any Sum of Money shall have been so advanced by the Governor and Company of the Banks of *England* or of *Ireland* respectively, under the Provisions of this Act, shall, together with all Interest due thereon, be discharged from time to time by the said Commissioners for the Reduction of the National Debt, in such Portions as the said Commissioners shall deem fit and expedient, with and out of any Monies invested from time to time by the Trustees of any Savings Banks or Friendly Societies in *England* or *Ireland* respectively, and carried to the Credit of the said Commissioners, on account of such Savings Banks or Friendly Societies, or with and out of the Monies or Funds commonly called *The Sinking Fund*, standing in the Names of the said Commissioners in the Books of the Governor and Company of the Banks of *England* or *Ireland* respectively, or by both or either of such Means of Repayment as the said Commissioners shall deem most proper and convenient; and that immediately upon any such Payment being made by the said Commissioners for the Reduction of the National Debt, Exchequer Bills to the Amount of the Principal Sum so paid off and discharged shall be delivered up to the said Commissioners by the Governor and Company of the Bank of *England* or Bank of *Ireland* respectively; and the said Commissioners shall forthwith cause the said Exchequer Bills to be delivered to the Paymasters of Exchequer Bills to be cancelled.

XXXVI. Provided always, and be it enacted, That whenever the Principal Sum of any such Exchequer Bill or Bills shall have been discharged and paid off by any Sum or Sums of Money advanced from the Sinking Fund under the Provisions of this Act, the said Commissioners for the Reduction of the National Debt shall cause their Agent or proper Officer to transfer, from any Account standing in the Names of the said Commissioners in the Books of the Governor and Company of the Bank of *England*, or from any Accounts standing in their Names in the Books

books of the Bank of *Ireland*, under or by virtue of the said recited Acts or any of them, or of this Act, or of any Act or Acts relating to Friendly Societies, as the Case may be, into the Account standing in the Names of the said Commissioners in the Books of the Bank of *England* or Bank of *Ireland* respectively, under the Title of "The Account of the Commissioners appointed by Act of Parliament for applying certain Sums of Money annually to the Reduction of the National Debt," such an Amount of Stock as shall produce by Computation the Principal Sum and Interest of all such Exchequer Bills so paid off and discharged; and the said Computations shall be made by the proper Officer or Officers of the said Commissioners, according to the Price at which such Stock shall have been purchased by the said Commissioners on the Day of transferring the said Amount of Stock as aforesaid; and upon every such Transfer of Stock being made as hereinbefore directed, the Accountant General of the Governor and Company of the Bank of *England* or Bank of *Ireland* respectively, shall thereupon transmit to the Office of the said Commissioners for the Reduction of the National Debt, a Certificate of every such Transfer, containing the Amount and Description of Stock so transferred.

XXXVII. Provided also, and be it enacted, That whenever the sum to be drawn for by the Trustees of any Savings Bank in *England* or *Ireland* respectively, or by the Trustees of any Friendly Society in *England*, shall amount to the Sum of Five thousand Pounds or upwards, the Amount of such Draft shall not be payable or paid by the Officer of the Commissioners for the Reduction of the National Debt until the Expiration of Twenty one Days next after the Day when the Draft for such Sum shall be produced to the said Officer.

XXXVIII. And be it further enacted, That from and after the said Twentieth Day of *November* One thousand eight hundred and twenty four, the Schedules annexed to the said recited Act of the Fifty seventh Year of His late Majesty's Reign, for the Establishment of Banks for Savings in *Ireland*, and the several Forms in the said Schedules contained, marked A. B. C. D. and E., and also the Schedule annexed to the said recited Act, made in the Fifty eighth Year of His said late Majesty's Reign, for amending the said Act of the Fifty seventh Year of His said late Majesty's Reign, for the Establishment of Banks for Savings in *England*, and the Forms in the said Schedules contained, marked A. B. C. D. E. F 1, F 2, and G., shall be and the same are hereby repealed, and shall be no longer used or applied in the Execution of the said recited Acts or this Act; and that from and after the said Twentieth Day of *November* One thousand eight hundred and twenty four, all Receipts, Orders, Certificates, Indorsements, Accounts, Returns or Instruments whatsoever, which shall be required for carrying into Execution this Act and the several Acts hereinbefore recited, or any of them, as amended by this Act, shall be made in such Form and Manner, and containing such Particulars, and under such Regulations as shall from time to time be directed or required, or approved of by the Commissioners for the Reduction of the National Debt, or their Officer or Officers.

No Draft for 5,000*l.* to be paid until after Twenty one Days after Production.

Schedules and Forms annexed to 57 G.3. c.105. and 58 G.3. c.48. repealed.

Receipts, &c. shall be in Forms directed or approved by Commissioners for the Reduction of the National Debt.

XXXIX. And

Indemnity to Commissioners of the Banks of England and Ireland.

XXXIX. And be it further enacted, That this Act shall be and the same is hereby declared to be a full and sufficient Indemnity and Discharge to the Commissioners for the Reduction of the National Debt, and to the Governor and Company of the Bank of *England* and Bank of *Ireland* respectively, and their Officers, for all Things to be done or required or permitted to be done pursuant to the said recited Acts or this Act.

### C A P. LXIII.

An Act to amend an Act of the last Session of Parliament, for providing for the establishing of Compositions for Tithes in *Ireland*.  
[17th June 1824.]

4 G. 4. c. 99.

So much of § 3. of recited Act as requires Lists to be verified on Oath, repealed.

Where Parishes are situate in more than one County or Barony, &c. the several County or Barony Collectors shall deliver Lists of Persons charged to County Cess, and such Lists shall be combined by the Churchwardens into one such List, as is required by 4 G. 4. c. 99. § 3.

‘ WHEREAS an Act was made in the last Session of Parliament, intituled *An Act to provide for the establishing of Compositions for Tithes in Ireland, for a limited Time*: And Whereas, in order to render the Operation of the said Act more extensively beneficial, certain Amendments are required to be made in 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, so much of the said recited Act shall be repealed as requires or directs that any List of the Names and Residences of Persons charged with and having paid County Cess Charges or Grand Jury Rates, for or in respect of any Lands within any Parish, which shall be made by any High Constable or Collector for the Purposes of the said Act, shall be verified on the Oath of such High Constable or Collector in Manner in the said Act specified; and so much of the said recited Act is hereby repealed accordingly; and in the Subscription to any such List by any such High Constable or Collector, the Words “do certify” shall be inserted instead of the Words “do make Oath,” required by the Form of such List set forth in the Schedule (A.) annexed to the said recited Act.

II. And be it further enacted, That in Cases where it shall happen that any Parish, in respect of which any Application shall be made for carrying into Execution the said recited Act and this Act, shall be situate in more than one County or Barony, or partly in a County and partly in a County of a City, County of a Town or Town Corporate, every High Constable or other Collector of the County Cess Charges and Grand Jury Rates for the several Parts of such Parish shall, whenever thereto required, in such Manner as by the said recited Act is directed with respect to any High Constable or Collector mentioned in the said recited Act, and every such High Constable or other Collector for the several Parts of any such Parish is hereby authorized and required to 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 who shall have been charged with and shall have paid such County Cess Charges or Grand Jury Rates, for and in respect of any Lands (not being Tithe free), to an Amount exceeding Twenty Shillings in the whole within the Year next preceding, within any Part

Part of such Parish the County Cess Charges or Grand Jury Rates whereof such High Constable or Collector respectively is required to collect, together with the Amount of the several and respective Sums charged on and paid by every Person whose Name shall be contained in any such List; and the Churchwardens or Churchwarden of such Parish shall, by combining together such several Lists, make out a List in such Form and Manner as by the said Act is required to be made out and delivered by the High Constable or Collector of any Parish under the said recited Act, and as if the Names contained in all such several Lists had been contained in any one List made out and delivered by such High Constable or Collector under the said Act.

III. And be it further enacted, That if and whenever it shall happen that in the Whole of any Parish there shall not be Twenty five Persons who shall have been charged with and shall have paid any County Cess Charges or Grand Jury Rates, to an Amount exceeding Twenty Shillings, for and in respect of any Lands (not being Tithe free) within such Parish, within the Year next preceding the Time when any Application shall be made for carrying the said recited Act into Execution in such Parish, then and in every such Case it shall be lawful for the High Constable or other Collector of any County Cess Charges or Grand Jury Rates within any such Parish, in Cases where the Whole of such Parish shall be situate within the same County or Barony, and such High Constable or Collector is hereby required to prepare and deliver to the Churchwardens or Churchwarden of such Parish a List, containing the Names and Residences of such Twenty five Persons as shall have been charged with and shall have paid the highest Amount of such Rates within such Parish; and if any such Parish shall be situate in Two or more Counties or Baronies, or partly in a County and partly in a County of a City, County of a Town or Town Corporate, then and in such Case each of the several High Constables or Collectors within the several Parts of such Parish respectively shall prepare and deliver a List of such Twenty five Persons as shall have been charged with and paid the highest Amount of such Rates in such Parts of such Parish respectively, or if there shall not be Twenty five Persons charged with and paying such Rates in any such Part of any Parish, then a List of the Names of all Persons paying such Rates in such Parts of any Parish; and the Churchwarden or Churchwardens of such Parish shall from such several Lists extract the Names of the Twenty five Persons who shall have been charged with and shall have paid the highest Amount of Rates within the Whole of such Parish, and shall make out a List of such Twenty five Persons, in such Form and Manner as by the said Act any List is required to be made out and delivered by the High Constable or Collector of any Parish under the said recited Act or this Act.

IV. And be it further enacted, That such Lists as are required or permitted by this Act shall be made out, and the Names therein shall be arranged in such Manner as by the said recited Act is directed with respect to the Names contained in any List required by the said recited Act, and the Titles of such Lists shall be

Where there are not Twenty five Persons paying County Cess, exceeding 20s. per Annum each, in any Parish, Lists shall be made of the Twenty five paying the highest Amount.

Such Lists equivalent to Lists required by 4 G. 4. c. 99. § 3, 4. 7. and

the Persons named shall be entitled to vote at Vestries.

be varied as the Case may require; and Copies of such Lists, or of the first Twenty five Names in any such Lists, as the Case may require, shall be affixed in Manner directed by the said Act with respect to Lists made and delivered under the said Act: and all such Lists and Copies, and the Persons required to make the same, shall in all respects, and to all Intents and Purposes whatsoever, be subject and liable to all such Rules, Regulations, Directions, Penalties and Forfeitures, as are contained in the said recited Act with respect to the Lists required by the said recited Act, except only so far as the same are expressly altered by this Act; and any Person who shall think himself or herself aggrieved by the Omission or Insertion of any Name, or by the Sum annexed to any Name, or by any other Error in any such List, shall have and be entitled to such Appeal or Remedy as is granted by the said recited Act with respect to the Lists required by the said recited Act; and the Persons whose Names shall appear in such Lists when amended or confirmed on such Appeal, or when there shall not be any Appeal, shall be admitted and entitled to attend and to vote at any Special Vestry to be holden for carrying into Execution the Purposes of the said Act or this Act, in like Manner, to all Intents and Purposes, as Persons admitted or entitled to attend or vote under the Regulations of the said recited Act and this Act.

Churchwardens to note Receipt of such Lists.

Lists to be affixed on the Sunday next after Three Days from the Receipt of the last List.

V. And be it further enacted, That every Churchwarden to whom any List or Lists is or are by the said recited Act, or by this present Act required to be delivered, shall, on Receipt of any and every such List, make and sign a Memorandum at the Foot of any and every such List respectively of the Time of the Receipt thereof by such Churchwarden; and where more than One such List shall be delivered to any Churchwarden, the Copy of the List which shall be made up by such Churchwarden from such several Lists, according to the Directions of this Act, shall be affixed on the Church Door, or elsewhere, according to the Directions of the said recited Act, upon the *Sunday* next after the Expiration of Three Days from the Receipt by such Churchwarden of the last of such several Lists delivered under the Directions of this Act.

High Constable or Collector making false Lists.

VI. And be it further enacted, That if any High Constable or Collector, who by the said recited Act or this Act is required to make out and deliver any such List as is required by the said recited Act or this Act, shall wilfully insert in any such List the Name of any Person which ought not be inserted in such List, or shall wilfully omit from any such List the Name of any Person which ought to be inserted in such List, or shall mis-state the Amount of County Cess Charges or Grand Jury Rates payable by any Person whose Name shall be inserted in any such List, or if such Constable or Collector, or any other Person or Persons, shall in any way wilfully make any false Return, Entry or Statement in any such List, every Person so offending shall for every such Offence forfeit the Sum of Twenty Pounds, to be recovered in a summary Way before Two or more Justices of the Peace, and to be applied in the same Manner as any Penalty of the like Amount may be applied under the said recited Act.

Penalty 20/.

VII. Pro-



VII. Provided always, and be it enacted, That no List returned by any High Constable or Collector, or prepared or affixed by any Churchwarden, under the Directions of the said recited Act or this Act, shall be vitiated or invalidated; nor shall any High Constable, or Collector or Churchwarden, be liable to any Penalty under the said recited Act or this Act, by reason that any such List shall not contain an Account of the Quantity of Land or the Number of Acres held by each or any Person specified in any such List, or for which any such Person shall be charged; any Thing in the said recited Act or in this Act to the contrary thereof notwithstanding.

VIII. And be it further enacted, That in case it shall happen that any Person whose Name shall be inserted in any List or Copy of any List of Persons charged with and having paid County Cess Charges or Grand Jury Rates, under the Provisions and for the Purposes of the said recited Act or this Act, shall, at the Time of the affixing such List or Copy, be ejected from the Premises on account of which such Person shall be so charged for Nonpayment of the Rent of such Premises, it shall be lawful for any Two Justices of the Peace in and for the County or Place in which the Parish shall be situate to which such List shall relate, upon the Production of satisfactory Evidence on Oath of the Judgment in Ejectment against such Person, to direct, by an Order under their Hands to the Churchwardens of such Parish, that the Name of such Person so ejected shall be removed from such List or Copy, and that the Name of such other Person as shall be entitled to be inserted in such List next after the Name of the last Person entered on any such List, shall be inserted in the Room of the Name of the Person so ejected, and the Name of the Person so ejected shall be removed from such List or Copy, and the Name of such other Person shall be added to such List or Copy accordingly.

IX. And be it further enacted, That in case it shall happen that any Person whose Name shall be inserted in any such List or Copy as aforesaid, shall not, at the Time of holding any Vestry in any Parish for the Purposes of the said recited Act or of this Act, be rated to County Cess Charges or Grand Jury Rates in such Parish, it shall not be lawful for such Person to be present or vote at any such Vestry.

X. Provided always, and be it enacted, That it shall and may be lawful for any and every Person who is or shall be a Justice of the Peace, and who is or shall be qualified to act as such out of or in respect of Lands situate in any such Parish, under an Act made in the Fifty ninth Year of the Reign of His late Majesty King George the Third, for amending the Laws for making, repairing and improving the Roads and other public Works in Ireland, by Grand Jury Presentments, and that it shall and may be lawful for any and every Person who shall be seised of a Freehold Estate situate within such Parish, of the Value of Fifty Pounds and upwards, not arising from a Rent Charge, and duly registered as such under any Act or Acts in force relating to the Election of Members of Parliament in Ireland, and of which Registry such Person shall produce a Certificate, signed by the Clerk of the Peace, and each and every such Justice of Peace and

Lists not vitiated, nor High Constables, &c. liable to Penalty for Omission of Number of Acres held or charged.

Persons ejected for Nonpayment of Rent may be struck out of Lists of those rated to Grand Jury Cess.

Persons not rated when Vestry is held, shall not attend or vote.

Justices of Peace qualified in the Parish as required by Grand Jury Act 59 G. 3. c. 84. and Freeholders of 50*l.* per Annum in the Parish, allowed to attend and vote at Vestry.

Voting not  
being qualified.  
Penalty 100*l*.

Interrupting  
Proceedings of  
Vestry.

Penalty 20*l*.

When it is  
agreed at  
Vestry to proceed  
as by  
4 G. 4. c. 99.  
and Vestry shall  
not appoint a  
Commissioner  
within Three  
Weeks;

or if Incumbent  
does not ap-  
point within  
Seven Days  
after;

or if Appoint-  
ment, in case  
of Death or  
Refusal to act,  
&c. shall not be  
made within  
Three Weeks;

Lord Lieuten-  
ant may ap-  
point a Com-  
missioner.

and Freeholder is and are hereby authorized and empowered to attend and vote at any Vestry to be holden for carrying into Execution the Purposes of the said recited Act and this Act in such Parish; and all such Persons shall have One Vote, and a more, at such Vestry; and if any Person shall attend and vote, or shall claim or offer to attend and vote at such Vestry as such Justice of Peace or Freeholder, not being qualified so to do, every such Person shall for every such Offence forfeit the Sum of One hundred Pounds, to be recovered and applied in such Manner as any Penalty of the like Amount may be recovered and applied under the said recited Act.

XI. And be it further enacted, That if any Person, not being authorized or qualified under the Provisions of the said recited Act or this Act to attend at any Special Vestry to be holden in any Parish for carrying into Execution any of the Purposes of the said Act or this Act, shall intrude into or shall disturb or interrupt the Proceedings of any such Vestry, or shall attempt so to do, or shall insist on or proceed in so doing, every Person so offending shall for every such Offence forfeit the Sum of Twenty Pounds, to be recovered in a summary Way before Two or more Justices of the Peace, and to be applied in such and the like Manner as any Penalty of the like Amount may be applied under the Directions of the said recited Act.

XII. And be it further enacted, That whenever at any Meeting of any Special Vestry, duly assembled in any Parish, at any Time after the passing of this Act, for the Purposes of the said recited Act, it shall have been agreed between the Parishioners and the Incumbent or other Person entitled to Tithes, that the said Act shall be carried into Execution, and a Memorandum of such Agreement shall have been reduced into Writing, and signed in Manner required by the said recited Act, and such Vestry shall not within Three Weeks from the Date of such Agreement have effectually elected, nominated and appointed a Commissioner for carrying into Execution the Purposes of the said Act, on Behalf of the Owners and Occupiers of Land in such Parish: or whenever it shall happen that the Incumbent, or any other Person entitled to Tithes in such Parish, shall have neglected to appoint a Commissioner on his or their Part, in Manner required by the said recited Act, within Seven Days next after the Appointment of a Commissioner on Behalf of the Owners or Occupiers of Land in such Parish; or whenever it shall happen that any Commissioner, appointed in pursuance of the said recited Act, either on the Behalf of any Owners or Occupiers of Land, or on Behalf of any Incumbent or other Person entitled to Tithes, shall have died or refused to act, or shall not have acted in the Execution of the said Act, within Twenty one Days after his Appointment, and no other Commissioner shall have been appointed within Three Weeks next after the Decease, or next after the Refusal or Neglect of any such Commissioner; then and in every or any such Case it shall and may be lawful for the Lord Lieutenant, or other Chief Governor or Governors of Ireland, at any Time or Times, and from time to time, as to him and them may seem fitting and expedient, to appoint some Person to be a Commissioner for the Purposes of this Act, on Behalf

Behalf of the Owners or Occupiers of Land, or on Behalf of the Incumbent or other Person or Persons entitled to Tithes, as the Case may require: Provided always, that such Person so to be appointed shall be qualified in respect of Property to such Amount and in such Manner as by the said Act is directed with respect to any Commissioner to be appointed under the said Act; and that such Person shall not be Owner or Proprietor of any Tithes, nor Owner or Occupier of any Lands subject to the Payment of any Tithes or Composition for Tithes, in the Parish with relation to which such Person shall be so appointed to be a Commissioner; and every Person so appointed to be such Commissioner shall take and subscribe such Oath for the Performance of his Duty as such Commissioner, and also such Oath of Qualification in respect of Property, as are required to be taken and subscribed by any Commissioner appointed under or by virtue of the said recited Act; and every Person so appointed to be Commissioner by the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, under this Act, shall have all such Powers and Authorities, and shall proceed in carrying into Execution the Purposes of the said recited Act and this Act, in like Manner to all Intents and Purposes as any Commissioner appointed under the Authority of the said recited Act.

His Qualification.

Oath.

With like Powers as other Commissioners.

XIII. And Whereas it is by the said recited Act among other Things enacted, that if the Incumbent and the Impropiator, or other Person or Persons, or Body Corporate, entitled to any Tithes or Portion of Tithes in any Parish, shall agree to receive any fixed annual Sum or Sums as the Amount of any Composition for Tithes, and shall have obtained the Consent 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 such Agreement shall be signified, made, assented to and accepted at a Vestry of such Parish, in Manner required by the said recited Act, such Agreement shall be binding and conclusive upon any Commissioners or Umpire appointed under the said recited Act, subject to a Proviso in the said recited Act contained; and it is expedient that such Agreement should be binding and conclusive upon such Commissioners or Umpire, without reference to such Proviso; Be it therefore enacted, That so much of the said recited Act shall be repealed, whereby it is provided, 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 in the said Act mentioned, 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; and the said Proviso in the said

4 G. 4. c. 99.  
§ 27.4 G. 4. c. 99.  
§ 27. respecting  
the Amount of  
such Composition,  
repealed.

recited Act is hereby repealed accordingly, so far as relates to any such Agreement which shall be made as aforesaid, and which shall be assented to by the Bishop or Patron at any Time after the passing of this Act.

When Incumbent and Vestry shall agree to proceed under 4 G. 4. c. 99. § 16. 44. such Incumbent may agree, with Consent of Bishop and Patron, to take a fixed Sum for a Composition for his Portion, although no such Agreement be made by other Owners of Tithe.

XIV. And be it further enacted, That whenever at any Special Vestry duly assembled in any Parish for the Purposes of the said recited Act, it shall be agreed between the Vestry and the Incumbent of such Parish (being entitled to the Receipt of Tithes, or any Portion of Tithes in such Parish) to proceed in carrying into Execution the Purposes of the said Act, and Commissioners shall be duly appointed on Behalf of such Incumbent, and on Behalf of the Owners and Occupiers of Land in such Parish, pursuant to the Directions of the said Act, it shall and may be lawful for such Incumbent entitled to any Tithes, or Portion of Tithes, in any such Parish, or to the Whole of the Tithes arising, growing or payable in any separate and distinct Portion, Division or District of such Parish, with the Assent of the Bishop of the Diocese and of the Patron of the Benefice, to be signified in Writing and signed by such Bishop and Patron respectively, to make a separate and distinct Agreement to receive any fixed annual Sum or Sums as the Amount of the Composition to be paid for such separate and respective Portion or Portions of Tithes as shall be payable to him in such Parish, or for the Whole of the Tithes payable in any separate and distinct Portion, District or Division of such Parish, to such Incumbent, although no like Agreement shall be made by all or any other Persons or Person entitled to any other such Portion or Portions of Tithes in such Parish; and every such Agreement in relation to any Portion of Tithes, or to the Tithes of any Portion of such Parish, shall be made and carried into effect in like Manner to all Intents and Purposes, and shall be subject to all such and the like Regulations, as any Agreement for the Payment of any fixed annual Sum for the Amount of the Composition for all Tithes in any Parish is by the said recited Act directed to be made and carried into effect; and the Sum or Sums so agreed upon as a Composition or Compositions to be paid to such Incumbent for any such Portion of Tithes, or for the Tithes of any Portion of any Parish, shall be inserted by the Commissioners or Umpire under the said Act in a separate and distinct Certificate, applying only to such Portion of Tithes, or to the Tithes of any Portion of any Parish, the Composition for which shall be so agreed for, and such Sum or Sums shall be assessed and apportioned accordingly, as in case of any Composition made under the said recited Act; and the Composition for any remaining Portion or Portions of Tithes in such Parish, or for the Tithes of any remaining Portion or Portions of such Parish, shall be ascertained, settled and certified by such Commissioners or Umpire, either in pursuance of any Agreement or otherwise, in such Manner as is directed by the said recited Act or this Act; and such Commissioners or Umpire shall, in each and every such Case, frame their Certificate or Certificates according to the Nature of the several and respective Cases, in conformity with the Schedule annexed to the said recited Act, and to the Directions and Provisions contained in this Act.

Compositions for remaining Portions.

XV. And

XV. And be it further enacted, That if and when it shall happen that any Person or Persons, or Body or Bodies Politic or Corporate or Collegiate, shall be entitled to the Whole of the Tithes arising, growing or payable in any Portion, Division or District, or in separate and distinct Portions, Divisions or Districts of any Parish, then and in every such Case the Commissioners or Umpire by whom any Certificate shall be made or given under the said recited Act or this Act, shall in such Certificate set out and specify out of what Portion, Division or District of the Parish any such Tithes are payable, and to whom any such Composition shall be due and payable; and such Commissioners or Umpire shall assess and applot the full Amount of such Composition payable for any such Portion, Division or District of any Parish, separately and distinctly, upon all Lands not being Tithe free, within the separate and distinct Portion or Portions, Division or Divisions, or District or Districts of such Parish in respect of which such Composition shall be payable, in like Manner in all respects, and to all Intents and Purposes, as by the said recited Act is directed or required with respect to the Assessment and Applotment of the Whole of any Composition upon all the Lands within any Parish.

XVI. And be it further enacted, That whenever any Two or more Persons shall be severally entitled to several Portions of Tithes in any Parish, and to any Share or Proportion of any Composition for such Tithes, ascertained and certified by any Commissioners or Umpire, and leviable under the said recited Act, then and in any such Case it shall and may be lawful for all such Persons, or any Two or more of them, to unite in the Appointment of one Collector of all or any of such Portions; and it shall be lawful for any Collector so appointed, and he is hereby authorized and empowered to collect and levy all or any of such several Portions, in such Manner, and with such Powers and Authorities in all respects as are given by the said recited Act to any Collector of any Composition for Tithes, or any Part thereof, and as if any one Person only had been entitled to the Whole of such several Portions of such Tithes, or of the Composition in lieu thereof, which such Collector shall be so appointed to collect.

XVII. And be it further enacted, That in all Cases where any Certificate shall have been or shall be made and signed by any Commissioners or Umpire, according to the Directions of the said recited Act or this Act, such Certificate shall bear Date and take effect from the Day on which it shall have been or shall be so made and signed; and that in all Cases where such Certificate shall have been or shall be made and signed on any Day between the First Day of *November* in any Year, and the First Day of *May* in the subsequent Year, the Composition specified in such Certificate shall take effect from the First Day of *May* next after the making and signing of such Certificate, and the First Half Yearly Payment of such Composition shall become due to the Person or Persons entitled to such Composition upon the First Day of *November* next ensuing the Date of such Certificate; and that in all Cases where any such Certificate shall have been or shall be made and signed on any Day between the First Day of

Where Persons are entitled to the whole Tithes arising in any Portion of any Parish, the Applotment of the Composition under 4 G. 4. c. 99. § 16. 44. shall be made on the Lands within such Portion of such Parish.

Two or more Persons entitled to several Portions of Tithes may unite in appointing one Collector of the Composition for such several Portions.

Composition shall take effect from 1st May or 1st November, after signing Certificate by Commissioners.

*May* and the First Day of *November* in any Year, the Composition specified in such Certificate shall take effect from the First Day of *November* next ensuing the Date of such Certificate, and the First Half Yearly Payment of such Composition shall become due to the Person or Persons entitled to such Composition upon the First Day of *May* next ensuing the Date of such Certificate; any Thing in the said recited Act to the contrary in any wise notwithstanding.

Where Certificate is signed between 1st November and 1st May, Applotment of Composition shall take place before End of Four Months after 1st May, &c.

XVIII. And be it further enacted, That in all Cases in which it shall have happened or shall happen that any such Certificate shall have been or shall be made and signed at any Time between the First Day of *November* in any Year and the First Day of *May* in the succeeding Year, the Applotment and Assessment of the Composition specified in such Certificate shall be made before the Expiration of Four Calendar Months next after such First Day of *May*, in like Manner in all respects as in and by the said recited Act is required with respect to any Assessment or Applotment by the said Act directed to be made before the Expiration of Four Calendar Months after the First Day of *November* next after the making and signing of any Certificate; and in such Case all other Matters and Things relating to any such Certificate, and to the Assessment and Applotment of any Composition, shall be done and shall take place with reference to such First Day of *May*, in like Manner as in and by the said recited Act all such Matters and Things are required to be done and to take place with reference to the First Day of *November* next after the making and signing of any such Certificate: Provided always, that any such Applotment and Assessment as is required by the said recited Act and this Act may be made at any Time after the making and signing such Certificate, and before the Expiration of the Four Months next after any such First Day of *November* or First Day of *May* respectively.

Where no Applotment of Composition for Tithes within Four Months, and no Parish Cess has been levied within the preceding Year, such Composition may be levied according to the Grand Jury Rates in such Parish.

XIX. And Whereas it is by the said recited Act among other Things provided, that in case the Assessment and Applotment of any Composition for Tithes made under the said recited Act shall not be made in any Parish within such Four Calendar Months as in the said Act is mentioned, such Composition may be collected and levied according to the last Applotment or Assessment made in such Parish for the levying of any Parish Cess raised in such Parish; Be it enacted, That whenever an Assessment and Applotment of any such Composition for Tithes shall not be made in such Parish within the Space of Four Calendar Months required by the said recited Act or this Act, and it shall happen that no Parish Cess shall have been raised and levied in such Parish in the Year next preceding the Time when such Assessment or Applotment ought to have been made, then and in such Case, and until such Assessment and Applotment of such Composition for Tithes shall be made in such Parish, it shall and may be lawful for any Person or Persons appointed to collect such Composition for Tithes, 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 County Cess Charges or Grand Jury Rates, or Rates or Assessments made under or by virtue of the Present-

ments of Grand Juries, and levied within such Parish during such Year; and every Collector of such Grand Jury Rates 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 such Rates 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 for Tithes, 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 Rates; and it shall be lawful for every Collector of such Composition for Tithes, 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 Grand Jury Rates, with the like Powers and Authorities, and in like Manner, to all Intents and Purposes, as if an Assessment of such Composition for Tithes had been duly made by such Commissioners or Umpire as aforesaid.

XX. And be it further enacted, That in case any Collector of any Parish Cess or of any Grand Jury Rates shall, by the Space of Seven Days next after he shall be thereto required, wilfully neglect or omit or refuse to deliver to or for the Use of such Incumbent, or other Person or Persons as aforesaid, a true Copy, signed by such Collector, of the last Applotment or Assessment in the Possession or Power of such Collector, made and in force in such Parish, or any Part of such Parish, in respect of the Parish Cess or Grand Jury Cess payable therein, according to the true Intent and Meaning of the said recited Act and this Act, every such Collector so offending shall for every such Offence forfeit the Sum of Ten Pounds, to be recovered and applied in like Manner as any Penalty of the like Amount may be recovered and applied under the said recited Act.

XXI. And for the Security and Benefit of Persons interested in the Assessments and Applotments of any Composition for Tithes; Be it enacted, That a Duplicate of every such Assessment and Applotment of such Composition shall be made and signed by the Commissioners or Umpire by whom such Assessment and Applotment shall be made under the Provisions of the said recited Act; and every such Duplicate shall, by such Commissioners or Umpire, be lodged in the Registry of the Diocese in which the Parish or Place to which such Assessment and Applotment shall be situate, within Three Days next after the making and signing of every such Assessment or Applotment, there to remain as of Record; and true and certified Copies of such Assessment or Applotment, or of so much and such Parts thereof as shall be material and necessary to be given or read in Evidence, shall be legal and sufficient Evidence in all Courts and Places of the Contents of such Assessment and Applotment, as fully as the original Writing or Writings, whereof the same pur-

Collector refusing Copy of Assessment of Parish Rate or County Cess, within Seven Days after Demand. Penalty 10*l*.

Duplicates of Applotments of Compositions shall, within Three Days, be lodged in the Registry of the Diocese.

port to be a Copy or Copies respectively, could be Evidence thereof.

Roads, and Canals and Waste Lands on the Sides of them, declared not liable to Assessment for Composition for Tithes.

XXII. And be it further enacted, That in the Assessment and Applotment of any Composition for Tithes under the Powers of the said recited Act or this Act, no public Road or Highway, nor any Canal or Inland Navigation, nor any waste or uncultivated Land on the Sides of any such Road, Highway, or Canal Inland Navigation, shall be or ought to be assessed or charged to the raising of any Part of the Sum or Sums to be raised by such Assessment or Applotment; and that if any Assessment or Applotment hath been made at any Time before the passing of this Act, whereby any such Road, Highway, or Canal Navigation, or any such waste or uncultivated Land, hath been assessed or charged to any such Composition, such Assessment and Applotment shall, as to such Road, Highway, Canal or Navigation, and waste or uncultivated Land, cease and determine, and be no longer paid or payable; any such Assessment or Applotment to the contrary in any wise notwithstanding.

4 G. 4. c. 99.  
§ 43.

Instead of Variation every Three Years under 4 G. 4. c. 99. § 43. future Compositions shall be liable to Variation only in the Seventh and Fourteenth Years.

XXIII. And Whereas Provision is made in the said recited Act for increasing or diminishing the Amount of Composition for Tithes in the Third Year, and in every succeeding Third Year after the Commencement of any such Composition, according to the average Price of Corn during the Three Years next immediately preceding; and it is expedient that the said Provision should be amended; Be it therefore enacted, That in all Cases in which at any Time after the passing of this Act it shall be agreed between the Parishioners and the Ecclesiastical Incumbent of such Parish, or other Person or Persons entitled to Tithes, to carry into Execution the Purposes of the said recited Act, and a Memorandum of such Agreement, or some Minute or Entry of the same, shall be reduced into Writing, and signed in Manner required by the said recited Act, any Composition for Tithes which shall be made in consequence of such Agreement shall not be subject to be increased or diminished except in the Seventh Year and in the Fourteenth Year next after the Day from which such Composition shall commence; and that in such Case such Increase or Diminution shall be made only with reference to the average Price of Corn as advertised in the *Dublin Gazette* during the Seven Years immediately preceding; and that such Increase or Diminution shall be applied for and effected in all respects in the same Manner as is prescribed in the said recited Act, save and except so far as relates to the Year in which such Increase or Diminution may take place, and to the average Price of Corn upon which such Increase or Diminution shall be calculated, according to the Directions of this Act.

Price of Corn in all Cases to be ascertained by *Dublin Gazette*.

XXIV. And be it further enacted, That whenever any Composition for Tithes in any Parish shall be increased or diminished at the End of any Third Year, under the Provisions of the said recited Act, or at the End of any Seventh Year or any Fourteenth Year, under the Provisions of this Act, Reference shall not be had to the Price of Corn within the County in which such Parish shall be situate, but Reference shall be had only to the Price of Corn as advertised in the *Dublin Gazette*; any Thing in the said recited Act to the contrary notwithstanding.

XXV. Pro-



**XXV.** Provided always, and be it enacted, That whenever any Certificate shall be made and signed at any Time after the passing of this Act by any Commissioners or Umpire under the Provisions of the said recited Act and this Act, or either of them, for fixing or ascertaining the Amount of any Composition for any Tithes in any Parish, and a Special Vestry shall be holden according to the Directions of the said recited Act, for the Purpose of taking such Certificate into Consideration, it shall and may be lawful for such Vestry to signify their Assent to the Payment of such Composition on Behalf of the Owners and Occupiers of Land in such Parish, and also to signify their Consent on Behalf of such Owners and Occupiers of Land, that such Composition shall be invariable for the Term of Twenty one Years from the First Day of November or the First Day of May next ensuing the Date of such Certificate; and that such Composition shall continue to be levied for such Term of Twenty one Years, and shall not be subject to any Variation in the Amount thereof during such Period of Twenty one Years, under the Provisions of the said recited Act or this Act, whatever the Price of Corn may be; and such Assent shall be signified by the Signature of the Chairman of such Vestry, and of Three other Persons at least entitled to vote, and being present at such Special Vestry, at the Foot of the Copy of such Certificate, which shall have been transmitted to the Churchwardens of such Parish according to the Directions of the said recited Act, by the Commissioners or Umpire by whom such Certificate shall have been made and signed; and it shall be lawful for the Chairman of such Vestry, or for any Churchwarden of such Parish, to deliver or transmit such Certificate so signed to the Incumbent of such Parish, and to the Impropiator, or other Person or Persons (if any) entitled to any Tithes or Portion of Tithes in such Parish; and it shall be lawful for the Incumbent of such Parish (being entitled to any Tithes or Portion of Tithes in such Parish), and for the Impropiator of any Tithes or Portion of Tithes in such Parish, and for every other Person or Persons, or Body Corporate or Collegiate, or Corporation Aggregate or Sole, entitled to any Tithes or Portion of Tithes in such Parish, to assent to and agree with the Resolution of such Vestry, and to signify such Assent upon the Copy of such Certificate so signed by the Chairman and Vestrymen of the said Parish, when such Certificate shall be produced to them or any of them for that Purpose, by any of the Parties interested in the same; and such Copy, when so assented and agreed to by the said Parties, shall and may be delivered by some or one or any of the Parties interested therein, to the Commissioner or Umpire by whom such Certificate was originally made and signed, and shall by such Commissioner or Umpire be transmitted to the Registrar of the Bishop, to be entered and recorded in the Registry of the Diocese, and shall be so entered and recorded accordingly; and in every such Case, such Composition shall be and remain in full Force and Effect for the whole Space of Twenty one Years, and shall not be subject to any Variation in the Amount thereof, under the Provisions of the said recited Act or this Act, during such Period of Twenty one Years, whatever the Price of Corn may be; any Thing in the said

On Certificate of Composition being laid before Vestry under 4 G. 4. c. 99. § 27. Vestry may agree to accept it, and may also agree that it shall continue for Twenty one Years without Variation according to Price of Corn.

If such Agreement is assented to by the Incumbent, Impropiator, &c. and recorded in the Registry, the Composition shall continue unvaried for the whole of the Twenty one Years, whatever the Price of Corn may be.

recited Act or this Act to the contrary thereof in any wise notwithstanding.

Compositions made before the passing of this Act may be varied at the End of Seven Years or Fourteen Years, or continued for Twenty one Years.

Vestry may signify their Assent.

Such Composition to continue whatever the Price of Corn may be,

Copy of such Resolution transmitted to Incumbent.

Persons entitled to Tithes may Assent to such Resolution of Vestry,

XXVI. Provided also, and be it enacted, That in all Cases in which a Composition for the Tithes of any Parish shall have been ascertained and fixed, and a Certificate thereof made and signed at any Time previous to the passing of this Act, it shall be lawful for any Incumbent, or other Person, or Body Corporate entitled to Tithes in such Parish, or any Three of the Members of the Special Vestry who shall have signified the Approbation of such Composition by such Vestry, in Manner required by the said recited Act, at any Time within One Year after the Date of such Certificate, to require the Churchwardens of such Parish to cause a Special Vestry of Persons duly qualified pursuant to the said recited Act and this Act, to be called by Public Notice in the Manner required by the said recited Act or this Act, and to be holden on some Day named in such Notice, not being less than Fourteen Days nor more than Three Weeks distant from the Date of such Notice, for the Purpose of determining whether such Composition shall not be increased or diminished, until after the First Day of *May* in the Seventh Year and in the Fourteenth Year from the Commencement of such Composition, or whether the Amount of such Composition shall be invariable for the Term of Twenty-one Years from the Commencement thereof; and it shall and may be lawful for such Vestry to signify their Assent on Behalf of the Owners and Occupiers of Land in such Parish, that such Composition shall not be increased or diminished until after the First Day of *May* in the Seventh Year and in the Fourteenth Year from the Commencement of such Composition, or that the Amount of such Composition shall be invariable for the Term of Twenty one Years from the Commencement thereof; and that such Composition shall continue to be levied for such Term of Twenty one Years, and shall not be subject to any Variation in the Amount thereof during such Period of Twenty one Years, under the Provisions of the said recited Act or this Act, whatever the Price of Corn may be; and such Assent shall be signified by a Copy of the Resolution of such Vestry, signed by the Chairman of such Vestry, and by Three other Persons at least, entitled to vote, and being present at such Special Vestry; and it shall be lawful for the Chairman of such Vestry, or for any Churchwarden of such Parish, to deliver or transmit such Copy of such Resolution, so signed as aforesaid, to the Incumbent of such Parish, and to the Impropiator or other Person or Persons (if any) entitled to any Tithes or Portion of Tithes in such Parish; and it shall be lawful for the Incumbent of such Parish, (being entitled to any Tithes or Portion of Tithes in such Parish), and for the Impropiator of any Tithes or Portion of Tithes in such Parish, and for every other Person or Persons, or Body Corporate or Collegiate, or Corporation Aggregate or Sole, entitled to any Tithes or Portion of Tithes in such Parish, to assent to and agree with the Resolution of such Vestry, and to signify such Assent upon the Copy of such Resolution so signed by the Chairman and Vestrymen of the said Parish, when such Resolution shall be produced to them or any of them for that Purpose, by any of the Parties interested in the same; and such Copy,

Copy, when so assented and agreed to by the said Parties, shall and may, by some one or any of the Parties interested therein, be delivered or transmitted to the Registrar of the Bishop, to be entered and recorded in the Registry of the Diocese, and shall be so entered and recorded accordingly; and in every such Case such Composition shall be variable only at the End of such Term of Seven Years or Fourteen Years, or shall remain in full Force and Effect for the whole Space of Twenty one Years, as may be agreed on at such Vestry; and in such last mentioned Case such Composition shall not be subject to any Variation in the Amount thereof, under the Provisions of the said recited Act or this Act, during such Period of Twenty one Years, whatever the Price of Corn may be; any Thing in the said recited Act or this Act to the contrary thereof in any wise notwithstanding.

and transmit to Registrar of the Bishop.

and thereupon Composition not varied, whatever the Price of Corn may be.

XXVII. And be it further enacted, That in all Cases where Notice of any Vestry or Adjournment of any Vestry is required to be given in pursuance of the said recited Act or of this present Act, and it shall happen that there shall not be any Church in the Parish wherein such Vestry is to be held, or that there shall not be any Church in such Parish fit for the Celebration of Divine Service, the Notice of holding or adjourning every such Vestry shall and may be given by posting up such Notice on some other Place of Public Worship, and by delivering Three true Copies of such Notice to One resident Magistrate within the said Parish, or to any Three principal Householders of the said Parish paying Grand Jury Cess within such Parish; and that every Notice so given shall be good and sufficient Notice of the holding every such Vestry, to all Intents and Purposes in Law, as if such Notice had been given in the Parish Church.

How Notice of Vestries given where there is not any Church.

XXVIII. And be it further enacted, That Notices required by the said Act of the last Session of Parliament for the establishing of Compositions for Tithes, to be given by Churchwardens for holding Special Vestries in Parishes, pursuant to the said recited Act, after the Copy of any Certificate of Composition for Tithes shall be received by such Churchwardens, may be given at any Time within Six Days next after the Copy of any such Certificate shall have been received by such Churchwardens; and such Notice, so given within such Six Days, shall be sufficient and valid to all Intents and Purposes as if such Notice had been given within Three Days next after the Receipt of any such Copy, in Manner required and directed by the said recited Act.

Six Days allowed for Notice of Vestry to consider Certificate, instead of Three Days, under 4 G. 4. c. 99. § 28.

XXIX. And be it further enacted, That in all Cases where any Notice is required to be given, or any Objection to be submitted to any Bishop or Archbishop, or any Act or Instrument is required or authorized to be done or executed by any Bishop or Archbishop, under the Provisions of the said recited Act or this Act, it shall and may be lawful for the Archbishop of the Province, in case of the Vacancy of any Bishoprick, and for the Lord Lieutenant or other Chief Governor or Governors of Ireland, in case of the Vacancy of any Archbishoprick, to receive such Notices and Objections, and to do and execute all such Acts and Instruments as should or could have been done or executed by any such Bishop or Archbishop, in case such Bishoprick or Archbishoprick

Proviso for Acts required to be done by Bishops, Archbishops, or Lord Lieutenant, while the See is vacant.

bishoprick were not then vacant, as fully to all Intents and Purposes, as if all such Matters and Things were done or executed by such Bishop or Archbishop authorized or required to do or execute the same.

4 G. 4. c. 99. to remain in force as amended by this Act, &c.

XXX. And be it further enacted, That the said recited Act of the last Session of Parliament, for the establishing of Compositions for Tithes in *Ireland*, shall continue in Force and Effect, except only so far as the same or any Part thereof is expressly repealed or altered by this present Act; and that the said recited Act and this Act shall be construed together as One Act, to all Intents and Purposes whatsoever.

#### C A P. LXIV.

An Act to amend the several Acts for the Encouragement and Improvement of the *British* and *Irish* Fisheries.

[17th June 1821.]

After July 5, 1825, Bounties and Allowances on British Herrings under 55 G. 3. c. 94.

1 & 2 G. 4. c. 79.

1 G. 4. c. 103.

59 G. 3. c. 109.

‘ WHEREAS it is expedient that the Bounties and Allowances payable in respect of Vessels fitted out and employed in the *British* and *Irish* Fisheries, and also in respect of Herrings or other Fish taken and cured in such Fisheries, should cease, and that certain other Bounties should be granted upon Herrings and other Fish: Be it therefore enacted by the King’s most Excellent Majesty, by and with the 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 five, the several Bounties and Allowances hereafter mentioned and specified shall cease and determine; that is to say, the Bounty of Four Shillings granted by an Act made in the Fifty fifth Year of the Reign of His late Majesty King *George* the Third, for continuing and amending several Acts relating to the *British* White Herring Fishery, for every Barrel of Herrings caught, landed, cured and packed as by the said Act is directed; and also the Bounty of Four Shillings granted by an Act made in the Parliament holden in the First and Second Years of the Reign of His present Majesty, for repealing certain Bounties granted for the Encouragement of the Deep Sea *British* White Herring Fishery, and for making further Regulations relating to the said Fishery, for every Barrel of Herrings caught in the Fisheries of the *Isle of Man* or other *British* Fisheries, in Vessels or Boats fitted out from the said Isle, landed there, and cured and packed as is directed by the said Act; and also the several specific Bounties and Allowances granted and made payable under and by virtue of an Act made in the First Year of the Reign of His present Majesty, intituled *An Act for the further Encouragement and Improvement of the British Fisheries*; and also such of the several specific Bounties and Allowances granted and made payable under and by virtue of an Act made in the Fifty ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the Encouragement and Improvement of the Fisheries*, as shall be in Force at the Time of the passing of this Act; and also the several specific Bounties and Allowances granted and made payable

able under or by virtue of an Act made in the First Year of the Reign of His present Majesty, for amending the said Act of the Fifty ninth Year of His late Majesty's Reign; and all such specific Bounties and Allowances payable under the said recited Acts, or any of them, shall be and are hereby repealed accordingly, from and after the said Fifth Day of *July* One thousand eight hundred and twenty five.

II. And be it further enacted, That from and after the said Fifth Day of *July* One thousand eight hundred and twenty five, and until the Fifth Day of *July* One thousand eight hundred and twenty nine, the several and respective Bounties hereinafter mentioned shall be paid and allowed; that is to say, for every Barrel of Herrings which shall be caught, landed, cured and packed, according to the Directions of an Act made in the Forty eighth Year of the Reign of His late Majesty King *George* the Third, for the further Encouragement and better Regulation of the *British* White Herring Fishery, or of the said Act made in the Fifty fifth Year of the Reign of His said late Majesty, or of any other Act or Acts in Force relating to the *British* Herring Fishery; and also for every Barrel of Herrings caught in Vessels or Boats fitted out from the *Isle of Man*, landed there, and cured and packed according to the Directions of the before recited Act of the First and Second Years of His present Majesty's Reign; and also for every Barrel of Herrings caught, landed, cured and packed according to the Directions of the said recited Acts of the Fifty ninth Year of His late Majesty's Reign, and of the First Year of the Reign of His present Majesty, for the Encouragement and Improvement of the *Irish* Fisheries, a Bounty of Four Shillings in the Year ending on the Fifth Day of *July* One thousand eight hundred and twenty six; a Bounty of Three Shillings in the Year ending on the Fifth Day of *July* One thousand eight hundred and twenty seven; a Bounty of Two Shillings in the Year ending on the Fifth Day of *July* One thousand eight hundred and twenty eight; and a Bounty of One Shilling in the Year ending on the Fifth Day of *July* One thousand eight hundred and twenty nine; and also that there shall be paid and allowed, until the Fifth Day of *July* One thousand eight hundred and twenty nine, to all Persons residing in *Great Britain*, and who shall cure and dry Cod Fish, Ling or Hake, taken on the Coasts of *Great Britain*, *Ireland* or the *Isle of Man*, under the Regulations and Directions contained in or referred to by the hereinbefore recited Act of the First Year of the Reign of His present Majesty, for the further Encouragement and Improvement of the *British* Fisheries, a Bounty of Four Shillings for every Hundred Weight of such dried Cod Fish, Ling or Hake; and that there shall be also paid and allowed, under the like Regulations and Directions, to such Persons residing as aforesaid, and curing Cod Fish, Ling or Hake in the Pickle, a Bounty of Two Shillings and Sixpence for every Barrel of such pickled Cod Fish, Ling or Hake, until the Fifth Day of *July* One thousand eight hundred and twenty nine; and that there shall also be paid and allowed to Persons residing on the Coasts of *Ireland*, and who shall cure and dry Cod Fish, Ling, Hake, Haddock, Glassen or Conger Eel, taken on the Coasts of *Ireland* under the Regulations and

and  
1 G. 4. c. 82.

repealed.

After July 5, 1825, new Bounties to be paid as herein mentioned, to 5th July, 1829, yearly, for every Barrel of Herrings caught and cured according to Regulations of *British* Fisheries Acts, 48 G. 3. c. 110., 55 G. 3. c. 94., 1 & 2 G. 4. c. 79, &c. and of 59 G. 3. c. 109. and 1 G. 4. c. 82.;

on Dried Cod cured in Great Britain until July 5, 1829;

and on Pickled Cod under Regulations of 1 G. 4. c. 103. until July 5, 1829.

Directions

Bounties in  
Ireland on  
Dried Cod, &c.  
and on Pickled  
Cod, as in  
Great Britain.

Tonnage  
Bounty to  
Vessels engag-  
ed in the White  
Fisheries to  
5th July, 1829.

Bounties under  
this Act pay-  
able as Boun-  
ties on Fish and  
on Tonnage  
under recited  
Act.

Payable in B.  
Currency, to  
cease July 5,  
1829.

Directions mentioned in or referred to by the said recited Act of the Fifty ninth Year of His late Majesty's Reign, for the Encouragement and Improvement of the *Irish Fisheries*, a Bounty of Four Shillings for every Hundred Weight of such Dried Cod Fish, Ling, Hake, Haddock, Glassen or Conger Eel, until the Fifth Day of *July* One thousand eight hundred and twenty nine; and that there shall also be paid and allowed, until the Fifth Day of *July* One thousand eight hundred and twenty nine, a Bounty of Two Shillings and Sixpence for every Barrel of Cod, Ling, Hake, Haddock, Glassen or Conger Eel taken on the Coasts of *Ireland*, and cured with Pickle by Persons residing in *Ireland*, and curing such Fish according to such Rules and Regulations as the Commissioners of the *Irish Fisheries* shall from time to time make and appoint for that Purpose.

III. And be it further enacted, That from and after the Fifth Day of *July* One thousand eight hundred and twenty five, and until the Fifth Day of *July* One thousand eight hundred and twenty nine, the several and respective Bounties hereinafter mentioned shall be paid and allowed to the Owner or Owners of all such decked or half decked Vessels, or to the Person or Persons hiring or chartering such Vessels as are described in the said Act made in the Fifty ninth Year of the Reign of His said late Majesty, for the further Encouragement and Improvement of the *Irish Fisheries*, and in the said Act made in the First Year of His present Majesty's Reign, for the further Encouragement and Improvement of the *British Fisheries*, and which shall be fitted out from any Port in the United Kingdom of *Great Britain and Ireland*, for the Purpose of fishing for and curing Cod Fish, Ling, Hake, Haddock, Glassen or Conger Eel; that is to say, a Bounty of Twenty Shillings *per Ton* for such Vessels in the Year ending on the Fifth Day of *July* One thousand eight hundred and twenty six; a Bounty of Fifteen Shillings *per Ton* in the Year ending on the Fifth Day of *July* One thousand eight hundred and twenty seven; a Bounty of Ten Shillings *per Ton* in the Year ending on the Fifth Day of *July* One thousand eight hundred and twenty eight; and a Bounty of Five Shillings *per Ton* in the Year ending on the Fifth Day of *July* One thousand eight hundred and twenty nine.

IV. And be it further enacted, That the Bounties by this Act granted and made payable shall be paid in such Manner and under such Directions, and subject to such Rules, Regulations and Restrictions, in all respects, as the Bounties heretofore granted under the said recited Acts respectively, or any of them, upon such Herrings, Cod Fish, Ling, Hake, Haddock, Glassen or Conger Eel, and upon or in respect of the Tonnage of any such Vessels as aforesaid, are by the said recited Act respectively made payable, and as if all such Directions, Rules, Regulations and Restrictions were repeated and re-enacted in this Act, to all Intents and Purposes whatsoever.

V. And be it enacted, That the several Bounties hereinbefore granted and made payable shall be paid according to the Amount thereof in *British Currency*, and shall wholly cease and determine on the Fifth Day of *July* One thousand eight hundred and twenty nine.

VI. And

VI. And be it further enacted, That from and after the Fifth Day of *July* One thousand eight hundred and twenty five, the several permanent Bounties granted, allowed and made payable on Salmon, full Red Herrings, clean shotten Red Herrings, and Red Sprats, and on Pilchards and Scads, by an Act made in the Forty third Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to repeal the Duties of Excise payable in Great Britain, and to grant other Duties in lieu thereof*; and by the Schedule marked (C.) to the said Act annexed, shall cease and determine; any Thing in the said recited Act, or any other Act or Acts to the contrary thereof in any wise notwithstanding.

VII. And be it further enacted, That from and after the fifth Day of *July* One thousand eight hundred and twenty five, and until the Fifth Day of *July* One thousand eight hundred and twenty nine, the several and respective Bounties hereafter mentioned shall be paid and allowed; that is to say, for every Cask or Vessel of Pilchards or Scads containing Fifty Gallons, which shall be duly exported from *Great Britain* to Foreign Parts in the Year ending on the Fifth Day of *July* One thousand eight hundred and twenty six, a Bounty of Seven Shillings, and in the Year ending on the Fifth Day of *July* One thousand eight hundred and twenty seven, a Bounty of Six Shillings, and in the Year ending on the Fifth Day of *July* One thousand eight hundred and twenty eight, a Bounty of Four Shillings; and in the Year ending on the fifth Day of *July* One thousand eight hundred and twenty nine, a Bounty of Two Shillings; and that such Bounties shall be paid in such Manner and under such Directions, and subject to such Rules, Regulations and Restrictions, in all respects, as the Bounties on Pilchards and Scads repealed by this Act were paid and payable under any Act or Acts in force immediately before the passing of this Act.

VIII. And be it further enacted, That from and after the passing of this Act, all Fish cured in any Part of the United Kingdom of *Great Britain* and *Ireland*, shall be and the same are hereby declared to be exempted and excepted from any Duty of Customs payable on Goods, Wares and Merchandize exported from *Great Britain* or *Ireland*; any Thing in any Act or Acts contained to the contrary in any wise notwithstanding.

IX. And Whereas by the hereinbefore recited Act of the Forty eighth Year of the Reign of His late Majesty King *George* the Third, for the further Encouragement and better Regulation of the *British* White Herring Fishery, the Commissioners for the Herring Fishery to be appointed pursuant to the said Act are authorized to allow Premiums or Bounties, not exceeding the Sum of Three thousand Pounds in the Whole in any One Year, for the encouraging the Herring Fisheries on the Sea Coasts of *Scotland*: And Whereas by the hereinbefore recited Act of the Fifty ninth Year of the Reign of His said late Majesty, for the further Encouragement and Improvement of the *Irish* Fisheries, the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* is authorized to direct any Sum or Sums of Money, not exceeding the Sum of Five thousand Pounds in any One Year, to be paid to the Commissioners of the *Irish* Fisheries, for the Encouragement of the Coast Fisheries of *Ireland*, under

Bounties on Salmon, &c. in G. B. herein mentioned repealed from July 5, 1825.

Bounties on Pilchards exported from Great Britain from 5th July 1825 to 5th July 1829.

Fish exempted from all Duties on Exportation.

3,000*l.* allowed under 48 G. 3. c. 110. § 55. for Encouragement of Scotch Fisheries, and 5,000*l.* under 59 G. 3. c. 109. § 66. for Irish Fisheries,

the

‘ the Regulations in the said recited Act respectively contained:  
 ‘ And Whereas it is expedient that such Sums, not exceeding  
 ‘ Three thousand Pounds and Five thousand Pounds respectively,  
 ‘ should in future be applied in Manner hereinafter mentioned:  
 Be it therefore enacted, That from and after the passing of this  
 Act, the said several Sums, not exceeding Three thousand  
 Pounds and Five thousand Pounds respectively, shall be applied  
 and employed by the Commissioners of the said Fisheries respec-  
 tively, in the encouraging and assisting the building, making or  
 repairing of Piers or Quays at such Ports and Places on the Sea  
 Coasts of *Scotland* and *Ireland* respectively, as shall appear to the  
 said Commissioners of the Fisheries respectively to be most fit  
 and necessary, and not for any other Purpose whatever; except  
 only in providing Materials for the Repair of the Boats of poor  
 Fishermen at such Ports or Places where Piers or Quays are or  
 shall be built, not exceeding the Amount of Five hundred Pounds  
 in any One Year, in *Scotland* and *Ireland* respectively; any Thing  
 in the said recited Acts to the contrary notwithstanding: Pro-  
 vided always, that no Part of such respective Sums shall be  
 granted or allowed to any Person or Persons, by the said Com-  
 missioners respectively, for the Purpose of making or building  
 or repairing of any such Pier or Quay, except in such Cases  
 where the said Commissioners shall be satisfied that not less than  
 One fourth Part of the Expences of building, making or repair-  
 ing of any such Pier or Quay respectively, hath been advanced  
 and paid and expended by such Person or Persons.

in future to be  
 applied in  
 building Piers  
 and Quays on  
 the Sea Coast of  
*Scotland* and  
*Ireland*,

and repairing  
 Boats of poor  
 Fishermen, at  
 such Places  
 where Piers  
 and Quays are  
 or shall be built.

Regulations for  
 issuing such  
 Sums in *Scot-*  
*land* and *Ire-*  
*land*.

To be certified  
 by the Com-  
 missioners.

Treasury to  
 cause Accounts  
 to be laid before  
 Parliament.

X. And be it further enacted, That all such Sums shall be  
 allowed in *Scotland* by the Commissioners of the Herring Fishery,  
 under such Rules and Regulations as the said Commissioners  
 shall make and publish in that Behalf, by and with the Appro-  
 bation of the Lord High Treasurer or Commissioners of His Ma-  
 jesty's Treasury of the United Kingdom, or any Three of them:  
 and that a List of the Names of the Persons entitled to any such  
 Sums, the Place of Residence of each of the said Persons, the  
 Situation of the Pier or Quay which shall be in Part made, built  
 or repaired by any such Person respectively, and the Sums of  
 Money paid and expended by such Persons respectively, and the  
 Sum of Money assigned to each Person respectively by the said  
 Commissioners, shall be made and certified by the said Commis-  
 sioners of the said Fisheries from time to time, and at such Time  
 as shall be directed and required by the said Lord High Treas-  
 urer or Commissioners of the Treasury: and it shall be lawful  
 for the said Lord High Treasurer or Commissioners of the Treas-  
 ury, and they are hereby authorized and required to cause the  
 said Sums to be paid by the Commissioners of Excise, at such  
 Times and in such Manner, and under such Regulations as the  
 said Lord High Treasurer or Commissioners of the Treasury  
 shall from time to time think proper and expedient; and the  
 Lord High Treasurer or Commissioners of the Treasury shall  
 cause an Account of all such Sums to be laid before both Houses  
 of Parliament, within Fourteen Days after the Commencement of  
 every Session; and that in *Ireland* all such Sums shall be  
 issued under the Directions of the Lord Lieutenant of *Ireland*;  
 and the Commissioners of the *Irish* Fisheries shall report the  
 Application



Applications thereof, and a Copy of such Report shall be laid before Parliament, in such and the like Manner as is required and directed by the said recited Act of the Fifty ninth Year of the Reign of His late Majesty King George the Third, for the further Encouragement and Improvement of the *Irish Fisheries*.

Commissioners of Irish Fisheries to report to Parliament approving of Money issued in Ireland.

## C A P. LXV.

An Act to repeal the Duties and Laws in respect of Salt and Rock Salt. [17th June 1824.]

WHEREAS by an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act for reducing the Duties of Excise payable upon Salt in England, and repealing the Duties upon Salt (not being Foreign Salt), and reducing the Duties upon Foreign Salt payable in Scotland*; certain Duties of Excise are imposed and continued and made payable, until the Fifth of *January* One thousand eight hundred and twenty five, upon Salt and Rock Salt in *England*, and upon Salt imported from *Ireland* or *Scotland*, and upon salted Flesh imported from *Scotland*, and upon Foreign Salt imported, and upon Rock Salt delivered for any Purpose of Agriculture: And Whereas by another Act passed in the said Third Year of His present Majesty's Reign, intituled *An Act to continue, until the Fifth Day of January One thousand eight hundred and twenty five, the Duties of Customs payable on British Salt imported into Ireland, to repeal the Duties on Foreign Salt imported into Ireland, and to grant other Duties in lieu thereof*; certain Duties on such Salt are imposed and continued until the said Fifth Day of *January* One thousand eight hundred and twenty five: And Whereas it is expedient that all Duties, Drawbacks, Bounties and Allowances payable upon, or for or in respect of Salt and Rock Salt, and salted Flesh and Fish, (except as hereinafter excepted and provided for), and Mineral Alkali, in any Part of the United Kingdom, and upon Licences for making Oxymuriatic Acid or Oxymuriate of Lime, and all Laws, Provisions and Regulations relating thereto, in and throughout the United Kingdom of *Great Britain* and *Ireland*, should cease and determine on the said Fifth Day of *January* One thousand eight hundred and twenty five: Be it therefore enacted by the King's most Excellent Majesty, by and with the 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 said Fifth Day of *January* One thousand eight hundred and twenty five, the several Duties of Excise and Customs payable by Law for or upon Salt made at any Salt Work, or Rock Salt raised or taken out of any Salt Mine or Salt Pit in *England*; and all Duties of Excise and Customs on the Importation or Exportation of any Salt or Rock Salt into or from any Part of the United Kingdom of *Great Britain* and *Ireland*; and all Duties upon salted Flesh brought from *Scotland* into *England*; and all Duties upon Mineral Alkali, called Soda, made in *Great Britain*; and all Duties upon Licences for making Oxymuriatic Acid or Oxymuriate of Lime; and all Drawbacks, Bounties and Allowances for or in respect of any Export-

3 G. 4. c. 82.

3 G. 4. c. 99.

From Jan. 5, 1825, Duties on Salt or Rock Salt, &c. to cease.

Exportation or Use, or Employment thereof, except as hereafter excepted or provided for, shall cease and determine as if they were no longer paid or payable; save and except as to any Arrears of any such Duties or Drawbacks which shall be due and unpaid on the said Fifth Day of *January* One thousand eight hundred and twenty five; and that all Provisions, Regulations and Restrictions in any Act or Acts of Parliament in force immediately before the passing of this Act, relating to any such Duties or such Licences, or such Drawbacks, Bounties or Allowances respectively, or to any Salt or Rock Salt, or such Mineral Alkali as aforesaid, or Oxymuriatic Acid or Oxymuriate of Lime: or to any Person making, raising, importing, exporting, removing, receiving, selling, using or applying any Salt or Rock Salt, or with relation to any salted Flesh or Fish or other Provisions, or to such Mineral Alkali or Oxymuriatic Acid or Oxymuriate of Lime respectively as aforesaid, or any Residuum thereof, or to any of them, from and after the said Fifth Day of *January* One thousand eight hundred and twenty five, shall be and the same are hereby wholly repealed, and shall then cease and determine: save and except as to any Bond relating thereto, or any Account to be rendered, or any Act to be done under the said Acts or any of them, and according to the Provisions thereof, or any of them; and save and except as to the Recovery of any Penalty or Forfeiture in respect thereof, which shall have been incurred on or before the said Fifth Day of *January* One thousand eight hundred and twenty five; and save and except as is hereinafter particularly excepted and provided for.

Proviso for Acts for Encouragement of Fisheries.

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 Bounties or Allowances granted or to be granted, allowed and made payable under any Act or Acts for the Encouragement and Improvement of the *British* and *Irish* Fisheries; any Thing hereinbefore contained to the contrary in any wise notwithstanding.

Salt or Rock Salt warehoused, may be taken out, Duty free, after Jan. 5, 1825.

III. And be it further enacted, That it shall and may be lawful for any Person or Persons, in any Part of the United Kingdom of *Great Britain* and *Ireland*, who, at any Time before the said Fifth Day of *January* One thousand eight hundred and twenty five, shall have warehoused any Salt or Rock Salt without Payment of Duty, under any Act or Acts relating to the Duties or any of them on Salt or Rock Salt, to take such Salt or Rock Salt out of Warehouse, at any Time after the said Fifth Day of *January* One thousand eight hundred and twenty five, without the Payment of any Duty whatever, under such Regulations as the Commissioners of His Majesty's Treasury, or any Three of them, may from time to time order, direct and appoint; any Thing in any Act or Acts to the contrary notwithstanding.

Drawback on Salt exported from Ireland after Jan 5, 1825, and before October 10, 1825, except to G. B.

IV. Provided also, and be it enacted, That at any Time after the said Fifth Day of *January* One thousand eight hundred and twenty five, and before the Tenth Day of *October* One thousand eight hundred and twenty five, upon the Exportation from *Ireland* to any Place, except *Great Britain*, of any Salt made and refined or manufactured in *Ireland* from *British* Rock Salt, on which the Duties continued by the said recited Act of the Third Year of His present

present Majesty's Reign, for continuing and granting Duties on Salt in *Ireland*, shall have been paid, there shall be paid and allowed to the Maker, Manufacturer or Refiner, by whom or from whose Manufactory such Salt shall be exported, the several Drawbacks allowed and made payable under the said recited Act; and that upon the Exportation from *Ireland* to any Place, except to *Great Britain*, of any Foreign Salt or Bay Salt, on which the Duties payable on the Importation thereof shall have been paid, and which shall not have been warehoused in *Ireland*, there shall be paid and allowed a Drawback of all the Duties which shall have been paid upon the same, under such Rules and Regulations as are contained or referred to in the said recited Act, and in like Manner, to all Intents and Purposes, as if such Salt had been exported at any Time before the said Fifth Day of *January* One thousand eight hundred and twenty five.

V. And be it further enacted, That it shall and may be lawful for any Proprietor or Proprietors of or any Dealer or Dealers in Salt in *England*, at any Time after the Tenth Day of *October* One thousand eight hundred and twenty four, and before the Fifth Day of *January* One thousand eight hundred and twenty five, to provide at any Town or in any Place in *England* appointed or approved of by the Commissioners of Excise, such Warehouse or Warehouses as shall for that Purpose be approved of by such Commissioners or by the Person or Persons appointed by them to examine or inspect the same, for the Deposit and Warehousing of Salt or Rock Salt for Home Consumption; and that it shall and may be lawful for such Proprietor or Proprietors of, and Dealer or Dealers respectively in Salt or Rock Salt, to deliver from the Warehouse at his, her or their Salt Works, Salt Mine or Salt Pit, any such Quantity of Salt or Rock Salt as the Commissioners of Excise shall grant and allow for that Purpose, to be removed to and lodged in such Warehouse so to be provided as aforesaid, Duty free, and on Bond being given by the Owner or Proprietor of such Salt or Rock Salt or of such Warehouse, with sufficient Sureties, to be approved of by such Commissioners or the Person appointed by them in that Behalf, for the due Removal of all such Salt and Rock Salt, and for the Delivery and Deposit thereof in such Warehouse as aforesaid, and Payment of the Duty as hereinafter mentioned; and that every such Warehouse, being for that Purpose first duly entered by the Proprietor thereof for such Purpose as aforesaid, at the next Office of Excise, and the Salt or Rock Salt being so therein afterwards lodged and deposited as aforesaid, shall be kept and secured under the Lock or Locks of the Revenue of Excise, to be provided with all other necessary Fastenings by the respective Superior of Excise, at the Expence of such Proprietor, and also under the Lock or Locks of the Proprietor of such Warehouse; and that every Officer of Excise having Possession of the Key or Keys of the Revenue Lock or Locks on any such Warehouse, shall, on reasonable Notice to him given for that Purpose by the Proprietor of such Warehouse making Entry thereof as aforesaid, attend and weigh into such Warehouse all such Salt and Rock Salt; and on Notice in like Manner shall, from time to time before the said Fifth Day of *January* One thousand eight hundred

allowed as under  
3 G. 4. c. 99.

Warehouses  
may be provided,  
and Salt  
and Rock Salt  
deposited there-  
in Duty free, at  
any Time be-  
tween *October*  
10, 1824, and  
*Jan. 5*, 1825.

Warehouses to  
be entered at  
the next Excise  
Office.

On Notice Salt  
may be taken  
out of Ware-  
house before  
*Jan. 5*, 1825,  
on paying or

giving Security for the Duty ; after that Day the Salt remaining may be taken out Duty free.

hundred and twenty five, weigh out and deliver from such Warehouse all such Salt and Rock Salt as shall be required and specified in any such Notice for that Purpose given by such Proprietor to such Officer as aforesaid, upon Payment or due Security for Payment, by such Proprietor to the proper Collector of Excise, of the Duty chargeable and payable by Law for every Bushel of Salt or Rock Salt so delivered and weighed out of such Warehouse, and shall grant a Certificate for the Removal thereof, as Salt or Rock Salt Duty paid ; and that on or as soon as may be after the said Fifth Day of January One thousand eight hundred and twenty five, the proper Supervisor or Officers of Excise shall weigh the Salt and Rock Salt remaining in every such Warehouse, and deliver the same to the Proprietor thereof, together with the Locks, Keys and other Fastenings of such Warehouse, upon such Proprietor paying or giving due Security for paying to the proper Collector the full Duties of Excise chargeable and payable by Law before the said Fifth Day of January One thousand eight hundred and twenty five, for every Bushel of Salt or Rock Salt, and so in Proportion for any less Quantity than a Bushel, which shall be deficient, after deducting from the Quantity lodged and deposited in such Warehouse, the Quantity delivered out on Payment of Duty as aforesaid, and the Quantity so then remaining in Stock, and so weighed and taken account of as aforesaid.

Duty to be paid for any Deficiency.

Act may be altered, &c. this Session.

VI. 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.

C A P. LXVI.

An Act to repeal certain Acts of His late Majesty, relating to the Wages of Persons employed in the Manufacture of Silk, and of Silk mixed with other Materials.

[17th June 1824.]

15 G.3. c.68.

§ 1.

§ 2.

§ 3.

WHEREAS by an Act made in the Thirteenth Year of the Reign of His late Majesty King George the Third, intituled *An Act to empower the Magistrates therein mentioned to settle and regulate the Wages of Persons employed in the Silk Manufacture within their respective Jurisdictions*, it was enacted, that the Wages and Prices for Work of the Journeymen Weavers within the City of London should be settled, regulated and declared by the Lord Mayor, Recorder and Aldermen of the said City, and in all Places in the County of Middlesex by the Justices of the Peace of the said County, and in all Places within the City and Liberty of Westminster at the General Quarter Sessions of the Peace holden in and for the said City and Liberty, and in all Places within the Liberty of the Tower of London, at the General Quarter Sessions of the Peace holden in and for the said Liberty, at their General Quarter Sessions of the Peace respectively ; and certain Penalties are by the said Act inflicted on all Master Weavers within any of the said Districts who should give more or less Wages, or pay larger or less Prices, to any of the said Journeymen Weavers for their Work, than should be settled or allowed as aforesaid, and also upon

' upon all Journeymen Weavers within the Districts aforesaid who  
 ' should ask, receive or take more or less Wages, or larger or  
 ' less Prices for their Work, than should be settled by the re- § 5.  
 ' spective Quarter Sessions as aforesaid; and by the said Act  
 ' certain other Penalties are also inflicted on all Master Weavers  
 ' within any of the Districts aforesaid, who should directly or  
 ' indirectly in any Manner retain or employ any Journeyman  
 ' Weaver out of or beyond the Limits therein mentioned, with  
 ' Intent to evade that Act, or who should give, allow or pay to  
 ' such Journeyman any more or less Wages than should be set- § 7.  
 ' tled in Manner in the said Act provided; and by the said Acts  
 ' certain other Penalties are also inflicted on any Person or Per-  
 ' sons, being Silk Weavers residing within any of the Districts  
 ' aforesaid, who should have in his or their Service at any one  
 ' Time more than Two Apprentices: And Whereas by an Act 52 G.3. c.44.  
 ' made in the Thirty second Year of the Reign of His said late  
 ' Majesty, intituled *An Act for extending the Provisions of an  
 ' Act made in the Thirteenth Year of the Reign of His present  
 ' Majesty, intituled ' An Act to empower the Magistrates therein  
 ' mentioned to settle and regulate the Wages of Persons employed  
 ' in the Silk Manufacture within their respective Jurisdiction, to  
 ' Manufactories of Silk mixed with other Materials, and for the  
 ' more effectual Punishment of Buyers and Receivers of Silk pur-  
 ' chased and embezzled by Persons employed in the Manufacture  
 ' thereof*; it is enacted and declared, that the Lord Mayor, Re-  
 ' corder and Aldermen of the City of London, and the Justices  
 ' of the Peace within their respective Jurisdictions throughout  
 ' the several and respective Districts in the said Act of the  
 ' Thirteenth Year of His late Majesty mentioned, should from  
 ' time to time settle, regulate, order and declare the Wages  
 ' and Prices of Work of the Journeymen Weavers working within  
 ' their respective Jurisdictions in any Manufacture of Silk mixed  
 ' or wrought up with any other Materials, in the like Manner  
 ' as they are respectively authorized and empowered by the said  
 ' recited Act of the Thirteenth Year of His late Majesty to  
 ' settle, regulate, order and declare the same in the Manufacture  
 ' of Silk only; and that the said therein recited Act, and all and  
 ' every the Clauses, Provisions, Regulations, Restrictions, Pains,  
 ' Penalties, Forfeitures and other Matters and Things therein con-  
 ' tained, should extend, and be deemed, adjudged and construed  
 ' to extend, to all Persons employed in or about any of the  
 ' Manufactures of Silk mixed or wrought up with any other  
 ' Materials within the respective Districts in the said Act men-  
 ' tioned, in as full and ample Manner as they are by the said  
 ' therein recited Act declared to extend to the several and re-  
 ' spective Persons therein mentioned: And Whereas by an Act 51 G.3. c.7.  
 ' passed in the Fifty first Year of the Reign of His said late  
 ' Majesty, intituled *An Act to amend Two Acts of the Thirteenth  
 ' and Thirty second Years of His present Majesty, relating to the  
 ' Wages of Persons employed in the Silk Manufacture, the Provi-  
 ' sions made by the said recited Acts of the Thirteenth and Thirty  
 ' second Years of His late Majesty for settling and regulating the  
 ' Wages and Prices of Work of the Journeymen Weavers in the  
 ' Manufacture of Silk, and in the Manufacture of Silk mixed or*  
 ' wrought

19 & 20 G. 3.  
(1.)

‘ wrought up with any other Materials, within the Cities of *London* and *Westminster* and the County of *Middlesex*, are declared to extend to Journeywomen Weavers employed in the said Manufactories: And Whereas by an Act passed in the Parliament of *Ireland*, in the Nineteenth and Twentieth Years of the Reign of His said late Majesty, intituled *An Act for the better Regulation of the Silk Manufacture*, it is enacted that the Wages of Journeymen Silk Weavers, within the City of *Dublin*, and the adjacent Liberties for the Distance of Two Miles and a Half round from the Castle of *Dublin*, should be regulated, settled and declared by the *Dublin Society*; and certain Penalties are by the said Act imposed on any Master Silk Weaver within the aforesaid District who shall give more or less Wages, or pay larger or smaller Prices, to any of the Journeymen Weavers aforesaid, for their Work, than shall be settled or allowed as aforesaid; and by the same Act certain Penalties are also imposed on any Journeyman Weaver or Weavers, within the District aforesaid, who should ask, receive or take more or less Wages, or larger or smaller Prices for their Work, than should be settled as aforesaid, or who should enter into any Combination to raise the Wages or Prices of said Work, or for that Purpose should decoy, solicit or intimidate any Journeyman or Journeymen Weavers within the District aforesaid; and it is by the same Act further enacted, that the *Dublin Society* should superintend the Silk Manufacture, and make such Orders, Bye Laws and Regulations touching all Matters pertaining thereto, as should appear to them useful and necessary, and that all Persons concerned in the said Manufacture should obey all such Orders of the *Dublin Society*: And Whereas an Act was passed in the Parliament of *Ireland* in the Thirty sixth Year of the

36 G. 3. (1.)

Reign of His late Majesty, intituled *An Act to explain and amend an Act passed in the Nineteenth and Twentieth Years of His Majesty's Reign, intituled 'An Act for the better Regulation of the Silk Manufacture.'* And Whereas an Act passed in the

40 G. 3. (1.)

Fortieth Year of the Reign of His said late Majesty, intituled *An Act to continue an Act passed in the Thirty sixth Year of His present Majesty's Reign, intituled An Act to explain and amend an Act passed in the Nineteenth and Twentieth Years of His Majesty's Reign, intituled "An Act for the better Regulation of the Silk Manufacture;"* by which last mentioned Acts the said Act of the Nineteenth and Twentieth *George Third* was continued in Force: And Whereas an Act was passed in the Fiftieth Year of the Reign of His said late Majesty, intituled *An*

50 G. 3. c. 27.

*Act to continue, until the Twenty fifth Day of March One thousand eight hundred and thirty one, certain Acts made in the Parliament of Ireland, for the better Regulation of the Silk Manufacture:* And Whereas the Provisions of the said recited Acts have not been found beneficial to the Persons employed in the Silk Manufacture, but on the contrary the Regulations and Restrictions contained in the said Acts have been found in their Operation vexatious and injurious, and it is therefore expedient that the said Acts should be wholly 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

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 every Clause, Provision, Regulation, Restriction, Pain, Penalty, Forfeiture, Matter and Thing therein respectively contained, shall be, and the same is and are hereby severally and respectively repealed. (a)

Recited Acts  
repealed.

(a) [Stat. 13G.3. c.68. and 32G.3. c.44. appear to be recognized as existing Acts, and to be repealed in part only, c.95. § 1. post.]

### C A P. LXVII.

An Act for the better Administration of Justice in *Newfoundland*, and for other Purposes. [17th June 1824]

WHEREAS it is expedient to make further Provision for the Administration of Justice in the Colony of *Newfoundland*; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for His Majesty, by His Charter or Letters Patent under the Great Seal, to institute a Superior Court of Judicature in *Newfoundland*, which shall be called "The Supreme Court of *Newfoundland*;" and the said Court shall be a Court of Record, and shall have all Civil and Criminal Jurisdiction whatever in *Newfoundland*, and in all Lands, Islands and Territories dependant upon the Government thereof, as fully and amply, to all Intents and Purposes, as His Majesty's Courts of King's Bench, Common Pleas, Exchequer and High Court of Chancery, in that Part of *Great Britain* called *England*, have, or any of them hath; and the said Supreme Court shall also be a Court of Oyer and Terminer and General Gaol Delivery in and for *Newfoundland*, and all Places within the Government thereof; and shall also have Jurisdiction in all Cases of Crimes and Misdemeanors committed on the Banks of *Newfoundland*, or any of the Seas or Island to which Ships or Vessels repair from *Newfoundland* for carrying on the Fishery.

His Majesty  
may institute a  
Superior Court  
of Judicature in  
*Newfoundland*,  
to be a Court  
of Oyer and  
Terminer and  
General Gaol  
Delivery.

Jurisdiction.

II. And be it further enacted, That the said Supreme Court shall be holden by a Chief Judge and Two Assistant Judges, being respectively Barristers in *England* or *Ireland* of at least Three Years standing, or in some of His Majesty's Colonies or Plantations, who shall be appointed to such their Offices by His Majesty, His Heirs and Successors: Provided always, that it shall be lawful for His Majesty, His Heirs and Successors, from time to time as Occasion may require, to remove and displace any such Chief Judge or Assistant Judge as aforesaid, and in his Stead to appoint any other fit and proper Person, being a Barrister as aforesaid, to be the Chief Judge or Assistant Judge of the said Court, as the Case may be: And provided also, that in case any such Chief Judge or Assistant Judge shall be absent from *Newfoundland*, or die, or resign such his Office, or by reason of Sickness or otherwise shall become incapable of performing the Duties thereof, then and in every such Case it shall be lawful for the

Appointment  
of a Chief  
Judge  
and Two As-  
sistant Judges.

May be re-  
moved.

Governor may  
appoint Judges  
in certain Cases.

Governor

until resump-  
tion of Office  
or Successor  
appointed.

Governor or Acting Governor of *Newfoundland* for the Time being, to nominate and appoint some fit and proper Person to act as Chief Judge or Assistant Judge, as the Case may be, in the Place or Stead of the Judge so being absent, dying, resigning his Office or becoming incapable of performing the Duties thereof, until such Judge shall resume the Duties of his Office, or until a Successor shall be appointed by His Majesty, His Heirs and Successors; and the said Chief Judge and Assistant Judges, shall respectively have and exercise such and the like Powers and Authorities in *Newfoundland*, and in all Places dependant upon the Government thereof, as any Judge of any of His Majesty's said Courts of King's Bench, Common Pleas and Exchequer, or as the Lord High Chancellor of *Great Britain*, hath or exercises in *England*.

Issues of Fact  
to be tried at  
Saint John's by  
a Jury.

III. And be it further enacted, That all Issues of Fact which may be joined between the Parties in any Action at Law originally brought before the said Supreme Court of Record, or which may be joined upon any Criminal Information or Prosecution depending in that Court, shall be tried at the Town of *Saint John's* in the Island of *Newfoundland*, by a Jury of Twelve Men. and for the Purpose of hearing and trying all Suits, Actions and all Informations, Prosecutions and other Proceedings, of what Nature or Kind soever, which may be brought or commenced in the said Supreme Court, One or more Term or Terms, or Session or Sessions of the said Court, shall be held at the Town of *Saint John's* aforesaid, in each Year, by the said Chief Judge and Assistant Judges, at such Times as the Governor or Acting Governor of the said Colony shall from time to time, by any Proclamation to be by him for that Purpose issued, direct and appoint.

Appointment  
of Sessions.

How Actions in  
breach of Laws  
relating to  
Trade of Colo-  
nies in America,  
to be tried.

IV. And be it further enacted, That as often as any Information, Action or Suit shall be brought or prosecuted before the said Supreme Court, for the Breach or Violation of any Law relating to the Trade or Revenue of the *British Colonies* or Plantations in *America*, such Information, Action or Suit shall be heard and determined by the said Court, according to the Course of Proceeding in similar Cases in the Courts of Vice Admiralty in the said Colonies or Plantations; and that it shall and may be lawful for the Party or Parties feeling aggrieved by the Judgment or Decree of the said Supreme Court, in any such Case, to appeal from such Judgment or Decree to the High Court of Admiralty, or to His Majesty in Council, under such and the like Rules and Regulations as are observed in Appeals from the said Courts of Vice Admiralty.

Appeal.

Supreme Court  
may grant Ad-  
ministration of  
the Effects of  
Intestates and  
Probates of  
Wills, &c.

V. And be it further enacted, That the said Supreme Court shall have Power to grant Administration of the Effects of Intestates, and the Probate of Wills; and that the Effects of deceased Persons shall not be administered within the Island of *Newfoundland*, or any Island, Place or Territory dependant upon the Government thereof, unless Administration or Probate shall have been duly granted by the said Supreme Court; and in all Cases where the Executor or Executors of any Will in *Newfoundland*, or the Dependencies thereof, upon being duly cited, shall refuse or neglect to take out Probate as aforesaid; or where the next of Kin shall be absent from *Newfoundland*, and the Effects of the Deceased



Deceased shall appear to the said Supreme Court to be exposed and liable to Waste, it shall be lawful for the said Supreme Court to authorize and empower the Registrar or Clerk of the said Court, or some other fit and proper Person, to collect the said 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 by the said Supreme Court in respect of the Custody, Control or Disposal of such Effects.

VI. And be it further enacted, That the said Supreme Court shall have Power and Authority to appoint Guardians and Keepers for Infants and their Estates, according to the Order and Course observed in such Cases in *England*; and also to appoint Guardians and Keepers of the Persons and Estates of natural Fools, and of such as are or shall be deprived of their Reason or Understanding, so as to be unable to govern themselves and their Affairs, which the said Supreme Court shall have Power and Authority to enquire of and determine, by Inspection of the Person, or by such other Ways and Means as to such Supreme Court shall seem best for ascertaining the Truth.

VII. And be it further enacted, That it shall and may be lawful for the Governor or Acting Governor for the Time being of *Newfoundland*, by any Proclamation or Proclamations to be by him for that Purpose issued, to apportion and divide the said Colony into Three several Districts, and to fix and ascertain the Boundaries and Limits of every such District, and such Boundaries or Limits from time to time to alter as Occasion may require: Provided always, that such Apportionment of the said Colony into such Districts as aforesaid be made in such Manner as to such Governor or Acting Governor may appear to be best adapted for enabling the Inhabitants of the said Colony to resort with Ease and Convenience to the Circuit Courts to be therein established as after mentioned.

VIII. And be it further enacted, That it shall and may be lawful for His Majesty, by any such Charter or Letters Patent as aforesaid, to institute Circuit Courts in each of the Three Districts in which the said Colony may be so divided as aforesaid; and each of the said Circuit Courts shall be holden once at least in each Year by the said Chief Judge, or by One of the said Assistant Judges of the said Supreme Court of *Newfoundland*, at such Times, and at such One or more Place or Places within each of the said Districts, as the Governor or Acting Governor for the Time being of *Newfoundland* shall from time to time direct and appoint.

IX. And be it further enacted, That the said Circuit Courts shall be respectively Courts of Record, and shall, within the District in which it may be holden, have and exercise all such and the same Jurisdiction, Powers and Authority, as is hereby vested in the said Supreme Court of *Newfoundland* throughout the whole of the said Colony: saving and excepting the trying and determining of Treasons, or Misprisions of Treason, and Felonies not within the Benefit of Clergy, and the hearing or determining of any Information, Suit or Action, for the Breach or Violation of any Act of Parliament relating to the Trade and Revenue of the *British Colonies in America*; all which said Crimes and Offences,

and appoint  
Receivers.

Supreme Court  
may appoint  
Guardians for  
Infants and  
Lunatics.

Governor by  
Proclamation  
may divide  
Colony into  
Three Districts.

His Majesty  
may institute  
Circuit Courts.

Circuit Courts  
to be Courts of  
Record, Juris-  
diction as the  
Supreme Court,  
Exceptions.

Informations, Suits and Actions, shall be tried, enquired of, heard and determined in the said Supreme Court of *Newfoundland*, and not elsewhere within the said Colony.

How Crimes cognizable in Circuit Courts and Civil Actions to be tried.

X. And be it further enacted, That all Crimes and Misdemeanors, cognizable in the said Circuit Courts; and all Issues of Fact which may be joined between the Parties in any Civil Action, depending in the said Circuit Courts, shall be enquired of, heard and determined by the said Circuit Judge, and a Jury of Twelve Men, according to the Rules and Course of the Law of *England*, as far as the Situation and Circumstances of the said Colony will permit.

Where a Jury not formed, Trials for Crimes had by the Circuit Judge and Three Assessors, being Justices of Peace, and nominated by Governor.

XI. Provided nevertheless, and be it further enacted, That if upon the Trial of any Crimes or Misdemeanors before any of the said Circuit Courts, Twelve good and lawful Men shall not appear to form a Jury, then and in all such Cases such Trial shall be had by the Circuit Judge and Three Assessors, being Justices of the Peace in and for the said Colony, or for some District thereof; and the said Justices shall be nominated from time to time to serve as such Assessors as aforesaid by the Governor or Acting Governor for the Time being of the said Colony, and 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 Judge of the said Circuit Court, the Justice of the Peace so challenged or objected to shall be succeeded by another such Justice of the Peace, 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 Three such Justices of the Peace shall appear duly qualified for the Trial of any Offender in the said Circuit Courts respectively; and the said Justices of the Peace 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 a Court of Record in *England*; and the Judges of the said Circuit Courts respectively shall, together with the said Three Assessors, give their Verdict upon every such Trial in open Court; but no Person shall be found guilty by any such Verdict unless the Judge of the said Court, and Two at the least of his said Assessors, shall concur in such Verdict; and the Proceedings in the said Circuit Courts respectively shall be under the Controul and Direction of the respective Judges thereof, and all Matters of Law arising in the Course of any Trial shall be determined by such Judges respectively.

Such Assessors liable to be challenged.

Verdict to be given in open Court.

Civil Actions tried by Judge of Court alone where Jury cannot be formed.

XII. Provided also, and be it further enacted, That if upon the Trial of any Issue or Issues of Fact joined between the Parties in any Civil Suit or Action depending in any of the said Circuit Courts, Twelve good and lawful Men shall not appear to form a Jury, all such Issues of Fact shall be tried and decided by the Judge of such Court alone, and without a Jury; and that in all Cases where the Sum or Matter at Issue in any such Suit or Action shall exceed or be of the Value of more than Fifty Pounds Sterling *British* Money, the Judges of the said Courts respectively shall cause the Evidence on any such Hearing or Trial

Evidence, where Matter at Issue is above the Value of 50*l.* to be in Writing.

as aforesaid to be taken down in Writing by the Clerk or other proper Officer, in open Court, in the Presence of the Witnesses respectively giving the same, and the Evidence so taken shall be entered upon the Proceedings of the said Courts respectively, and be of record; and in every Case in which any Appeal shall be made and allowed under the Provisions of this Act, from any Judgment of the said Circuit Courts, not founded on the Verdict of a Jury, 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, 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.

On Appeal Documents to be produced.

XIII. And be it further enacted, That it shall be lawful for the Judges of the said Circuit Courts respectively, on the Application of either of the Parties, Plaintiff or Defendant, at or before the Trial of any Issue of Fact joined in any Civil Suit or Action commenced in the said Circuit Courts respectively, in case such Issue is not tried by a Jury, to permit the Evidence on such Trial to be recorded and certified as aforesaid, although the Sum or Matter at Issue may be less in Value than Fifty Pounds Sterling, provided it shall be made to appear to such Judge that the Judgment, Decree, Order or Sentence, which may be given, made or pronounced in such Suit or Action, may be of such Importance as to render it proper that an Appeal should be permitted; and if, after giving or pronouncing such Judgment, Decree or Order, the said Judge shall be of Opinion that such Judgment, Decree or Order is of such Importance as to make it proper that an Appeal should be permitted, it shall be lawful for the said Judge to allow either of the said Parties, Plaintiff or Defendant, to appeal to the Supreme Court, in like Manner, and under and subject to the like Rules and Regulations, as in and by this Act directed in other Cases of Appeal.

On Application of either of the Parties before Trial, though the Sum does not amount to 50*l.* the Judge may permit the Evidence to be recorded.

XIV. And be it further enacted, That it shall be lawful for the Plaintiff or Plaintiffs, Defendant or Defendants, against whom any Judgment, Decree or Order of the said Circuit Courts respectively shall be given, for or in respect of any Sum or Matter at Issue above or exceeding the Value of Fifty Pounds Sterling, to appeal therefrom to the said Supreme Court, and the Party or Parties appealing from such Judgment, Decree or Order, shall, within Fourteen Days from the passing thereof, give Notice to the adverse Party or Parties of such Appeal, and within Fourteen Days from and after such Judgment, Decree or Order, enter into sufficient Security, to be approved by the Judges of the said Circuit Courts respectively, to satisfy or perform the said Judgment, Decree or Order, in case the same shall be affirmed or the Appeal dismissed, together with such further Costs 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; and the said Supreme Court shall and may enquire into, hear and decide all Questions, whether of Law or

Appeal.

Appeal to the Supreme Court may be made on giving Notice.

Costs.

or of Fact, arising upon any such Appeal, but shall not admit or receive any Evidence which was not tendered to the Circuit Court from which such Appeal may be brought on the Hearing or Trial of any such Suit or Action therein: Provided always that the said Supreme Court shall not reverse, alter or enquire into any Judgment of the said Circuit Courts, founded on the Verdict of a Jury, except only for Error of Law apparent upon the Record.

How far Verdict not enquired into.

Actions may be removed from one Court to another,

XV. And be it further enacted, That as often as any Action or Suit shall be brought in the Supreme Court, or in either of the said Circuit Courts respectively, and it shall be made to appear to the Court before which such Action or Suit may be pending, that such Action or Suit may be more conveniently heard and determined either in the said Supreme Court or in some other of the said Circuit Courts, it shall be lawful for such Court to permit and allow such Action or Suit to be removed to such other Court, and such Allowance shall be certified by the Judge, together with the Writ or Process and Proceedings in such Action or Suit, to the Court into which such Action or Suit shall be intended to be removed; and thereupon it shall be lawful for such last mentioned Court, and such Court is hereby required to proceed in such Action or Suit in like Manner as if the same had been originally commenced and prosecuted in such last mentioned Court.

on Certificate of Judge.

In what case Defendants not appearing on Summons, their Goods to be attached or Persons arrested, &c.

XVI. And be it further enacted, That in all Actions at Law or Suits in Equity, which shall be brought in the said Courts respectively, where the Debt or Sum demanded shall not be sworn to as hereinafter mentioned, the Defendant or Defendants in such Action or Suit shall be made to appear to such Action or Suit by Summons, to be issued by the Chief Judge of the said Supreme Court, or by the Judges of the said Circuit Courts respectively, and served by the proper Officer on the said Defendant or Defendants personally, or left at his, her or their usual Place of Abode; and in all Cases where such Summons shall be disobeyed, or where the Debt, Damages or Thing demanded shall exceed Ten Pounds Sterling Money, and shall be sworn to in an Affidavit made by the Plaintiff or Plaintiffs, or his, her or their lawful Attorney, then the said Defendant or Defendants shall be made to appear by Attachment of his, her or their Goods, Debts or Effects, or by Arrest of the Person of the said Defendant or Defendants; and in case of his, her or their Goods, Debts or Effects being attached as aforesaid, such Goods, Debts or Effects, or so much thereof as shall be judged by the said Court sufficient to satisfy the Debt or Damages, shall be held as Security for such Debt or Damages, and shall abide the Order, Judgment or Decree of the Court issuing such Attachment, unless the Defendant or Defendants, or some Person on his, her or their Behalf, shall appear and give good and sufficient Bail, to be approved by such Court, to satisfy such Judgment, Decree or Order; and where the Defendant or Defendants has or have been arrested, he, she or they shall not be discharged out of Custody until he, she or they shall in like Manner have given good and sufficient Bail, to be approved by such Court, to satisfy the Judgment, Decree or Order of the Court in the Cause in which such

Regulation as to Discharge of Defendant if in Custody.

such Arrest was made; and it shall also be lawful for the said Courts respectively, when any such Action or Suit as aforesaid shall be depending therein, to cause to appear from Day to Day all Parties interested therein, and to examine upon Oath any of such Parties, in case such Examination shall appear to the said Court necessary for the Discovery of the Truth, but not otherwise; and thereupon, and after due Consideration of all Circumstances of the Case, to make such Order, Judgment or Decree therein, and award such Damages and Costs as shall be just and equitable; and such Order, Judgment or Decree shall be enforced by Attachment and Sale of the Goods, Debts and Effects, or by Arrest of the Person or Persons against whom such Order, Judgment or Decree shall be made, and Imprisonment of such Person or Persons until such Order, Judgment or Decree shall be performed and satisfied.

Damages and Cost.

XVII. And be it further enacted, That it shall be lawful for His Majesty, His Heirs and Successors, by such Charter or Letters Patent as aforesaid, or by any Order or Orders to be hereafter issued by and with the Advice of His or Their Privy Council, to make and prescribe, or to authorize and empower the said Supreme Court of *Newfoundland*, under such Limitations as His Majesty shall deem proper, to make and prescribe such Rules and Orders touching and concerning the Forms and Manner of Proceeding in the said Supreme Court and Circuit Courts respectively, and the Practice and Pleadings upon all Indictments, Informations, Actions, Suits and other Matters to be therein brought; or touching or concerning 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 and his Deputies, and other Ministerial Officers; the summoning of Assessors for the Trial of Crimes and Misdemeanors in the said Circuit Courts; the Process of the said Court, and the Mode of executing the same; the impannelling of Juries; the Admission of Barristers, Attorneys and Solicitors; 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 touching the Practice of the said Courts, as to His Majesty, His Heirs and Successors, shall seem meet for the proper Conduct of Business in the said Courts; 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.

Powers given for making Rules and Orders for the Proceedings in the Supreme Court and Circuit Courts, &c.

XVIII. And Whereas it is expedient to make further Provision for the Administration of Justice on the Coast of *Labrador*; Be it further enacted, That so much of an Act passed in the Fifty first Year of the Reign of His said Majesty *George* the third, intituled *An Act for taking away the Public Use of certain Ships Rooms, in the Town of Saint John's in the Island of Newfoundland, and for establishing Surrogate Courts on the Coast of Labrador, and in certain Islands adjacent thereto*, as relates to the Institution of Surrogate Courts, shall be, and the same is hereby repealed; and that it shall and may be lawful for the Governor Acting Governor of *Newfoundland* for the Time being, to institute

51 G.3. c.45.  
§ 2. repealed.

Power to the Governor to institute a Court of Civil Jurisdiction on the Coast of Labrador, &c.

Court to be held by One Judge, and to hear and determine Complaints of a Civil Nature.

Appeal to Supreme Court in certain Cases.

Notice.

Security.

Stay of Execution.

Appeal from Supreme Court to His Majesty in Council.

Governor, on Arrival of His Majesty's Charter, to notify by Proclamation when the Courts shall be opened, and thereupon :

stitute a Court of Civil Jurisdiction at any such Parts or Places on the Coast of *Labrador*, or the Islands adjacent thereto, which, and by the said Act passed in the Fifty first Year of the Reign of His Majesty *George* the Third, are reannexed to the Government of *Newfoundland*, as Occasion shall require ; and such Court shall be held by One Judge, and shall be a Court of Record, and shall have Jurisdiction, Power and Authority to hear and determine all Suits and Complaints of a Civil Nature arising within any of the said Parts and Places on the Coast of *Labrador*, or the Islands adjacent thereto ; and the said Court shall be holden by a Judge, who shall be appointed from time to time by the Governor or Acting Governor of *Newfoundland*, and shall have a Clerk and such other Ministerial Officers as the Governor or Acting Governor shall appoint ; and the Proceedings of the said Court shall be summary, and such Forms of Process, and such Rules of Practice and Proceeding as shall be settled by the Chief Judge of the said Supreme Court, shall be followed by the said Court, and no other.

XIX. And be it further enacted, That it shall and may be lawful for the Plaintiff or Plaintiffs, Defendant or Defendants against whom any Judgment, Decree or Order of the said Court shall be given, for or in respect of any Sum or Matter at Issue above Fifty Pounds Sterling, or where the Matter in Dispute shall relate to the Title to any Lands, Tenements, Right of Fishery, annual Rent or other Matter, where, in the Judgment of the said Court, Rights in future may be bound, to appeal therefrom to the said Supreme Court ; and the Party or Parties appealing from such Judgment, Decree or Order, shall, within Seven Days from the passing thereof, give Notice to the Adverse Party or Parties of such Appeal, and within Fourteen Days from and after such Judgment, Decree or Order, enter into sufficient Security, to be approved by the Judge of the said Court or some Person to be appointed by him for that Purpose in his Absence, to satisfy or perform the said Judgment, Decree or Order, in case the same shall be affirmed or the Appeal dismissed, together with such further Costs 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.

XX. And be it further enacted, That it shall and may be lawful for His Majesty, by His said Charter or Letters Patent, to allow any Person or Persons, feeling aggrieved by any Judgment, Decree, Order or Sentence of the said Supreme Court, 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 such Charter or Letters Patent respectively, shall appoint and direct.

XXI. And be it further enacted, That the Governor or Acting Governor of *Newfoundland*, upon the Arrival in the said Colony of His Majesty's Charter or Letters Patent for the Establishment of the said Courts by virtue of this Act, shall by Proclamation notify to the Inhabitants of the said Colony, the Time when the said Courts respectively shall be intended to be opened ; and as soon as the Judges of the said Supreme Court shall have assumed and entered upon the Exercise of their Jurisdiction therein, then and

and from thenceforth so much of the Act passed in the Forty ninth Year of the Reign of His late Majesty *George* the Third, intituled *An Act for establishing of Courts of Judicature in the Island of Newfoundland, and in the Island adjacent; and for reannexing Part of the Coast of Labrador, and the Islands lying on the said Coast, to the Government of Newfoundland*, as relates to the Courts thereby instituted, and respectively called the Supreme Court of Judicature of the Island of *Newfoundland*, and Surrogate Courts, shall cease to be in force and determine; and every Suit, Action, Complaint, Matter or Thing, which shall be depending in such last mentioned Courts respectively, shall and may be proceeded upon in the Supreme Court instituted under and by virtue of this Act or either of the said Circuit Courts which shall have Jurisdiction within the District or Place in *Newfoundland* where such Action or Suit respectively was depending; and all Proceedings which shall thereafter be had in such Action or Suit respectively, shall be conducted in like Manner as if such Action or Suit had been originally commenced in one or other of the said Courts instituted under this Act; and all the Records, Muniments and Proceedings whatsoever, of and belonging to the said Courts instituted under the said recited Act respectively, shall, from and immediately after the opening of the said Courts respectively instituted under this Act, be delivered over and deposited for safe Custody in such of the said Courts respectively instituted under this Act as shall be found most convenient, and all Parties concerned shall and may have recourse to the said Records and Proceedings, as to any other Records or Proceedings of the said Courts respectively.

XXII. And be it further enacted, That Courts of General and Quarter Sessions shall be holden at *Newfoundland* and its Dependencies at such Times and Places as the Governor or Acting Governor of *Newfoundland* shall by his Proclamation appoint; and the said Courts of Sessions respectively shall have Power and Authority, in a summary Way, to take Cognizance of all Suits for the Payment of Debts not exceeding Forty Shillings, except the Matter in Dispute shall relate to the Title to any Lands or Tenements or to the taking or demanding of any Fee of Office or Annual Rent, and to award Costs therein; and also to hear and determine all Disputes, to any Amount, which may arise in *Newfoundland* concerning the Wages of Seamen or Fishermen, the supply of Bait, the Hiring of Boats for the Fishery, and all Disputes arising in *Newfoundland* aforesaid concerning the curing or drying of Fish, where the Sum or Matter in Question does not exceed or is not of the Value of more than Five Pounds Sterling; and the Judgment, Determination or Award of the said Courts of Sessions or Justices respectively, in all such Cases, shall be final.

XXIII. And Whereas it is expedient to make Provision for declaring Insolvencies in *Newfoundland*;' Be it further enacted, That as often as any Writ of Attachment or other Process for the Recovery of any Debt or Sum due, shall be issued by the said Supreme or Circuit Courts respectively, against any Person or Persons residing or having a House of Trade, or carrying on business in *Newfoundland*, or any Place within the Government thereof,

much of 49G.3. c. 27. as relates to the Courts thereby instituted, shall be repealed, and Proceedings and Records of those Courts delivered over to the Courts instituted under this Act.

General and Quarter Sessions held as Governor shall appoint.

Jurisdiction.

Proceedings in Cases of Insolvency.

Notice to Parties to attend.  
Trustees appointed.

Declaration of Insolvency.

Distribution of Estate.

Insolvents, on making Disclosure of their Effects and conforming to Directions of Judges, may receive Certificates, with Consent of One half in Number and Value of the Creditors.

thereof, and it shall be made to appear to the said Court out of which such Writ or Process shall have issued, at the Return thereof, that the Person or Persons against whom such Writ or Process hath issued is or are unable to pay Twenty Shillings in the Pound to all his, her or their Creditors, it shall be lawful for such Court to cause the Person or Persons against whom such Process shall have issued, together with all his, her or their Creditors, to be summoned by public Notice to attend the said Court on a certain Day, and in the mean Time, if it shall appear necessary to the said Court, 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 Court; and if after due Examination of the Person or Persons against whom Process shall have issued as aforesaid, or his, her or their lawful Agent or Agents, or if such Person or Persons shall abscond or fail to attend the said Court pursuant to Summons as aforesaid, it shall be made to appear to the Satisfaction of the said Court, that such Person or Persons is or are insolvent, it shall be lawful for the said Court 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, and distributing the Produce thereof amongst all his, her or their Creditors, and for that Purpose to authorize any Two or more Creditors of the said Insolvent or Insolvents, who shall be chosen by the major Part in Value of such Creditors, or their Agents duly authorized in such Behalf, whose Debts amount respectively to the Sum of Twenty Pounds and upwards, to act as Trustees of such insolvent Estate; and such Court shall from time to time make such Orders as it shall deem proper, for better discovering, collecting, realizing and distributing the Estates, Debts and Effects of the Person or Persons so declared insolvent, and as often as Occasion shall require, for vesting the same or any Part thereof, in the Public Funds or Securities in *England*, in the Name or Names of such Person or Persons as shall for that Purpose be appointed by the said Court until Distribution can be made, as hereafter mentioned.

XXIV. 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 Courts respectively, the same shall and may, with the Consent in Writing under the Hands of One Half in Number and Value of the Creditors of such Insolvent or Insolvents, be certified by the respective Judges, under the Seal of the said Courts respectively; and such Certificate may be pleaded, and shall be a Bar to every Suit or Action which may at any Time thereafter be brought in any Court in the said Island or Colony of *Newfoundland* or its Dependencies, for any Debt or Contract for Payment of Money due or 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



shall otherwise refuse to conform to the Orders or Directions of the said Judges respectively, it shall be lawful for the said Judges 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 the Orders of the said Judges respectively.

XXV. And be it further enacted, That in the Distribution to be made of the Produce of the Estates and Effects of every Person or Persons hereafter declared insolvent in *Newfoundland* or its Dependencies as aforesaid, every Creditor for Supplies necessary, and furnished *bonâ fide* for the Fishery, during the current Season, (that is to say,) at any Time after the Close of the last preceding Season of the Fishery, shall be considered as a privileged Creditor, and shall first be paid Twenty Shillings in the Pound, so far as the Estates and Effects of such insolvent Person or Persons, which may be realized in *Newfoundland* or its Dependencies, will go, and that all other Creditors shall be paid equally and rateably: Provided always, that nothing in this Act contained shall affect the prior Claims of Seamen and other Servants, actually employed in the catching and taking of Fish and Oil, upon all Fish and Oil caught by the Hirers or Employers of such Seamen, Fishermen or Servants, or the Produce or Value thereof; and also provided that menial or domestic Servants shall in all Cases be paid the Balance of their last preceding Year's Wages, out of the Household Furniture, Goods and Effects of every Person so declared insolvent.

XXVI. And Whereas it is expedient that the Estates and Effects of deceased Persons which may not be sufficient to pay all their just Debts should be distributed according to the Manner herein directed concerning the Estates and Effects of Persons declared insolvent; Be it further enacted, That as often as any Person shall die in *Newfoundland*, or in any Place, or Seas, or Territory within the Government thereof, and the Estates and Effects of such Person shall not be sufficient to pay and satisfy all his or her just Debts, it shall be lawful for the said Courts respectively, at the Petition of the Executor or Executors, Administrator or Administrators of such deceased Person, or any One or more of his or her Creditors, to cause a true Statement of the Effects and Debts of such deceased Person to be made in Writing by and upon the Oath of the said Executor or Executors, Administrator or Administrators, and laid before the said Courts respectively; and if it shall appear to the Court before which such Statement shall be laid, that the Estate and Effects of such deceased Person are not sufficient to pay all his or her just Debts, it shall be lawful for such Court to authorize and empower the Executor or Executors, Administrator or Administrators of such deceased Person to collect, sell and dispose of all the Estates and Effects of such deceased Person, and to distribute the Produce thereof amongst his or her Creditors, according to the Manner of Distribution by this Act directed in respect of the Estates of Persons declared insolvent, and always subject to the Orders and Directions of such Court: Provided always, that nothing herein contained shall be construed to affect the

Creditors for Supplies for Fishery for current Season privileged, and be first paid 20s. in the Pound.

Proviso for prior Claims of Seamen or Domestic Servants.

Proceedings in Cases where Persons die insolvent.

Proviso for Judgment Creditors, &c.

the Right of any Creditor having a Judgment or Special Security for his or her Debts.

‘ XXVII. And Whereas it is expedient that Provisions should be made for the Registration, within the said Colony of *Newfoundland*, of all Deeds, Wills and other Assurances whereby any Lands or Tenements therein situate may be granted, conveyed, devised, mortgaged, charged or otherwise affected:

Registrars of Deeds appointed.

Be it further enacted, That the Chief Clerk of the Supreme Court of *Newfoundland* shall be also the Registrar of Deeds within the District or Circuit in which the Town of *St. John's* may be situate, and that the Chief Clerks of each of the Circuit Courts to be holden in and for the Two other Districts of the said Colony, shall respectively be the Registrars of Deeds within such other Districts or Circuits; and in each of the said Three Districts an Office shall be kept by such Chief Clerk respectively, for the due Registration of all such Deeds, Wills and other Instruments as aforesaid.

Deeds to be registered at the Office of Registration within the District in which the Lands are situate, within a certain Time.

XXVIII. And be it further enacted, That all Deeds, Wills, Conveyances and other Assurances in Writing, of what Nature or Kind soever, whereby any Lands or Tenements situate in the said Colony, or the Dependencies thereof, may be hereafter granted, conveyed, devised, mortgaged, charged or otherwise affected or intended so to be, shall be registered at the Office of Registration within the District or Circuit in which such Lands may be situate; and that all such Deeds, Conveyances and other Assurances as aforesaid, shall be left for Registration at such Office within Six Months next after the Execution thereof, by the Party or Parties from whom any Interest may pass, in case such Party or Parties may, at the Time of such Execution thereof by him, her or them, be resident within the said Colony or its Dependencies, or within Twelve Months in case such Party or Parties may at that Time be resident elsewhere; and all such Wills as aforesaid shall be left for Registration at such Office Twelve Months next after the Death of the Testator or Testatrix.

How Deeds verified before the Registrar.

XXIX. And be it further enacted, That some or one of the Parties executing any such Deed, Conveyance or other Assurance as aforesaid, shall appear before the Registrar of Deeds, and acknowledge the Execution thereof by them, him or her, or in case none of the Parties to any such Deed, Conveyance or Assurance shall be resident in the said Colony, then the same shall be acknowledged before the said Registrar of Deeds, by some Person duly appointed for that Purpose as the Attorney of such Parties; and in that Case the Execution of every such Deed, Conveyance or other Assurance shall be further verified by an Affidavit to be sworn before the Mayor or other principal Magistrate of any City, Town or Place in or near to which such Parties respectively may be resident; and such Affidavit shall also be preserved and registered at the Office of the said Registrar of Deeds.

Registrar to indorse on the Deed a Certificate of Registry.

XXX. And be it further enacted, That the Registrar of Deeds shall and he is hereby required to indorse and subscribe, on every such Deed, Conveyance or other Assurance, a Certificate, in which shall be expressed the Day or Time when the same was

so acknowledged before him, and the Names of the Person or Persons by whom such Acknowledgment was made, and the Time when the same was actually registered, and the Volume and Page in which the Registry thereof is entered; and every such Certificate so indorsed or subscribed shall be taken and allowed as Evidence of the due Registration of any such Deed, Conveyance or Assurance.

XXXI. And be it further enacted, That the Registrar of Deeds shall and he is hereby required to enter in a Book of Registry, to be by him regularly kept for that Purpose, a Memorial of every Deed, Conveyance or Assurance which shall be so acknowledged before him; and every such Memorial shall contain a Statement of the Year and Day of the Month on which such Deed, Conveyance or Assurance shall bear Date, the Names and Additions of all and every the Parties, as well as the Names and Additions, if any, of the several subscribing Witnesses thereto, the Descriptions at Length of the Lands or Tenements conveyed or intended to be conveyed, charged or affected by such Deed, Conveyance or Assurance, as the same are therein described, and the Consideration of every such Deed, Conveyance or Assurance, as the same may be therein stated; all which Memorials shall be entered and recorded in the said Book of Registry with all convenient Dispatch, in the Order of Time in which the same may have been acknowledged before the said Registrar.

XXXII. And be it further enacted, That every Deed, Conveyance or Assurance hereafter to be made, wifereby any Lands or Tenements situate in *Newfoundland*, or the Dependencies thereof, shall be granted, conveyed, released, charged or incumbered, or intended so to be, which shall not be registered within the Time and in the Manner hereinbefore mentioned, shall be absolutely null and void to all Intents and Purposes: Provided always, that every such Deed, Conveyance or Assurance shall be deemed and taken to be a registered Deed, Conveyance or Assurance within the Meaning of this Act, from the Time when the Execution thereof shall be acknowledged in Manner aforesaid, before such Registrar of Deeds as aforesaid.

XXXIII. And be it further enacted, That the Judges of the Supreme Court of *Newfoundland* shall be and they are hereby authorized to make any general Rules and Orders of Court for maintaining Order and Regularity in the Mode of taking such Acknowledgments, and registering such Deeds, Wills, Conveyances and other Assurances as aforesaid, and for executing the Duties of said Office of Registrar of Deeds; provided that such Rules and Orders be not in any wise repugnant to the Provisions of this present Act in that Behalf.

XXXIV. And Whereas the Justices of the Peace in *Newfoundland* have been used to grant Licences for the Retail of Ale and Spirituous Liquors, and it is proper to regulate the Sums to be demanded upon such Licences, and to make Provision for the Appropriation thereof, and for preventing Abuses in the granting of such Licences, and in the Sale of Spirits by unlicensed Persons in the said Colony; Be it therefore enacted, That it shall and may be lawful for the Governor or acting Governor of *Newfoundland* to make, establish and ordain such Rules and Ordinances as to him may seem meet, respecting the granting of

Registrar to enter in the Book of Registry a Memorial of the Deed acknowledged before him.

Deeds hereafter to be made, conveying Lands, &c. not duly registered, declared void.

Supreme Court authorized to make Rules and Orders for the Registry of Deeds, &c.

Governor may make Ordinances for granting Li-

ences for  
Retail of Ale  
and Spirits, and  
Appropriation  
of Sums arising  
thereby.

His Majesty  
may grant  
Charters for  
establishing  
Corporations  
for the Govern-  
ment of Towns.

Continuance of  
Act.

of such Licences, and the recalling the same, and the Amount of the Sums to be demanded and taken for every such Licence and the Appropriation of such Sums to His Majesty's Service in the said Colony, and for preventing the Retail of Ale and Spirituous Liquors by Persons not duly licensed, and to impose such pecuniary Fines or other Penalties as may be necessary for enforcing Obedience to any such Rules or Ordinances as aforesaid.

XXXV. And be it further enacted, That it shall and may be lawful for His Majesty, by Charter or Letters Patent under the Great Seal, to constitute and erect such Persons as to His Majesty shall seem meet a Body or Bodies Corporate and Politic, for the Government of any Town or Towns situate within the said Colony of *Newfoundland* or its Dependencies, and to grant to such Body or Bodies Politic and Corporate Power to make Bye Laws for regulating the Police of any such Town or Towns, and for the Prevention or Abatement of Nuisances therein, and for the Prevention of Accidents by Fire; and also to grant to any such Body or Bodies Politic and Corporate as aforesaid, the Power to impose and levy such reasonable and moderate Rates and Assessments upon the Inhabitants and Householders in such Town or Towns, as may be necessary for carrying into Effect the several Purposes aforesaid, or any of them; and it shall also be lawful for His Majesty, His Heirs and Successors, by any Order or Orders to be made by or with the Advice of His or Their Privy Council, to dissolve any such Corporation or Corporations as aforesaid, upon and subject to such Conditions and Regulations as may be made in and by any such Order or Orders in that Behalf.

XXXVI. And be it further enacted, That this Act shall continue and be in force for Five Years from the passing thereof, and no longer.

#### C A P. LXVIII.

An Act to repeal an Act passed in the Fifty seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to regulate the Celebration of Marriages in Newfoundland*; and to make further Provision for the Celebration of Marriages in the said Colony and its Dependencies. [17th June 1824.]

57 G. 3. c. 51.

repealed.

Marriages that  
have taken

‘ WHEREAS it is expedient that an Act made in the Fifty seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to regulate the Celebration of Marriages in Newfoundland*, should be repealed, and that further and more effectual Provision should be made for the Celebration of Marriages in *Newfoundland*;’ Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty fifth Day of *March*, in the Year One thousand eight hundred and twenty five, the said recited Act of the Fifty seventh Year of the Reign of His said late Majesty shall be and the same is hereby repealed: Provided always, that all Marriages which have taken place at any Time before the passing of this Act in *Newfoundland*.

land, and which have not been declared and adjudged to be void or invalid by any Court of competent Jurisdiction, and all Marriages which shall take place in *Newfoundland* previously to the Twenty fifth Day of *March* in the Year One thousand eight hundred and twenty five, shall be and the same are hereby declared to be as good and valid as if the said recited Act had not been passed or made; any Thing in the said recited Act to the contrary in any wise notwithstanding.

place, not adjudged to be void, declared to be valid.

II. And be it further enacted, That all Marriages which may hereafter be had in *Newfoundland* shall be celebrated by Persons in *Holy Orders*, except in the Cases hereinafter specially excepted and provided for.

Marriages to be celebrated by Persons in Orders, Exception.

III. And Whereas by reason of the great Extent of the said Island of *Newfoundland*, and the Want of internal Communication between the different Parts of the said Island during the greater Part of the Year, Difficulties have arisen with respect to the Solemnization of Marriages in various Settlements and Stations there; and it is expedient that temporary Provision be made for the legal Solemnization of Marriages in such Settlements or Stations as aforesaid; Be it therefore enacted, That it shall and may be lawful for One of His Majesty's Principal Secretaries of State, or for the Governor or Acting Governor for the Time being of the Colony of *Newfoundland*, to grant Licences or a Licence to celebrate Marriages within the said Colony or its Dependencies, to any Person or Persons who shall employ themselves or himself solely in the Duties of a Teacher or Preacher of Religion in the said Colony, and who shall not follow or engage in any Trade or Business, or other Profession, Occupation or Employment, for their or his Livelihood, except that of a Schoolmaster: Provided always, that no such Licence as aforesaid shall be granted to any such Persons or Person as aforesaid, unless they or he shall first have taken the Oath and subscribed the Declaration specified in an Act passed in the Fifty second Year of the Reign of His late Majesty King *George the Third*, intituled *An Act to repeal certain Acts and amend other Acts relating to Religious Worship and Assemblies, and Persons teaching or preaching therein*, and shall have produced a Certificate thereof to His Majesty's said Principal Secretary of State, or to the Governor or Acting Governor of *Newfoundland*, as the Case may be; or unless such Persons or Person shall take the said Oath and subscribe the said Declaration before the Governor or Acting Governor of the said Colony, who is hereby authorized and required to administer such Oath and to tender such Declaration to the Persons or Person requiring to take and make and subscribe the same.

Secretary of State or Governor may grant Licences to Teachers or Preachers of Religion to celebrate Marriages within the Colony.

Such Persons to take the Oath prescribed by 52 G. 3. c. 155.

IV. And be it further enacted, That it shall and may be lawful for any Person, to whom any such Licence as aforesaid shall be granted in Manner aforesaid, to celebrate Marriages between any Persons resident in the said Colony of *Newfoundland* or its Dependencies, in any Case where, by reason of the Difficulty of the internal Communication between different Parts of the said Colony or its Dependencies, the Woman about to be married could not, without Inconvenience, repair from her ordinary Place of Abode, for the Purpose of contracting such Marriage,

And empowered to celebrate Marriages in Cases herein mentioned.

Celebrating Marriage where such Case does not exist.

Penalty.

Marriage valid.

To be in Presence of Two Witnesses.

Penalty. Marriage valid.

Certificate of Marriages celebrated by licensed Persons to be delivered to Minister of Established Church. Penalty of 5*l*.

Form of Certificate.

riage, to some Church or Chapel of or belonging to the Established Church of *England* wherein Divine Service is regularly performed; and if any such Person as aforesaid shall celebrate any Marriage by virtue of any such Licence as aforesaid, in any Case wherein such Inconvenience as aforesaid shall not exist, the Person so offending shall incur and become liable to the Payment of a Fine not less than Ten Pounds, nor more than Fifty Pounds *British* Sterling Money, and shall forfeit and be deprived of such his Licence: Provided nevertheless, that every Marriage actually celebrated within the said Colony or its Dependencies by any Person having any such Licence as aforesaid, shall be good and valid to all Intents and Purposes, and shall not be rendered invalid by reason of any such Illegality as aforesaid on the Part of the Person celebrating the same.

V. And be it further enacted, That no such Person to whom any such Licence may be so granted as aforesaid shall celebrate or perform Marriage between any Persons in *Newfoundland*, except in the Presence of Two credible Witnesses; and if any such Person shall celebrate or perform any Marriage between any Persons in *Newfoundland*, except in the Presence of Two credible Witnesses, he shall incur and become liable to the Payment of a Fine not less than Ten Pounds nor more than Fifty Pounds *British* Sterling Money; but the Want of such Witnesses shall not invalidate the Marriage.

VI. And be it further enacted, That every Person by whom any Marriage shall be celebrated or performed in *Newfoundland* at any Time after the Twenty fifth Day of *March* in the Year One thousand eight hundred and twenty five, shall, under the Penalty of Five Pounds *British* Sterling Money, within *Twelve* Calendar Months next following such Marriage, deliver or cause to be delivered to the Secretary of the Governor or Acting Governor of the said Island, or to the Incumbent or Officiating Minister of some Church or Chapel of the Established Church of *England*, in the Towns of *Saint John's Harbour*, *Grace in Conception Bay*, or *Trinity Harbour* in *Trinity Bay*, in the said Island, a Certificate thereof in Writing, subscribed with his own Name, and with the Names or Marks of the Parties married, together with the Names of Two credible Witnesses present at such Marriages; and every such Certificate shall be made in Form following; (that is to say),

‘ Marriage solemnized at \_\_\_\_\_ in the  
‘ Island of *Newfoundland* :

‘ THIS is to certify, That *A. B.* [*the Man married*] of  
‘ \_\_\_\_\_ and *C. D.* [*the Woman married*] of  
‘ \_\_\_\_\_, were married at \_\_\_\_\_ this  
‘ in the Year of our Lord \_\_\_\_\_, by me,

‘ \_\_\_\_\_  
‘ *E. F.*  
‘ [*Clergyman in Holy Orders, or Preacher*  
‘ *licensed to celebrate Marriages.*]

‘ This Marriage was solemnized between us, { *A. B.*  
‘ \_\_\_\_\_ and  
‘ \_\_\_\_\_ { *C. D.*

‘ In the Presence of us, { *G. H.* of \_\_\_\_\_ } Witnesses present at the  
‘ { *I. K.* of \_\_\_\_\_ } said Marriage.

VII. And



## C A P. LXIX.

An Act to enable Justices of the Peace for Ridings, Divisions or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads. [17th June 1824.]

3 G. 4. c. 126.  
§ 61.

4 G. 4. c. 95.

Justices acting for Ridings or Divisions, &c. through which Roads pass to have like Powers for making and repairing Turnpike Roads as Justices for Counties.

‘ 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 one other Act was passed in the Fourth Year of the Reign of His said present Majesty, intituled *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*: and by the said first recited Act it was amongst other Things enacted; that all His Majesty’s Justices of the Peace for the Time being, acting for the County or Counties through which any Turnpike Road now does or hereafter shall pass, shall be added to and joined with the Trustees or Commissioners for making, repairing or maintaining every such Turnpike Road, and shall have all the same Powers and Authorities to all Intents and Purposes as if the said Justices had severally been named or elected Trustees or Commissioners in or under any Act or Acts of Parliament under which such Roads shall be made, repaired or maintained: And Whereas it is expedient that His Majesty’s Justices of the Peace acting for any Riding, Division or Soke should also be enabled to act as Trustees for the Repair of Turnpike Roads: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act all His Majesty’s Justices of the Peace for the Time being, acting for the County or Counties, Riding or Ridings, Division or Divisions, Soke or Sokes, through any Part of which any Turnpike Road now does or hereafter shall pass, shall have such and the like Powers and Authorities for the making and repairing any such Turnpike Road, and be subject to the same Rules and Regulations, by virtue of or under the said recited Acts, as any of His Majesty’s Justices of the Peace acting for any County or Counties.

## C A P. LXX.

An Act to permit Flour to be substituted for Foreign Wheat secured in Warehouses. [17th June 1824.]

‘ WHEREAS Foreign Wheat, which was imported into this Kingdom prior to the Thirteenth Day of May One thousand eight hundred and twenty two, and secured in Warehouses, is allowed by Law to be taken out for Home Consumption in Cases and under Conditions more favourable than is allowed in respect of Wheat imported since that Day, but



no Opportunity has as yet occurred, by which the Proprietors of such Foreign Wheat have been able to avail themselves of the Benefit therein intended to them: And Whereas it might enable the Proprietors, of such Wheat to effect the Exportation thereof, if they were permitted to take the same out of such Warehouses to be ground into Flour under certain Regulations: And Whereas One Barrel of best Fine Wheat Flour, weighing One hundred and ninety six Pounds, is equivalent to Five Bushels of Wheat of average Quality: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, it shall be lawful for the Importer or Proprietor of any Foreign Wheat imported before the said Thirteenth Day of May One thousand eight hundred and twenty two, and secured in Warehouse under the Laws in force, to take the same out of the Warehouse, upon his giving Bond, with Two sufficient Sureties, to be approved by the Collector and Comptroller of the Customs, in the penal Sum of Five Pounds for every Quarter of Wheat to be taken out, with Condition to return into such Warehouse, or some other Warehouse in which Foreign Corn may be secured under the Laws in force, within Two Months from the Date of such Bond, an equivalent Quantity of best fine Wheat Flour, computed after the Rate of One hundred and ninety six Pounds of such Flour for every Five Bushels of such Wheat, there to be kept and secured in lieu of such Wheat, subject to the same Rules, Regulations, Restrictions, Penalties and Forfeitures as such Wheat, or as any Foreign Flour imported and secured in Warehouses, under the Laws in force, was or would be subject to.

Foreign Wheat may be taken out of Warehouse on the Proprietor's giving Bond with Condition to return into such Warehouse an equivalent Quantity of Flour in lieu of such Wheat.

II. And be it further enacted, That One Day at least before any such Wheat shall be taken out of such Warehouse for the Purpose of such Exchange, the Importer or Proprietor thereof shall deliver a Notice in Writing to the principal Officer of the Customs having Charge of such Warehouse, of the Quantity and of the particular Parcel or Parcels of the Wheat (referring to the Importation thereof) intended to be so exchanged for Flour, and of the Name or Description and Situation of the Warehouse in which the equivalent Quantity of Flour is to be deposited, and shall also produce to such Officer a Certificate of the Collector and Comptroller that the Bond hereinbefore required has been given for such Wheat.

Notice to be given before such Wheat is taken out.

III. And be it further enacted, That such Bond shall not be discharged until the proper Officers of the Customs shall have ascertained that the Flour so deposited is fine Wheat Flour of the best Quality; and if any Package so deposited, purporting to contain such Flour, shall be found to contain Flour of an inferior Quality, or any other Article than the best fine Wheat Flour, such Package and the Contents thereof shall be forfeited, together with the penal Sum of Five Pounds, secured by such Bond, for every Quarter of the Wheat for which the same was intended to be deposited as an equivalent Quantity of Flour.

Bond not to be discharged till Officer of Customs has ascertained the Quality of the Flour.

Foreign Corn may be removed from one Warehouse to another, under the same Regulations as other warehoused Goods.  
4 G. 4. c. 24.

IV. And be it further enacted, That it shall be lawful to remove any Foreign Corn from the Warehouse in which the same shall at any Time be secured, to any other Warehouse, in any Part of the United Kingdom, in which Foreign Corn may be secured upon the Importation thereof, under the like Rules, Regulations and Conditions as other Goods may be removed from one Warehouse to another under the Provisions of an Act passed in the Fourth Year of His present Majesty's Reign, intituled *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.*

### C A P. LXXI.

An Act to amend several Acts passed for the better Care and Maintenance of Lunatics, being Paupers or Criminals, in England. [17th June 1824.]

- 48 G. 3. c. 96. ' WHEREAS an Act was passed in the Forty eighth Year  
' of the Reign of His late Majesty King George the Third  
' intituled *An Act for the better Care and Maintenance of Lunatics,*  
' *being Paupers or Criminals in England:* And Whereas another  
51 G. 3. c. 79. ' Act was passed in the Fifty first Year of the Reign of His said  
' late Majesty, intituled *An Act to amend an Act of the Forty*  
' *eighth Year of His present Majesty, for the better Care and*  
' *Maintenance of Lunatics, being Paupers or Criminals, in Eng-*  
55 G. 3. c. 46. ' land: And Whereas another Act was passed in the Fifty fifth  
' Year of the Reign of His said late Majesty, intituled *An Act*  
' *to amend an Act passed in the Forty eighth Year of the Reign of*  
' *His present Majesty, intituled ' An Act for the better Care and*  
' *Maintenance of Lunatics, being Paupers or Criminals, in Eng-*  
56 G. 3. c. 117. ' land: And Whereas another Act was passed in the Fifty sixth  
' Year of the Reign of His said late Majesty, intituled *An Act to*  
' *amend an Act passed in the Thirty ninth and Fortieth Year of*  
' *the Reign of His present Majesty, for the safe Custody of Insane*  
' *Persons charged with Offences:* And Whereas another Act was  
59 G. 3. c. 127. ' passed in the Fifty ninth Year of the Reign of His late Majesty,  
' intituled *An Act for making Provision for the better Care of*  
' *Pauper Lunatics in England:* And Whereas it is expedient that  
' the said Acts should be amended: May it therefore please  
Your Majesty that it may be enacted; and be it enacted by  
the King's most Excellent Majesty, by and with the Advice and  
Consent of the Lords Spiritual and Temporal, and Commons, in  
this present Parliament assembled, and by the Authority of the  
same, That no Order or Determination to be made at any Meeting  
of the Visiting Justices which shall be held under or by virtue of  
the said recited Acts, or any of them, or this Act, shall be made  
or entered into, unless the major Part of the Justices present  
at such Meeting shall concur therein, nor unless due Notice of  
such Meeting shall have been previously given, according to the  
Provisions of the said recited Acts, or according to the Rules and  
Regulations made by the Visiting Justices; and that all Acts,  
Orders and Proceedings which by the said recited Acts or any  
of them, or by this Act, are directed to be had, made, done or  
exercised by or before the said Visiting Justices, and all the  
Powers

No Order to be made by Visiting Justices, unless the major Part of Justices present concur therein.

Powers and Authorities by such Acts or any of them, or by this Act, vested in them generally, shall and may be had, made, done and exercised by the major Part of such Justices present at the respective Meetings to be held by virtue of the said recited Acts and this Act, the whole Number present not being less than Three; and all Acts, Orders and Proceedings had, made, done or exercised by or before such Three Visiting Justices shall have the same Force and Effect, and be binding and conclusive on all Parties to all Intents and Purposes whatever, and as fully and effectually as if the same were had, made, done or exercised by or before the major Part of all the said Visiting Justices so appointed.

II. And Whereas Doubts may arise in Cases where Two Counties may have united, or in Cases where the Justices of the Peace of any County may have united with the Subscribers to any Institution for the Care of Lunatics established by voluntary Contribution, for the Purpose of erecting a Lunatic Asylum, whether the Number of Visiting Justices or Visitors of such Asylum can from time to time be increased; Be it further enacted, That it shall and may be lawful for the Number of Visiting Justices or Visitors of such Asylum, to be increased from time to time, notwithstanding the Terms of any original Agreement between such Counties, or between such Justices of any County and the Subscribers to any such Institution, due regard being always had in making such Augmentation to the Proportion originally established between such Visiting Justices or Visitors as aforesaid; and any such additional Number of Visiting Justices or Visitors as may be agreed on shall be appointed in the same Manner, and by the same Authorities, as Vacancies in the Number of such Visiting Justices or Visitors may be supplied by any Law now in force.

In Cases where Two Counties have united, &c. the Number of Visiting Justices or Visitors may be increased.

III. And be it further enacted, That in any Case in which a Lunatic or dangerous Idiot, whose Settlement, by reason of the Lunacy of such Person, cannot be ascertained, shall be by the Order of Two Justices confined in any Lunatic Asylum, it shall and may be lawful for any Two Justices acting in and for the County in which such Asylum shall be situated, at any Time to examine into the legal Settlement of such Lunatic or dangerous Idiot; and if satisfactory Evidence can be obtained as to such Settlement, it shall and may be lawful for such Justices to adjudge the last legal Settlement of such Lunatic to be in such Parish or Place as may on such Evidence appear to him to be the Place of such legal Settlement; and forthwith to make an Order on the Overseers of the Poor of such Parish or Place to pay such Weekly Sum to the Treasurer of such Asylum as shall have been fixed by the Visiting Justices as a fit Rate for the Maintenance, Medicine, Clothing and Care of Lunatics confined in such Asylum.

Two Justices may make an Order on Overseers of Lunatic's Parish for a Weekly Maintenance.

IV. Provided always, and be it further enacted, That if the Overseers of the Poor of any Parish or Place shall feel themselves aggrieved by any such Order as aforesaid, it shall be lawful for them to appeal, at the next General Quarter Sessions of the Peace for the County in which such Lunatic Asylum shall be situated; and the Justices at such Sessions shall hear and determine

Appeal to Quarter Sessions.

Costs, mine the Matter of such Appeal, as in Cases of Appeals against Orders of Removal, and award such Costs to either Party as to them shall seem just and reasonable; and in case the Settlement of any Lunatic respecting whom such Order shall have been made, shall be then and there determined not to be in the Parish or Place on whom such Order shall have been made, then such Costs shall be paid by the Treasurer of the County or united Counties at whose Expence such Lunatic Asylum shall have been erected.

by whom paid.

V. And Whereas it is by the said recited Acts enacted, that the Visiting Justices shall from time to time fix a certain Weekly Rate to be paid for each Person confined in every such Asylum as is authorized by the said recited Acts to be established, which Rate may be sufficient to defray the whole Expence of the Maintenance and Care, Medicines and Clothing requisite for such Person, and the Salaries of the Officers and Attendants: And Whereas it is by the said recited Acts of the Forty eighth and Fifty ninth Years of the Reign of His late Majesty enacted, that the Justices acting for the Division of the County where such Parish for which any Pauper Lunatic has been directed and conveyed to such Lunatic Asylum shall be situated, shall from time to time make Order on the Overseers of such Parish, for the Payment of all reasonable Charges of conveying such poor Person to such Asylum, and for the Weekly Payment to the Treasurer thereof of such Sums as the Visiting Justices of such Asylum shall have fixed: And Whereas it is expedient that better Provision should be made for the Recovery of such Sums; Be it therefore further enacted, That if the Overseers for the Time being of such Parish, upon whom such Order shall be made, shall for the Space of Twenty Days after due Notice of such Order refuse or neglect to pay the Sums so ordered to be paid, the same shall be recovered by Distress and Sale of the Goods of such Overseers so refusing or neglecting, or of any of them, by Warrant under the Hands and Seals of any Two Justices of any such respective Counties.

Visiting Justices may fix Weekly Rate for Maintenance of Insane Persons.

Provisions, &c. of Acts relating to Counties, to extend to Ridings, Divisions, &c.

VI. And be it further enacted, That all Provisions, Directions, Clauses, Matters and Things whatever, in this Act or any of the said recited Acts contained, relating to Counties, shall extend and be construed to extend to all Ridings, Divisions, Cities, Towns, Liberties and Places possessing separate Jurisdictions; and, if relating to Parishes, shall extend and be construed to extend to all Villages, Townships, and Places maintaining their own Poor, as fully and amply as if they were severally and respectively repeated in every such Provision, Direction and Clause, and with relation to any such Matter or Thing.

## C A P. LXXII.

An Act for amending and rendering more effectual an Act for augmenting Parochial Stipends, in certain Cases, in Scotland.

[17th June 1824.]

WHEREAS an Act passed in the Fiftieth Year of the Reign of His late Majesty King George the Third, intituled *An Act for augmenting Parochial Stipends in certain Cases in Scotland*, (a) by which it was enacted, that as soon as conveniently might be after the passing thereof, the Clerks of the different Presbyteries within Scotland should make up Accounts of the different Parishes within each Presbytery, the Stipends of which Parishes did not extend in their yearly Amount to the Sum of One hundred and fifty Pounds Sterling, and which could not be augmented to that Extent under the Laws then in force; and upon receiving such Accounts, the same were directed to be taken into Consideration by the Lords of Council and Session, as Commissioners for Plantation of Kirks and Valuation of Teinds, and a List or Schedule should thereupon be made up, under their Direction and Authority, of all such Stipends which from the Causes mentioned in the said recited Act could not be augmented to the annual Amount or Value of One hundred and fifty Pounds under the Laws then in force, specifying the Amount of each Stipend, in Money, Grain or other Articles in which the same was payable, and the Rate at which such Grain or other Article, if not in use to be paid in Kind, were convertible into Money, and if in use to be paid in Kind, the Value thereof on an Average of the last Nine Years preceding the passing of said Act; and so soon as the said Lords of Council and Session, as Commissioners foresaid, should have determined with respect to the Stipend or Stipends of any Minister or Ministers which ought to be augmented under the Authority of the said recited Act, the said Lords of Council and Session, as Commissioners foresaid, should cause a List or Schedule of such Stipend or Stipends to be made out in Manner directed by the said recited Act, specifying the Sum necessary for augmenting each such Stipend to the annual Sum of One hundred and fifty Pounds, and an Extract or certified Copy thereof, made out in the Manner therein directed, should be transmitted to the Barons of Exchequer, who should issue their Precept or Warrant, addressed to His Majesty's Receiver General and Paymaster in Scotland, to each of the Ministers of the respective Parishes mentioned in such List or Schedule, for Payment to such Minister of the annual Sum which according to such List or Schedule is necessary for augmenting his Stipend to the annual Amount or Value of One hundred and fifty Pounds, to be paid to him at the Terms or Times therein directed during his Incumbency: And Whereas by the Alteration in the Price of Grain and other Circumstances, most of the Stipends included in the present Lists have been considerably reduced below the said Sum of One hundred and fifty Pounds, and it is expedient that the Amount of such Stipends

50 G. 3. c. 84.

§ 2.

(a) [See farther as to this Act, Cap. 90. § 14. post.]

should

Lists of Parishes, the Stipends of which do not extend to the yearly Value of 150*l.* and which cannot be augmented, &c. as directed by the said recited Act, to be made now and once in every Five Years by the Clerks of the Presbyteries, and transmitted to the Teind Clerk.

Lords of Council and Session to cause Lists or Schedules to be made out and recorded as by 50 G. 3. c. 84.

‘ should from time to time be reconsidered, so as to secure to the Incumbents of such Parishes a Stipend of One hundred and fifty Pounds each at all Times, as nearly as may be: And Whereas it is also expedient that some additional Provision should be made in certain Cases for such of the Parochial Clergy of *Scotland* as cannot, according to Law, be provided with a Manse or Glebe: And Whereas an annual Sum not exceeding Two thousand Pounds, in addition to the Sum provided by the before recited Act, will be sufficient to carry these Purposes into effect:’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That as soon as conveniently may be after the passing of this Act, and from time to time once in Five Years, at the Expiration of each successive Five Years in all Time hereafter, the Clerks to the different Presbyteries within *Scotland* shall make out Accounts in the Manner directed by the said recited Act, of the different Parishes within each Presbytery, the Stipends of which Parishes do not at the Time extend in their yearly Amount or Value to the Sum of One hundred and fifty Pounds Sterling, and which cannot be augmented to that Extent under the Laws at present, or to be then in force, by reason of the Causes mentioned in the said recited Act, which Accounts shall specify the Amount of each such Stipend in Money, Grain or other Articles, according to an Average of the last Five Years preceding the Date of making out the same respectively, and the said Accounts shall be transmitted to the Teind Clerk, or Principal Clerk of the *Lords of Council and Session*, as Commissioners for Plantation of Kirks and Valuation of Teinds, who shall thereupon proceed in the Manner directed by the said recited Act to take the same into Consideration, and to adjust and settle the same; and so soon as the said *Lords of Council and Session*, as Commissioners aforesaid, shall have adjusted and settled any such List or Schedule, or shall have ascertained the Sum necessary for augmenting each such Stipend, in the Manner directed by the said recited Act, as often as the same is required to be done by this Act, to the annual Amount or Value of One hundred and fifty Pounds, the said *Lords of Council and Session*, as Commissioners aforesaid, shall cause a List or Schedule, or Lists or Schedules, to be made out in the Manner directed by the said recited Act, specifying the Sum necessary for augmenting each such Stipend to the annual Sum of One hundred and fifty Pounds, and every such List or Schedule shall be recorded and transmitted in the Manner directed by the said recited Act; and the said *Barons of Exchequer* shall issue their Precept or Warrant, addressed to His Majesty’s said Receiver General and Paymaster for *Scotland*, to each of the Ministers mentioned in any List or Schedule made up under the Authority of this Act, for Payment to such Minister of the annual Sum which, according to such List or Schedule, shall appear to be necessary for augmenting his Stipend to the annual Amount or Value of One hundred and Fifty Pounds, to be paid him during his Incumbency, and to his Successor, at the Terms or Times and in the Manner directed by the

he said recited Act, unless and until an Alteration shall take place in the Manner hereinafter directed.

‘ II. And Whereas in some Parishes in *Scotland* the Ministers thereof have small Stipends, and are not provided with a Manse or a Glebe, and it is reasonable that in such Cases an additional Stipend should be paid to such Ministers, as some Compensation for the Want thereof;’ Be it therefore enacted, That as soon as conveniently may be after the passing of this Act, the Clerks to the different Presbyteries within *Scotland* shall make up a List or Lists of any Parish or Parishes within each Presbytery the Minister whereof is without a Manse and Glebe, and of any Parish or Parishes the Minister whereof is without a Manse, and of any Parish or Parishes the Minister whereof is without a Glebe, the Stipend of any which Minister shall be under the Amount or Value of Two hundred Pounds *per Annum*; and every such List shall be transmitted to the said Teind Clerk or Principal Clerk to the said Lords of Council and Session as Commissioners aforesaid.

III. And be it further enacted, That after such List shall have been received by such Teind or Principal Clerk, it shall and may be lawful for the said Lords of Council and Session as Commissioners aforesaid, upon the Application of any of the Ministers interested, or of the Procurator of the Church on Behalf of the Whole, to enquire into the Circumstances of the Case, and if they shall find that the Stipend in any Parish is under the annual Amount or Value of Two hundred Pounds, and that the Minister cannot be provided with a Manse and a Glebe, or with a Manse or a Glebe, as the Case may be, they are hereby directed to cause a List or Schedule of every such Parish where the Minister cannot be so provided to be made out, and of the Sum which ought to be allowed in respect of the Want thereof, as the Case may be, but so as that the total Amount of the Stipend shall not exceed Two hundred Pounds *per Annum* in any Case where the Minister is without both Manse and Glebe, or One hundred and eighty Pounds where the Minister is without a Manse or a Glebe, as the Case may be, and cannot be provided with the same respectively; and every such List or Schedule shall be recorded in the Books of the Teind Court, and an Extract or certified Copy hereof shall be made out and transmitted to the Barons of Exchequer, who shall cause the same to be also recorded in their Books, and shall issue their Precept and Warrant, addressed to His Majesty’s said Receiver General and Paymaster in *Scotland*, to the Minister of the Parish or to each of the Ministers of the respective Parishes mentioned in such List or Schedule for Payment to such Minister of the annual Sum which according to such List is to be paid to him in respect of the Want of a Manse and Glebe or the Want of a Manse or Glebe, as the Case may be, during his Incumbency in the Parish mentioned in such Precept or Warrant, at the Terms and Times, and in the same Manner as the augmented Stipends settled by the said recited Act of Parliament are thereby directed to be paid to the said respective Ministers entitled to the same.

‘ IV. And Whereas from the Alteration of Circumstances it may from time to time happen, that the Sum to be allowed to some

Lists of Parishes where there is no Manse or Glebe to be made up in like-Manner.

Commissioners of Teinds to enquire into the Circumstances of the Case, and to make up Lists or Schedules of such Parishes where the Stipends are under 200*l.* and cannot be provided with Manse or Glebe, and of the Sum which ought to be allowed, which Lists shall be recorded in the Teind Court.

Every Five Years Clerks of Presbyteries to make out Accounts of the Stipends to which Additions have been made, and when Stipends are found to be 5*l.* per Annum less than the Sum allowed, they shall transmit an Account of such Stipends to the Teind Clerk, that an Increase may be made.

Barons of the Exchequer to issue Warrant for Payment to Minister.

Not more than 2,000*l.* allowed in one Year.

Directions of recited Act to be observed.

55 G.3. c.187.  
§ 25.

‘ some of such Ministers to make up their Stipends to the Sums  
‘ allowed by this Act, may fall below these Sums respectively:  
Be it therefore enacted, That Once in every Five Years in all  
Time hereafter, and at the Expiration of Five Years from the  
Date of each such Transmission, the Clerks to the different Pre-  
byteries in *Scotland* shall make out Accounts of the Amounts of  
the different Stipends to which Additions shall have been made:  
as directed by this Act; and whenever such Clerks shall find any  
such Stipend to be Five Pounds *per Annum* less than the Sum  
allowed pursuant to this Act, according to the Average Prices of  
Grain in the County in which such Parish shall be situated for  
the Five Years immediately preceding, the said Clerks shall  
transmit an Account of such Stipends to the Teind Clerk or  
principal Clerk of the said Lords of Council and Sessions as  
Commissioners aforesaid, who shall thereupon proceed to increase  
each such Stipend, so as to make the Sum to be thereafter  
allowed amount as nearly as may be to the Sum allowed under this  
Act, according to the Average Prices of Grain for Five Years  
preceding the Date of such Transmission of Accounts respec-  
tively; and so soon as the said Lords of Council and Session  
shall have adjusted and settled or ascertained the Sum necessary  
so to be allowed according to such Diminution, as the Case may  
be, as often as the same is directed by this Act, the said Lords  
of Council and Session shall cause a List or Schedule, Lists or  
Schedules, to be made out in the Manner directed by the said  
recited Act and this Act, specifying the Sum thenceforth to be  
issued, until an Alteration in the Amount of such Sum shall take  
place in the Manner directed by this Act; and every such List  
or Schedule shall be recorded, and thereafter transmitted, in the  
Manner above directed in the Case of the first Allowance under  
this Act; and the said Barons of Exchequer shall issue their  
Precept or Warrant to His Majesty's said Receiver General and  
Paymaster for *Scotland*, to each of the Ministers mentioned in  
any such List or Schedule, for Payment to such Minister of the  
annual Sum which, according to such List or Schedule, is to be  
paid to him during his Incumbency, and to his Successor, at the  
Term or Times and in the Manner directed by the said recited  
Act, unless and until an Alteration shall take place in the Manner  
directed by this Act.

V. Provided always, and be it enacted, That the Augmentations of Stipends authorized to be made by this Act, shall not exceed in any One Year the Sum of Two thousand Pounds Sterling over and above and in addition to any Balance of the Sum of Ten thousand Pounds granted by the said recited Act remaining unapplied for the Purposes thereof.

VI. And be it enacted, That all the Directions given by the said recited Act, with respect to the Matters and Things thereby appointed to be done, shall be observed and followed in executing this Act, as far as such Directions are not inconsistent with the same.

VII. And Whereas by an Act passed in the Fifty fifth Year of the Reign of His said late Majesty, intituled *An Act for granting to His Majesty certain Sums out of the respective Consolidated Funds of Great Britain and Ireland, and for applying certain*



*certain Monies therein mentioned for the Service of the Year One thousand eight hundred and fifteen, and for further appropriating the Supplies granted in this Session of Parliament, a Sum of Ten thousand Pounds was granted to His Majesty to make Provision for the Augmentation of the Maintenance of the poor Clergy of the established Church of Scotland, to be issued and appropriated pursuant to the Provisions of an Act passed or to be passed for that Purpose: And Whereas, by an Act passed in the Fifty eighth Year of the Reign of His late Majesty, intituled An Act for applying certain Monies therein mentioned for the Service of the Year One thousand eight hundred and eighteen, a further Sum of Ten thousand Pounds was granted for a similar Purpose, to be issued and appropriated in a similar Manner: And Whereas, by another Act, passed in the Fifty ninth Year of the Reign of His said late Majesty, intituled An Act for applying certain Monies therein mentioned for the Service of the Year One thousand eight hundred and nineteen, and for further appropriating the Supplies granted in this Session of Parliament, a further Sum of Ten thousand Pounds was granted for a similar Purpose, to be issued and appropriated in a similar Manner: And Whereas these Three several Sums of Ten thousand Pounds being no longer required for the Purposes for which they were granted; Be it enacted, That so much of the said Acts as authorizes the Issue of the said several Sums of Ten thousand Pounds, shall be and the same are hereby repealed.*

58 G.3. c.101.  
§ 23.

59 G.3. c.133.  
§ 17.

Grants for the  
Poor Clergy  
under recited  
Acts repealed.

### C A P. LXXIII.

An Act to relieve Bankers in *Ireland* from divers Restraints imposed by the Provisions of the Twenty ninth of *George* the Second, and to render all and each of the Members of certain Copartnerships of Bankers which may be established liable to the Engagements of such Copartnerships, and to enable such Copartnerships to sue and be sued in the Name of their Public Officer.

[17th June 1824.]

**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 for promoting Public Credit*, it was among other Things enacted, that the Name of every Person and Persons who singly or jointly with any others carry on the Trade or Business of a Banker or Bankers, shall be mentioned in or subscribed to all Notes and Receipts to be issued by such Banker or Bankers, and that every Banker offending contrary thereto should for every such Offence forfeit the Sum of One hundred Pounds; and it was also by the said recited Act enacted, that no Person or Persons who should carry on the Business of a Banker or Bankers should, either singly or in Partnership with any other, so long as he or they should continue to be a Banker or Bankers, trade or traffic as Merchants in Goods or Merchandize imported or exported, and that every Banker offending contrary thereto should

29 G.2. (1.)

Repealed as  
herein men-  
tioned.

Certain Bank-  
ing Partner-  
ships exceeding  
Six to be en-  
tered at Stamp  
Office, Dublin.

Name of  
Public Officer  
of such Firm,  
who may sue  
and be sued ;

to be subscribed  
to the Notes.

Penalty 100l.

Stamp Office to  
give a Certifi-  
cate of such  
Entry ;

‘ should forfeit the Sum of One thousand Pounds : And Whereas  
‘ it is expedient that Part of the said Act should be repealed,  
Be it therefore enacted by the King's most Excellent Majesty,  
by and with the Advice and Consent of the Lords Spiritual and  
Temporal, and Commons, in this present Parliament assembled,  
and by the Authority of the same, That from and after the  
passing of this Act, the said hereinbefore recited Clauses of  
the said recited Act shall be and the same are hereby repealed.

II. And be it further enacted, That before any Promissory  
Note or Bill for Money, payable to Bearer on Demand, shall, at  
any Time between the Twenty fifth Day of *March* in any Year  
and the Twenty fifth Day of *March* following, be issued by any  
Society or Copartnership consisting of more than Six in Number,  
and who shall have their Establishments or Houses of Business at  
any Place not less than Fifty Miles distant from *Dublin*, and who  
shall carry on the Trade and Business of Bankers, and shall issue  
Notes payable on Demand, an Entry and Register of the Firm  
or Name of such Society or Copartnership, and of the Banks or  
Banks established by such Society or Copartnership, and of the  
proper Names and Places of Abode of all the Persons concerned  
or engaged in such Society or Copartnership, shall be made and  
entered by or on Behalf of such Society or Copartnership, in a  
Book or Books to be kept for that Purpose at the Stamp Office in  
*Dublin*, by some Person appointed for that Purpose by the Com-  
missioners of Stamps ; and every such Entry or Register shall  
specify the Name of some Individual of such Society or Copart-  
nership, who shall be considered as the Public Officer of such  
Society or Copartnership, and the Title or Description of such  
Public Officer, in whose Name such Society or Copartnership  
shall sue and be sued ; and also the Name of every Town and  
Place where any such Promissory Notes shall be issued or made  
payable by any such Society or Copartnership, or by any Agent  
or Agents of such Society or Copartnership ; and the Name and  
Title and Description of every such Public Officer shall be men-  
tioned in or subscribed to all Notes and Receipts to be issued  
by or on Behalf of such Society or Copartnership ; and if any  
Person or Persons shall issue or cause to be issued any Note or  
Receipt, in the Name or on Behalf of any such Society or Copart-  
nership, in or to which the true Name of such Public Officer shall  
not be mentioned or subscribed, every such Person shall forfeit  
the Sum of One hundred Pounds.

III. And be it further enacted, That whenever any Entry or  
Register of the Firm or Name of any such Society or Copart-  
nership shall be made at the Stamp Office in Manner aforesaid,  
at any Time between the Twenty fifth Day of *March* in any Year  
and the Twenty fifth Day of *March* following, a Certificate of  
such Entry and Registry shall be granted by the said Commis-  
sioners of Stamps, or by some Person deputed and authorized  
by the said Commissioners for that Purpose, to the Society or  
Copartnership by whom or on whose Behalf such Entry and Re-  
gistry shall be made, and such Certificate shall be written on  
Vellum, Parchment or Paper, duly stamped with the Stamp re-  
quired by Law for Certificates to be taken out yearly by any  
Banker or Bankers in *Ireland* ; and a separate and distinct Cer-  
tificate.

tificate, on a separate Piece of Vellum, Parchment or Paper, with a separate and distinct Stamp, shall be granted for and in respect of every Town and Place where any such Promissory Note shall be issued or made payable by any such Society or Copartnership, or by any Agent or Agents, for or on account of such Society or Copartnership; and every such Certificate shall specify the proper Firm, Style, Title or Name of such Society or Copartnership under which such Notes are to be issued, and also the Name of the Town or Place, Towns or Places, where such Notes are to be issued, and shall also specify and set forth the Names and Places of Abode of all the Persons concerned in such Society or Copartnership, and the Christian and Surname, and Place of Abode, and Title or Description of the Public Officer of such Society or Copartnership, in whose Name such Society or Copartnership shall sue and be sued; and in Default of making such Entry as is hereby required, or any Part thereof, such Certificate shall be absolutely void; and every such Certificate shall be dated on the Day on which the same shall be granted, and shall have Effect and continue in Force from the Day of the Date thereof until the Twenty fifth Day of *March* following, both inclusive, and no longer.

In what case Certificate void.

Certificates to be for one Year only.

IV. And be it further enacted, That if after the Expiration of One Calendar Month next after the passing of this Act, any Society or Copartnership of Persons exceeding Six in Number (except the Governor and Company of the Bank of *Ireland*), shall at any Time between the Twenty fifth Day of *March* following, issue any such Promissory Notes payable on Demand, without having made or caused to be made such Entry and Registry as is by this Act required for such Year, and obtained a Certificate or Certificates thereof for such Year, in Manner required by this Act, every such Society or Copartnership shall for every such Neglect or Offence forfeit the Sum of Five hundred Pounds *British Currency*.

Not making Entry and not taking out Certificate.

Penalty 50*l*.

V. And be it further enacted, That all Actions and Suits to be commenced or instituted by or on Behalf of any such Society or Copartnership, against any Person or Persons, Bodies Politic or Corporate, or others, for recovering any Debts or enforcing any Claims or Demands due to such Society or Copartnership, and all Proceedings in Law or Equity relating to the same, or other the Concerns of any such Society or Copartnership, shall and lawfully may, from and after the passing of this Act, be commenced or instituted and prosecuted in the Name of such Public Officer for the Time being of such Society or Copartnership, as the nominal Plaintiff for and on Behalf of such Society or Copartnership; and that all Actions or Suits and Proceedings in Law or in Equity, to be commenced or instituted against such Society or Copartnership, shall and lawfully may be commenced, instituted and prosecuted against such Public Officer for the Time being of such Society or Copartnership, as the nominal Defendant for and on the Behalf of such Society or Copartnership; and that all Indictments, Informations and Prosecutions by or on Behalf of such Society or Copartnership, for any Stealing or Embezzlement of any Money, Goods, Effects or Property of or belonging to such

Actions and Suits to be commenced in the Name of the Public Officer of such Partnership, and in Actions against Society such Officer to be made Defendant.

Indictments, &c. on Behalf of Society to be preferred in the

Name of such Public Officer.  
What such Indictment to state.

such Society or Copartnership, or for any Fraud, Crime or other Offence committed against or with Intent to injure or defraud such Society or Copartnership, shall and lawfully may be had or preferred and carried on in the Name of such Public Officer for the Time being of such Society or Copartnership; and that in all Indictments and Informations to be had or preferred by or on the Part or Behalf of such Society or Copartnership, it shall be lawful and sufficient to state the Money, Goods and Effects or Property of such Society or Copartnership, to be the Money, Goods, Effects or Property of the Public Officer for the Time being of the said Society or Copartnership; and that any Crime or other Offence committed against or with Intent to injure or defraud such Society or Copartnership, shall and lawfully may in such Indictment or Indictments be laid or stated to have been committed against or with Intent to injure or defraud such Public Officer for the Time being of the said Society or Copartnership; and any Offender or Offenders may thereupon be lawfully convicted for any such Crime or Offence; and that the Death, Resignation or Removal, or other Act of such Public Officer for the Time being of any such Society or Copartnership, shall not abate or prejudice any such Action, Suit, Indictment, Information, Prosecution or other Proceeding then depending against or by or on Behalf of such Society or Copartnership.

Death, &c. of Officer no Abatement.

Judgment against such Public Officer in such Actions, to operate against the Partnership.

VI. And be it further enacted, That all and every Judgment and Judgments which shall at any Time after the passing of this Act be had or recovered in any Action, Suit or Proceedings in Law or Equity, against any such Public Officer of any such Society or Copartnership, shall have the like Effect and Operation upon and against the Property of such Society or Copartnership, and upon and against the Property of every Member thereof, as if such Judgment or Judgments had been recovered or obtained against such Society or Copartnership themselves: and further, that the Bankruptcy, Insolvency or stopping Payment of such Public Officer for the Time being of such Society or Copartnership, in his individual Character or Capacity, shall not be or be construed to be the Bankruptcy, Insolvency or stopping Payment of such Society or Copartnership; and also that such Society or Copartnership and every Member thereof, and the Capital Stock and Effects of such Society or Copartnership, shall in all Cases, notwithstanding the Bankruptcy, Insolvency or stopping Payment of such Public Officer, be attached and attachable, and shall be in all respects liable to the lawful Claims and Demands of the Creditor and Creditors of such Society or Copartnership, in like Manner as if no such Bankruptcy, Insolvency or stopping Payment of such Public Officer of such Society or Copartnership had happened or taken place.

Capital liable.

Execution upon Judgment in any such Action may be issued against any Member of the Society, and the Public Officer to be saved harmless.

VII. Provided always, and be it enacted, That Execution upon any Judgment in any such Action, obtained against such Public Officer for the Time being of any such Society or Copartnership, whether as Plaintiff or Defendant, may be issued against any Member or Members for the Time being of such Society or Copartnership: Provided always, that every such Public Officer, in whose Name any such Action or Suit shall be

be commenced, prosecuted or defended, and every such Member or Members against whom Execution upon any Judgment obtained in any such Action shall be issued as aforesaid, shall always be reimbursed and paid out of the Funds of such Society or Copartnership all such Costs and Charges as by the Event of any such Proceeding he or they shall be put to and become chargeable with.

VIII. And be it further enacted, That this Act and the Powers and Provisions herein contained shall extend and be at all Times construed to extend to any such Society or Copartnership, and the Members thereof for the Time being, during the Continuance of such Society or Copartnership, whether the same do or shall consist or be composed of all or some only of the Persons who originally were, or at the Time of this Act may be Members of any such Society or Copartnership, or of all or some only of those Persons, together with some other Persons, or entirely of some other Persons, all of whom became or may become Members of such Society or Copartnership, at any Time after the original Institution thereof, or subsequent to the passing of this Act.

Act extended to existing Partners.

IX. And be it further enacted, That all Penalties, Forfeitures and Sums of Money to be forfeited under this Act may be sued for and recovered in any of His Majesty's Courts of Record at Dublin, by any Person, in his or her own Name, by Action of Debt, Bill, Plaint or Information founded on this Act, provided such Action be commenced within Twelve Calendar Months next after such Offence committed, in which Action there shall not be any Essoign or Wager of Law, nor more than One Imparance allowed; and all Sums so to be recovered shall be applied, one Moiety thereof to the Use of the Person who shall sue for the same, and the other Moiety to His Majesty, His Heirs and Successors.

Recovery of Penalties.

Limitation of Action.

X. And be it declared and enacted, That so much of an Act made in the Parliament of Ireland, in the Nineteenth and Twentieth Years of the Reign of His late Majesty King George the Third, intituled *An Act to explain an Act, intituled 'An Act to prevent Frauds committed by Bankrupts,'* whereby it is enacted, that all mercantile Companies or Partnerships shall set forth in their several Invoices, Bills of Parcels, Promissory Notes and Custom House Entries, the Names of the several Individuals of which such Partnership or Company doth consist, doth not and shall not extend, and shall not be construed to extend to any Society or Copartnership of Bankers in Ireland; any Custom or Usage to the contrary in any wise notwithstanding.

19 & 20 G. 3. (1.) how far not to extend to Bankers in Ireland.

#### C A P. LXXIV.

An Act for ascertaining and establishing Uniformity of Weights and Measures. [17th June 1824.]

‘ WHEREAS it is necessary for the Security of Commerce, and for the Good of the Community, that Weights and Measures should be just and uniform: And Whereas notwithstanding it is provided by the Great Charter, that there shall be but one Measure and one Weight throughout the Realm, and

‘ by the Treaty of Union between *England* and *Scotland*, that  
 ‘ the same Weights and Measures should be used throughout  
 ‘ *Great Britain* as were then established in *England*, yet different  
 ‘ Weights and Measures, some larger, and some less, are still in  
 ‘ use in various Places throughout the United Kingdom of  
 ‘ *Great Britain* and *Ireland*, and the true Measure of the present  
 ‘ Standards is not verily known, which is the Cause of great  
 ‘ Confusion and of manifest Frauds: For the Remedy and Pre-  
 ‘ vention of these Evils for the future, and to the End that  
 ‘ certain Standards of Weights and Measures should be esta-  
 ‘ blished throughout the United Kingdom of *Great Britain* and  
 ‘ *Ireland* ;’ Be it therefore enacted by the King’s most Excellent  
 Majesty, by and with the Advice and Consent of the Lords Spi-  
 ritual and Temporal, and Commons, in this present Parliament as-  
 sembled, and by the Authority of the same, That from and after  
 the First Day of *May* One thousand eight hundred and twenty  
 five, the Straight Line or Distance between the Centres of the  
 Two Points in the Gold Studs in the Straight Brass Rod, now in  
 the Custody of the Clerk of the House of Commons, whereon the  
 Words and Figures “ Standard Yard, 1760,” are engraved, shall  
 be and the same is hereby declared to be the original and genuine  
 Standard of that Measure of Length or lineal Extension called  
 a Yard; and that the same Straight Line or Distance between  
 the Centres of the said Two Points in the said Gold Studs in the  
 said Brass Rod, the Brass being at the Temperature of Sixty two  
 Degrees by *Fahrenheit’s* Thermometer, shall be and is hereby  
 denominated the “ Imperial Standard Yard,” and shall be and is  
 hereby declared to be the Unit or only Standard Measure of  
 Extension, wherefrom or whereby all other Measures of Exten-  
 sion whatsoever, whether the same be lineal, superficial or solid,  
 shall be derived, computed and ascertained; and that all Mea-  
 sures of Length shall be taken in Parts or Multiples, or certain  
 Proportions of the said Standard Yard; and that One third Part  
 of the said Standard Yard shall be a Foot, and the Twelfth Part  
 of such Foot shall be an Inch; and that the Pole or Perch in  
 Length shall contain Five such Yards and a Half, the Furlong  
 Two hundred and twenty such Yards, and the Mile One thou-  
 sand seven hundred and sixty such Yards.

II. And be it further enacted, That all Superficial Measure  
 shall be computed and ascertained by the said Standard Yard, or  
 by certain Parts, Multiples or Proportions thereof; and that the  
 Rood of Land shall contain One thousand two hundred and ten  
 Square Yards, according to the said Standard Yard; and that  
 the Acre of Land shall contain Four thousand eight hundred and  
 forty such Square Yards, being One hundred and sixty Square  
 Perches, Poles or Rods.

‘ III. And Whereas it is expedient that the said Standard Yard  
 ‘ if lost, destroyed, defaced or otherwise injured, should be re-  
 ‘ stored of the same Length, by Reference to some invariable  
 ‘ natural Standard: And Whereas it has been ascertained by the  
 ‘ Commissioners appointed by His Majesty to inquire into the  
 ‘ Subject of Weights and Measures, that the said Yard hereby  
 ‘ declared to be the Imperial Standard Yard, when compared  
 ‘ with a Pendulum vibrating Seconds of Mean Time in the Lati-  
 ‘ tude

After 1st May  
 1825, Standard  
 Yard defined as  
 the Measure of  
 Length shall be  
 the Unit of the  
 Measures of  
 Extension.

Foot.  
 Inch.  
 Pole or Perch.  
 Furlong.  
 Mile.

Superficial  
 Measures com-  
 puted from said  
 Yard.  
 Rood.  
 Acre.

‘ tude of *London*, in a Vacuum at the Level of the Sea, is in the  
 ‘ Proportion of Thirty six Inches to Thirty nine Inches, and One  
 ‘ thousand three hundred and ninety three ten thousandth Parts  
 ‘ of an Inch;’ Be it therefore enacted and declared, That if at  
 any Time hereafter the said Imperial Standard Yard shall be lost,  
 or shall be in any Manner destroyed, defaced or otherwise in-  
 jured, it shall and may be restored by making, under the Direc-  
 tion of the Lord High Treasurer, or the Commissioners of His  
 Majesty’s Treasury of the United Kingdom of *Great Britain* and  
*Ireland*, or any Three of them, for the Time being, a new Stand-  
 ard Yard, bearing the same Proportion to such Pendulum as afore-  
 said, as the said Imperial Standard Yard bears to such Pen-  
 dulum.

The Yard, if  
 lost, &c. may  
 be restored by  
 Reference to  
 the Length of a  
 Pendulum  
 vibrating  
 Seconds at  
 London.

IV. And be it further enacted, That from and after the First  
 Day of *May* One thousand eight hundred and twenty five, the  
 Standard Brass Weight of One Pound Troy Weight, made in the  
 Year One thousand seven hundred and fifty eight, now in the  
 Custody of the Clerk of the House of Commons, shall be and the  
 same is hereby declared to be the original and genuine Standard  
 Measure of Weight, and that such Brass Weight shall be and is  
 hereby denominated the Imperial Standard Troy Pound, and  
 shall be and the same is hereby declared to be the Unit or  
 only Standard Measure of Weight, from which all other Weights  
 shall be derived, computed and ascertained; and that One twelfth  
 Part of the said Troy Pound shall be an Ounce; and that One  
 twentieth Part of such Ounce shall be a Pennyweight; and that  
 One twenty fourth Part of such Pennyweight shall be a Grain;  
 so that Five thousand seven hundred and sixty such Grains shall  
 be a Troy Pound, and that Seven thousand such Grains shall  
 be and they are hereby declared to be a Pound Avoirdupois,  
 and that One Sixteenth Part of the said Pound Avoirdupois shall  
 be an Ounce Avoirdupois, and that One sixteenth Part of such  
 Ounce shall be a Dram.

Standard Pound  
 defined as the

Measure of  
 Weight.

Ounce.  
 Pennyweight.  
 Grain.

Dram.

‘ V. And Whereas it is expedient, that the said Standard Troy  
 ‘ Pound, if lost, destroyed, defaced or otherwise injured, should  
 ‘ be restored of the same Weight, by Reference to some invari-  
 ‘ able natural Standard: And Whereas it has been ascertained,  
 ‘ by the Commissioners appointed by His Majesty to inquire  
 ‘ into the Subjects of Weights and Measures, that a Cubic Inch  
 ‘ of distilled Water, weighed in Air by Brass Weights, at the  
 ‘ Temperature of Sixty two degrees of *Fahrenheit’s* Thermometer,  
 ‘ the Barometer being at Thirty Inches, is equal to Two hundred  
 ‘ and fifty two Grains and Four hundred and fifty eight thou-  
 ‘ sandth Parts of a Grain, of which, as aforesaid, the Imperial  
 ‘ Standard Troy Pound contains Five thousand seven hundred  
 ‘ and sixty;’ Be it therefore enacted, That if at any Time here-  
 after the said Imperial Standard Troy Pound shall be lost, or shall  
 be in any Manner destroyed, defaced or otherwise injured, it  
 shall and may be restored by making, under the Directions of  
 the Lord High Treasurer or the Commissioners of His Majesty’s  
 Treasury of the United Kingdom of *Great Britain* and *Ireland*,  
 or any Three of them for the Time being, a new Standard Troy  
 Pound, bearing the same Proportion to the Weight of a Cubic  
 Inch

The Pound, if  
 lost, &c. may  
 be restored by  
 Reference to  
 the Weight of  
 a Cubic Inch  
 of Water.

Inch of distilled Water, as the said Standard Pound hereby established bears to such Cubic Inch of Water.

Standard Gallon, containing 10 Pounds Avoirdupois of Water, to be the Measure of Capacity.

Gallon.

Quart.

Pint.

Peck.

Bushel.

Quarter.

Standard for Heaped Measure.

How the Bushel shall be heaped.

Measure of Weight, or Heaped Measure, to be used for Articles herein mentioned.

For other Articles, Weight or stricken Measure,

VI. And be it further enacted, That from and after the First Day of *May* One thousand eight hundred and twenty five, the Standard Measure of Capacity, as well for Liquids as for dry Goods not measured by Heaped Measure, shall be the Gallon, containing Ten Pounds Avoirdupois Weight of distilled Water weighed in Air, at the Temperature of Sixty two Degrees of *Fahrenheit's* Thermometer, the Barometer being at Thirty Inches; and that a Measure shall be forthwith made of Brass, of such Contents as aforesaid, under the Directions of the Lord High Treasurer or the Commissioners of His Majesty's Treasury of the United Kingdom, or any Three or more of them for the Time being; and such Brass Measure shall be and is hereby declared to be the Imperial Standard Gallon, and shall be and is hereby declared to be the Unit and only Standard Measure of Capacity, from which all other Measures of Capacity to be used, as well for Wine, Beer, Ale, Spirits and all Sorts of Liquids, as for dry Goods not measured by Heap Measure, shall be derived, computed and ascertained; and that all Measures shall be taken in Parts or Multiples, or certain Proportions of the said Imperial Standard Gallon; and that the Quart shall be the Fourth Part of such Standard Gallon, and the Pint shall be One eighth of such Standard Gallon, and that Two such Gallons shall be a Peck, and Eight such Gallons shall be a Bushel, and Eight such Bushels a Quarter of Corn or other dry Goods, not measured by heaped Measure.

VII. And be it further enacted, That the Standard Measure of Capacity for Coals, Culm, Lime, Fish, Potatoes or Fruit, and all other Goods and Things commonly sold by Heaped Measure, shall be the aforesaid Bushel, containing Eighty Pounds Avoirdupois of Water as aforesaid, the same being made round with a plain and even Bottom, and being Nineteen Inches and a Half from Outside to Outside of such Standard Measure as aforesaid.

VIII. And be it further enacted, That in making use of such Bushel, all Coals and other Goods and Things commonly sold by Heaped Measure, shall be duly heaped up in such Bushel, in the Form of a Cone, such Cone to be of the Height of at least Six Inches, and the Outside of the Bushel to be the Extremity of the Base of such Cone; and that Three Bushels shall be a Sack, and that Twelve such Sacks shall be a Chaldron.

IX. Provided always, and be it enacted, That any Contracts, Bargains, Sales and Dealings made or had for or with respect to any Coals, Culm, Lime, Fish, Potatoes or Fruit, and all other Goods and Things commonly sold by Heaped Measure, sold, delivered, done or agreed for, or to be sold, delivered, done or agreed for by Weight or Measure, shall and may be either according to the said Standard of Weight or the said Standard for Heaped Measure; but all Contracts, Bargains, Sales and Dealings, made or had for any other Goods, Wares or Merchandise, or other Thing done or agreed for, or to be sold, delivered, done or agreed for by Weight or Measure, shall be made and had according to the said Standard of Weight, or to the said Gallon or the Parts, Multiples or Proportions thereof; and in using the same



same the Measures shall not be heaped, but shall be stricken with a Round Stick or Roller, straight and of the same Diameter from End to End.

X. Provided always, and be it enacted, That nothing herein contained shall authorize the selling in *Ireland*, by Measure, of any Articles, Matters or Things which by any Law in force in *Ireland* are required to be sold by Weight only.

XI. And be it further enacted, That Copies and Models of each of the said Standard Yard, the said Standard Pound, the said Standard Gallon, and the said Standard for Heaped Measure, and of such Parts and Multiples thereof respectively, as the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland* or the said Commissioners of His Majesty's Treasury, or any Three of them for the Time being, shall judge expedient, shall within Three Calendar Months next after the passing of this Act, be carefully made and verified under the Direction of the said Lord High Treasurer or the said Commissioners of His Majesty's Treasury, or any Three of them for the Time being; and that the Copies and Models of the said Standard Yard, of the said Standard Pound, of the said Standard Gallon, and of the said Standard for Heaped Measure, and of Parts and Multiples thereof, so forthwith to be made and verified as aforesaid, shall, within Three Calendar Months after the passing of this Act, be deposited in the Office of the Chamberlains of the Exchequer at *Westminster*, and that Copies thereof, verified as aforesaid, shall be sent to the Lord Mayor of *London* and the Chief Magistrate of *Edinburgh* and *Dublin*, and of such other Cities and Places, and to such other Places and Persons in His Majesty's Dominions or elsewhere, as the Lord High Treasurer or Commissioners of the Treasury may from time to time direct.

XII. And be it further enacted, That His Majesty's Justices of the Peace in every County, Riding or Division in *England* or *Ireland*, or Shire or Stewartry in *Scotland*, and the Magistrates in every City, Town or Place (being a County within itself) in *England* or *Ireland*, and in every City or Royal Burgh in *Scotland*, shall, within Six Calendar Months after the passing of this Act, purchase for their respective Counties, Ridings or Divisions, Shires or Stewartries, Cities, Towns or Places, or Cities or Royal Burghs, a Model and Copy of each of the aforesaid Standards of Length, Weight, Measure, and of each of the Parts and Multiples thereof; which Models and Copies, when so purchased, shall be compared and verified with the Models and Copies deposited with the Chamberlains of the Exchequer as aforesaid, in such Manner as aforesaid, and upon Payment of such Fees as are at present payable to the said Chamberlains upon the Comparison and Verification of Weights and Measures with the Standards thereof; and such Models and Copies, when so compared and verified, shall be placed for Custody and Inspection with such Person or Persons, and in such Place or Places, as the said Justices and Magistrates, in their respective Counties, Ridings and Divisions, and Shires or Stewartries, Cities, Towns and Places, or Cities or Royal Burghs shall appoint, and the same shall be produced by the Keeper or Keepers thereof, upon reasonable Notice, at such Time or Times, and Place or Places within each such County,

Selling by Measure instead of Weight in *Ireland*.

Copies and Models of the Standard of Length, Weight, and Measure to be made and verified under Direction of the Treasury.

Models and Copies to be provided for Counties, &c.

To be placed for Custody and Inspection as herein mentioned.

Riding or Division, Shire or Stewartry, City, Town or Place, or City or Royal Burgh, as any Person or Persons shall by Writing under his or their Hand or Hands require; the Person requiring such Production paying the reasonable Charges of the same.

Expences of procuring such Models and Copies, how to be paid in England and Scotland respectively.

XIII. And be it further enacted, That the Expence of procuring and transmitting such Models and Copies for the respective Counties, Ridings or Divisions, Cities, Towns or Places, shall be paid in that Part of the said United Kingdom of *Great Britain* and *Ireland* called *England*, out of the Rates payable in such Counties, Ridings or Divisions, Cities, Towns or Places; and in that Part of the said United Kingdom called *Scotland*, such Expences in the respective Shires and Stewartries, and Cities or Royal Burghs, shall be assessed by the Commissioners of Supply upon such Shires and Stewartries, and upon Cities or Royal Burghs, by the Magistrates thereof, and shall be paid along with the Land Tax payable in such Shires or Stewartries, and Cities or Royal Burghs, to the Collectors of the Land Tax in such Shires or Stewartries, and Cities or Royal Burghs respectively; and in *Ireland* such Expences shall be paid in the respective Counties, and Counties of Cities and Counties of Towns, by Presentments to be made by Grand Juries; and the Collectors of such County Rates in *England*, of Land Tax in *Scotland*, and of the Assessments under Grand Jury Presentments in *Ireland*, shall have such and the same Powers of levying and recovering the Assessments to be made under this Act as are competent to them for levying and recovering the said County Rates, Land Tax and Grand Jury Assessments respectively; and the said Collectors respectively shall, out of the Proceeds of such Assessments, pay the Expences of procuring and transmitting such Models and Copies as aforesaid accordingly.

For ascertaining Measures of Capacity, where Reference cannot easily be had to Standards.

XIV. Provided always, and be it enacted, That in all Cases of Dispute respecting the Correctness of any Measure of Capacity, arising in a Place where Recourse cannot be conveniently had to any of the aforesaid verified Copies or Models of the Standard Measures of Capacity, or Parts or Multiples of the same, it shall and may be lawful to and for any Justice of the Peace or Magistrate having Jurisdiction in such Place, to ascertain the Content of such Measure of Capacity by direct Reference to the Weight of pure or Rain Water which such Measure is capable of containing; Ten Pounds Avoirdupois Weight of such Water, at the Temperature of Sixty two Degrees by *Fahrenheit's* Thermometer, being the Standard Gallon ascertained by this Act, the same being in Bulk equal to Two hundred and seventy seven Cubic Inches, and Two hundred and seventy four One thousandth Parts of a Cubic Inch, and so in Proportion for all Parts or Multiples of a Gallon.

After 1st May 1825, all Contracts for Sale, &c. by Weight or Measure shall relate to the Standard, unless the contrary is specified.

XV. And be it further enacted, That from and after the First Day of *May* One thousand eight hundred and twenty five, all Contracts, Bargains, Sales and Dealings which shall be made or had within any Part of the United Kingdom of *Great Britain* and *Ireland*, for any Work to be done, or for any Goods, Wares, Merchandize or other Thing to be sold, delivered, done or agreed for by Weight or Measure, where no special Agreement shall be made to the contrary, shall be deemed, taken and construed

strued to be made and had according to the Standard Weights and Measures ascertained by this Act; and in all Cases where any special Agreement shall be made, with Reference to any Weight or Measure established by local Custom, the Ratio or Proportion which every such local Weight or Measure shall bear to any of the said Standard Weights or Measures shall be expressed, declared and specified in such Agreement, or otherwise such Agreement shall be null and void.

XVI. And Whereas it is expedient that Persons should be allowed to use the several Weights and Measures which they may have in their Possession, although such Weights and Measures may not be in Conformity with the Standard Weights and Measures established by this Act; Be it therefore enacted, That it shall and may be lawful for any Person or Persons to buy and sell Goods and Merchandize by any Weights or Measures established either by local Custom, or founded on special Agreement; Provided always, that in order that the Ratio or Proportion which all such Measures and Weights shall bear to the Standard Weights and Measures established by this Act, shall be and become a Matter of common Notoriety, the Ratio or Proportion which all such customary Measures and Weights shall bear to the said Standard Weights and Measures shall be painted or marked upon all such customary Weights and Measures respectively; and that nothing herein contained shall extend or be construed to extend to permit any Maker of Weights or Measures, or any Person or Persons whomsoever, to make any Weight or Measure at any Time after the First Day of *May* One thousand eight hundred and twenty five, except in Conformity with the Standard Weights and Measures established under the Provisions of this Act.

Existing Weights and Measures may be used, being marked so as to show the Proportion they have to the Standard Measures and Weights.

XVII. And for the Purpose of ascertaining and fixing the Payments to be made in consequence of all existing Contracts or Rents in *England* and *Ireland*, payable in Grain or Malt, or in any other Commodity or Thing, and in consequence of any Toll or Rate heretofore payable according to the Weights and Measures heretofore in use; Be it enacted, That at the General or Quarter Sessions of the Peace to be holden in every County, Riding or Division, and in every City, Town or Place, (being a County of itself) in *England* or *Ireland*, next after the Expiration of Six Calendar Months after the passing of this Act, or at any General Quarter Sessions of the Peace to be holden thereafter, an Inquisition shall be taken before the Justices assembled at such General or Quarter Sessions, by the Oaths of Twelve substantial Freeholders of the said respective Counties, Cities, Towns or Places, having Lands or Tenements to the Value of One hundred Pounds *per Annum* or upwards, to be summoned by the Sheriff or proper Officer of every such County, City, Town or Place, to inquire into and ascertain the Amount, according to the Standard of Weight or Measure by this Act established, of all Contracts or Rents payable in Grain or Malt, or any other Commodity or Thing, or with Reference to the Measure or Weight of any such Grain, Malt or other Commodity or Thing, and the Amount of any Toll or Rate heretofore payable according to any Weights and Measures heretofore in use within such Counties,

For ascertaining Rents, &c. payable in Grain or Malt, &c. in *England* and *Ireland*.

ties, Cities, Towns or Places respectively; and such Inquisitions, when taken, shall be transmitted by the respective Clerks of the Peace of the same Counties respectively, or by the Mayor, Bailiff or other Head Officer of every such City, Town or Place (being a County of itself), into His Majesty's Courts of Exchequer at *Westminster* and *Dublin* respectively, and shall there be enrolled of Record, and shall and may be given in Evidence in any Action or Suit at Law or in Equity; and the Amount so to be ascertained shall be the Rule of Payment in regard to all such Contracts, Rents, Tolls or Rates in all Time coming; and the Costs and Charges of such Inquisitions, and the Enrolments thereof, shall be paid and defrayed in *England* out of the general Rate or Stock of every such County, Riding, Division, City, Town or Place (being a County of itself), and in *Ireland* by Presentments of the several Grand Juries.

For ascertaining Rents, &c. payable in Grain or Malt, &c. in Scotland.

XVIII. And for the Purpose of ascertaining and fixing the Payments to be made of all Stipends, Feu Duties, Rents, Tolls, Customs, Casualties and other Demands whatsoever, payable in Grain, Malt or Meal, or any other Commodity or Thing in that Part of the United Kingdom called *Scotland*, or in any Place or District of the same; Be it enacted, That the Sheriff Depute or Sheriff Substitute in each Shire, and the Stewart Depute or Stewart Substitute in each Stewartry, within *Scotland*, shall, as soon as conveniently may be after the Expiration of Six Calendar Months from and after the passing of this Act, summon and impanel a Jury of the same Number, and with the same Qualifications, which are required in the Jury who strike the Fiar Prices of Grain within the same Shire or Stewartry, to assemble at such Place or Places as he shall find convenient; which Jury shall inquire into and ascertain the Amount, according to the Standards by this Act established, of all such Stipends, Feu Duties, Rents, Tolls, Customs, Casualties and other Demands whatsoever, payable in Grain, Malt, Meal or any other Commodity or Thing, according to the Weights and Measures heretofore in Use within the same Shires or Stewartries; and such Inquisitions, when taken, shall be transmitted by the respective Sheriff Clerks or Stewart Clerks of such Shires or Stewartries, into His Majesty's Court of Exchequer at *Edinburgh*, and shall there be enrolled of Record, and shall and may be given in Evidence in any Action or Suit at Law or in Equity; and the Amount so to be ascertained shall, when converted into the Standard Weights and Measures, be the Rule of Payment in regard to all such Stipends, Feu Duties, Rents, Tolls, Customs, Casualties and other Demands whatsoever, in all Time coming; and the Costs and Charges of such Inquisitions, and the Enrolment thereof, shall be assessed and levied, paid and defrayed by every such Shire or Stewartry, in Manner as is hereinbefore directed in regard to the Assessment for the Models of the Weights and Measures to be purchased for the same Shire or Stewartry.

Costs thereof how defrayed.

Tables of Equalization to be made and constructed under the Authority of the Treasury.

XIX. And be it further enacted, That as soon as conveniently may be after such Inquisitions shall have been made and enrolled in *England*, *Ireland* and *Scotland* respectively, accurate Tables shall be prepared and published under the Authority of the said Commissioners of His Majesty's Treasury, showing the Proportions

Proportions between the Weights and Measures heretofore in Use, as mentioned in such Inquisitions, and the Weights and Measures hereby established, with such other Conversions of Weights or Measures as the said Commissioners of His Majesty's Treasury may deem to be necessary; and after the Publication of such Tables, all future Payments to be made shall be regulated according to such Tables.

XX. And Whereas the Weights and Measures by which the Rates and Duties of the Customs and Excise, and other His Majesty's Revenue, have been heretofore collected, are different from the Weights and Measures of the same Denominations directed by this Act to be universally used: And Whereas the Alteration of such Weights and Measures may, without due Care had therein, greatly affect His Majesty's Revenue and tend to the diminishing of the same: For the Prevention hereof, Be it therefore enacted, That so soon as conveniently may be after the passing of this Act, accurate Tables shall be prepared and published under the Direction of the said Commissioners of the Treasury for the Time being, in order that the several Rates and Duties of Customs and Excise, and other His Majesty's Revenue, may be adjusted and made payable according to the respective Quantities of the legal Standards directed by this Act to be universally used; and that from and after the said First Day of *May* One thousand eight hundred and twenty five, and the Publication of such Tables, the several Rates and Duties thereafter to be collected by any of the Officers of His Majesty's Customs or Excise, or other His Majesty's Revenue, shall be collected and taken according to the Calculations in the Tables to be prepared as aforesaid.

Tables to be constructed for the Collection of the Customs and Excise, &c.

XXI. And be it further enacted, That all the Powers, Rules and Regulations in force, and contained in the several Acts hereinafter mentioned, specified and set forth, for the ascertaining, examining, seizing, breaking and destroying any Weights, Balances or Measures, shall be applied and put in Execution in *Great Britain* for the ascertaining and examining, and for the seizing, breaking and destroying of any Weights or Measures not conformable to the Standard Weights and Measures ascertained and authorized by this Act, and for the Punishment of any Person or Persons having any defective Weight or Measure, not conformable to the said Standard Weights and Measures; that is to say, in an Act made in the Parliament of *Great Britain*, in the Twenty ninth Year of King *George* the Second, intituled *An Act for appointing a sufficient Number of Constables for the Service of the City and Liberty of Westminster, and to compel proper Persons to take upon them the Office of Jurymen, to prevent Nuisances and other Offences within the said City and Liberty*; and in an Act made in the Thirty first Year of the Reign of King *George* the Second, for explaining, amending and rendering more effectual the said recited Act of the Twenty ninth Year; and in an Act made in the Parliament of *Great Britain*, in the Thirty fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the more effectual Prevention of the Use of defective Weights, and of false and unequal Balances*; and in an Act made in the Parliament of *Great Britain*, in the

Regulations and Penalties of British Acts, vi.

29 G. 2. c. 25.

31 G. 2. c. 17.

35 G. 3. c. 102.

Thirty

37 G.3. c.143.

Thirty seventh Year of His said late Majesty's Reign, for explaining and amending the said recited Act of the said Thirty fifth Year, and as the said recited Act of the said Thirty fifth Year is amended by the said Act of the said Thirty seventh Year: and in an Act made in the Parliament of the United Kingdom of Great Britain and Ireland, in the Fifty fifth Year of the Reign of His said late Majesty, intituled *An Act for the more effectual Prevention of the Use of false and deficient Measures*; and in the Powers, Rules, Regulations, Provisions, Penalties and Forfeitures in the said several Acts contained, shall be applied and put in execution as if the Weights or Measures ascertained by this Act had been specified in the said recited Acts respectively, and as if all such Powers, Rules, Regulations, Provisions, Penalties and Forfeitures, and Modes of Recovery thereof, were repeated and re-enacted in this Act, except only so far as the said recited Acts or any of them, or any Part thereof, are expressly repealed or altered by this Act, or any other Act or Acts.

55 G.3. c.43.

shall be applied  
to this Act.

Regulations  
and Penalties  
of the follow-  
ing Acts, viz.

4. Ann. (I.)

11 G.2. (I.)

25 G.2. (I.)

27 G.3. (I.)

28 G.3. (I.)

shall be applied  
to this Act.

XXII. And be it further enacted, That all the Powers, Rules and Regulations in force, and contained in the several Acts hereinafter mentioned, specified and set forth, passed in the Parliament of Ireland, shall be applied and put in Execution in Ireland, for the ascertaining and examining, and for the seizing, breaking and destroying of any Weights or Measures not conformable to the Standard Weights and Measures ascertained and authorized by this Act, and for the Punishment of any Person or Persons having any defective Weight or Measure, or any Weight or Measure not conformable to the said Standard Weights and Measures, and for the carrying into Effect the several Provisions of the said recited Acts with Reference to the said Standard Weights and Measures; that is to say, in an Act made in the Fourth Year of the Reign of Queen Anne, for regulating the Weights used in Ireland; and in an Act made in the Eleventh Year of the Reign of King George the Second, for the buying and selling all Sorts of Corn and Meal, and other Things in the said Act mentioned, by Weight; and in an Act made in the Twenty fifth Year of the Reign of King George the Second, intituled *An Act for buying and selling all Sorts of Corn and Meal, and other Things therein mentioned, by Weight, and for the more effectual preventing the Frauds committed in the buying and selling thereof*; and in an Act made in the Twenty seventh Year of the Reign of His late Majesty King George the Third, intituled *An Act for establishing Market Juries in Cities*, and which said last mentioned Act was by an Act made in the Twenty eighth Year of His said late Majesty's Reign extended to all Counties of Towns and Corporate Towns in Ireland; and all the Powers, Rules and Regulations, Provisions, Penalties and Forfeitures in the said several Acts contained, shall be applied and put in Execution, as if the Weights or Measures ascertained by this Act had been specified in the said recited Acts respectively, and as if such Powers, Rules, Regulations, Provisions, Penalties and Forfeitures, and the Modes of Recovery thereof, were repeated and re-enacted in this Act, except only so far as the said recited Acts or any of them, or any Part thereof, are expressly repealed or altered by this Act, or any other Act or Acts.

XXII. And

XXIII. And be it further enacted, That the several Statutes, Ordinances and Acts, and Parts of the several Statutes, Ordinances and Acts hereinafter mentioned and specified, so far as he same relate to the ascertaining or establishing any Standards of Weights and Measures, or to the establishing or recognizing certain Differences between Weights and Measures of the same Denomination, shall, from and after the First Day of *May* One thousand eight hundred and twenty five, be repealed; that is to say, certain ancient Statutes or Ordinances made previous to the Reign of King *Edward* the Third, but being of uncertain Date, intituled or known by the Names or Descriptions following: "*Assisa Panis et Cervisicæ*," or "*The Assize of Bread and Ale*;" "*Statutum de Pistoribus, et cetera*," or "*Statute concerning Bakers, et cetera*;" "*Assisa de Ponderibus et Mensuris*," or "*Tractatus de Ponderibus*," or "*Compositio de Ponderibus*," or "*Assize of Weights and Measures*;" "*Statutum de Admensuratione Terræ*," or "*Statute for the measuring of Land*;" "*Compositio Ulnarum et Perficarum*;" and also so much of a Statute made in the Fourteenth Year of the Reign of King *Edward* the Third, as relates to the making of Bushels and Weights, and sending the same into every Country; and also so much of the said last mentioned Statute as directs that the Sack of Wool ought to contain Twenty six Stones, and every Stone Fourteen Pounds; and also so much of a Statute made in the Eighteenth Year of the Reign of the said King *Edward* the Third, as relates to Commissioners to assay Weights and Measures; and also so much of a Statute made in the Parliament summoned at *Westminster* on the Feast of *Saint Hilary*, in the Twenty fifth Year of the Reign of the said King *Edward* the Third, as relates to Auncel Weight, and the Weight of the Sack of Wool, and as relates to the Bushel, Half Bushel, Peck, Gallon, Pottle and Quart, and to the Quarter and Measure of Corn; and also so much of the Statute or Ordinance of the Staples, made in the Twenty seventh Year of the Reign of the said King *Edward* the Third, as relates to the Uniformity of Weights and Measures throughout the Realm; and also so much of a Statute made in the Thirty first Year of the Reign of King *Edward* the Third, as relates to the regulating the Price and Weight of Wools, and as relates to the Tun of Wine and the gauging thereof; and also so much of a Statute made in the Thirty fourth Year of the Reign of King *Edward* the Third, whereby Justices of the Peace are empowered to inquire of Weights and Measures; and also so much of a Statute made in the Fourth Year of the Reign of King *Richard* the Second, as relates to the gauging of Vessels of Wine, Honey, Oil and other Liquors brought into the Realm; and also so much of a Statute made in the Thirteenth Year of the Reign of King *Richard* the Second, as relates to the regulating of Weights and Measures, and to the buying and selling of Wool at Fourteen Pounds the Stone; and also so much of a Statute made in the Fifteenth Year of the Reign of King *Richard* the Second, as relates to Weights and Measures of Corn, Wine, Ale and Malt; and also so much of a Statute made in the Sixteenth Year of the Reign of King *Richard* the Second, as relates to the Clerk of the Market, and the Assay of Weights and Measures made by him, and the using such

So much of former Statutes, Ordinances or Acts, as relate to establishing Weights or Measures, repealed, viz.

Statutes of uncertain Date.

14 E. 3. st. 1. c. 12.

c. 21.

18 E. 3. st. 2. c. 4.

25 E. 3. st. 5. c. 9, 10.

27 E. 3. st. 2. c. 10.

31 E. 3. st. 1. cc. 2, 5.

34 E. 3. c. 5.

4 R. 2. c. 1.

13 R. 2. st. 1. c. 9.

15 R. 2. c. 4.

16 R. 2. c. 3.

- such Weights and Measures; and also so much of a Statute made in the First Year of the Reign of King *Henry* the Fifth, as concerns the true Measure of Corn, or as is intituled *An Act concerning the true Measure of Corn*; and also so much of a Statute made in the Second Year of the Reign of King *Henry* the Sixth, as relates to the several Measures of Vessels of Wine, Eels, Herrings and Salmon; and also so much of a Statute made in the Eighth Year of the Reign of King *Henry* the Sixth, as relates to the confirming and amending former Statutes concerning Weights and Measures, and requiring common Balances and Weights to be kept in all Cities, Boroughs and Towns; and also so much of a Statute made in the Ninth Year of the Reign of King *Henry* the Sixth, as relates to the explaining the said Statute of the Eighth Year of King *Henry* the Sixth, concerning Weights and Measures, so far as relates to the Burgesses of *Dorchester*; and also so much of the said Statute made in the Ninth Year of King *Henry* the Sixth, as relates to the Weight of a Wey of Cheese; and also so much of a Statute made in the Eleventh Year of the Reign of King *Henry* the Sixth, as relates to the confirming and amending former Statutes concerning Weights and Measures; and also so much of a Statute made in the Eighteenth Year of the Reign of King *Henry* the Sixth, as relates to the gauging of Vessels of Wine, Oil, and Honey; and also so much of a Statute made in the Twenty second Year of King *Edward* the Fourth, as relates to the packing of Barrelled Fish, or as is intituled *An Act for packing of Barrelled Fish*; and also the Whole of an Act made in the First Year of the Reign of King *Richard* the Third, intituled *An Act to ascertain the Contents of Vessels of Wine and Oil, or An Act for the Contents of a Butt of Malmsey*; and also an Act made in the Seventh Year of the Reign of King *Henry* the Seventh, intituled *An Act for Weights and Measures*; and also another Act made in the same Seventh Year of the Reign of King *Henry* the Seventh, intituled *An Act to pay Custom for every Butt of Malmsey*; and also an Act made in the Eleventh Year of the Reign of King *Henry* the Seventh, intituled *An Act for Weights and Measures*; and also an Act made in the Twelfth Year of the Reign of King *Henry* the Seventh, intituled *An Act for Weights and Measures*; and also an Act made in the Twenty third Year of the Reign of King *Henry* the Eighth, intituled *An Act that no Brewers of Beer or Ale shall make their Barrels, Kilderkins or Firkins within them, and how much the same Barrels, et cetera, shall contain*; and also an Act made in the Twenty fourth Year of the Reign of King *Henry* the Eighth, intituled *An Act concerning Sale of Wines*; and also an Act made (in the Parliament of *Ireland*) in the Twelfth Year of the Reign of Queen *Elizabeth*, intituled *An Act for the establishing the Standard of Measures for Corn within certain Shires of this Realm*; and also so much of an Act made in the Thirteenth Year of the Reign of Queen *Elizabeth*, intituled *An Act for the Maintenance of the Navigation*, as relates to the Assize of Herring Barrels; and also so much of an Act made in the Twenty third Year of the Reign of Queen *Elizabeth*, intituled *An Act touching the true melting, making and working of Wax*, as relates to the Barrel, Kilderkin or Firkin of Honey; and also the Whole of an Act,
- 1 H.5. c.10.
- 2 H.6. c.11.
- 8 H.6. c.5.
- 9 H.6. c.6.
- Id. c.8.
- 11 H.6. c.8.
- 18 H.6. c.17.
- 22 E.4. c.2.
- 1 R.3. c.13.
- 7 H.7. c.4.
- Id. c.8.
- 11 H.7. c.4.
- 12 H.7. c.5.
- 23 H.8. c.4.
- 24 H.8. c.6.
- 12 Elis. (I.)
- 13 Elis. c.11. in part.
- 23 Elis. c.8. in part.



- Act, made in the Forty third Year of Queen *Elizabeth*, intituled *46 Ells. c. 14.*  
*An Act concerning the Assize of Fuel*; and also an Act made in  
the Sixteenth Year of the Reign of King *Charles the First*, inti- *16 C. 1. c. 19.*  
titled *An Act for the better ordering and regulating of the Office of*  
*Clerk of the Market, allowed and confirmed by this Statute*; and  
for the Reformation of false *Weights and Measures*; and also so  
much of an Act made in the Twelfth Year of the Reign of *12 C. 2. c. 29.*  
King *Charles the Second*, intituled *A Grant of certain Imposi-*  
tions upon *Beer, Ale and other Liquors, for the Increase of His*  
*Majesty's Revenue during his Life*, as relates to the Contents of in part.  
the Barrel of *Beer and Ale*; and also an Act made in the Twenty *23 C. 2. c. 8.*  
second Year of the Reign of King *Charles the Second*, intituled  
*An Act for ascertaining the Measures of Corn and Salt*; and also  
an Act made in the Parliament holden in the Twenty second and *22, 23 C. 2.*  
Twenty third Years of the Reign of the said King *Charles the*  
*Second*, intituled *An additional Act for ascertaining the Measures*  
*of Corn and Salt*; and also so much of an Act made in the First *1 W. & M. st. 1.*  
Year of the Reign of King *William and Queen Mary*, intituled *An*  
*Act for an additional Duty of Excise upon Beer or Ale and other*  
*Liquors*, as relates to the Contents of the Barrel of *Beer and Ale*; *c. 24. in part.*  
and also so much of an Act made in the Fifth and Sixth Years of *5, 6 W. & M.*  
the Reign of King *William and Queen Mary*, made, among other *c. 7. in part.*  
Things, for granting to their Majesties certain Rates and Duties  
upon *Salt*, and upon *Beer, Ale and other Liquors*, as relates to  
the Measure and Weight of *Salt*; and also an Act made (in the  
Parliament of *Ireland*) in the Seventh Year of the Reign of King *7 W. 3. (L.)*  
*William the Third*, for the better regulating of Measures in and  
throughout that Kingdom; and also so much of an Act made in  
the Seventh and Eighth Years of the Reign of King *William the*  
*Third*, made, among other Things, for continuing to His Majesty  
certain Duties upon *Salt, Glass Wares and Earthen Wares*, as  
relates to the Measure and Weight of *Salt*; and also the Whole  
of an Act made in the Ninth and Tenth Years of the Reign of *7, 8 W. & M.*  
King *William the Third*, intituled *An Act that all Retailers of*  
*Salt shall sell by Weight*; and also so much of an Act made in *c. 21. in part.*  
the Tenth and Eleventh Years of the Reign of King *William*  
the *Third*, made, among other Things, for levying further Duties  
upon *Sweets*, and for lessening the Duties as well upon *Vinegar*  
as upon certain *Low Wines*, as relates to the Contents of a Barrel  
of *Vinegar, Vinegar Beer, or Liquor preparing for Vinegar*; and  
also so much of another Act made in the same Tenth and *9, 10 W. 3. c. 6.*  
Eleventh Years of the Reign of the said King *William the Third*,  
intituled *An Act for the more full and effectual charging of the*  
*Duties upon Rock Salt*, as relates to the Weight or Measure of *10, 11 W. 3.*  
*Rock Salt*; and also the Whole of an Act made in the Eleventh *c. 21. in part.*  
and Twelfth Years of the Reign of King *William the Third*, in-  
tituled *An Act for the ascertaining the Measures for retailing*  
*Ale and Beer*; and also an Act made in the First Year of the Reign  
of Queen *Anne*, intituled *An Act to ascertain the Water Measure*  
*of Fruit*; and also so much of an Act made in the same First *1 Ann. st. 1.*  
Year of the Reign of Queen *Anne*, intituled *An Act for prevent-*  
ing *Frauds in the Duties upon Salt, and for the better Payment of*  
*Debentures at the Custom House*, as relates to the Weight and *c. 15.*  
Measure of *Foreign Salt and Rock Salt*; and also an Act made  
in part.  
(in

- 2 Ann. (I.) (in the Parliament of *Ireland*) in the Second Year of the Reign of Queen *Anne*, for supplying the Defects of the hereinbefore recited Act, passed in the Parliament of *Ireland* in the Seventh Year of the Reign of King *William* the Third; and also so much of an Act made in the Fifth and Sixth Years of the Reign of Queen *Anne*, intituled *An Act for continuing several Subsidia, Impositions and Duties, and for making Provisions therein mentioned, to raise Money by way of Loan for the Service of the We. and other Her Majesty's necessary and important Occasions; and for ascertaining the Wine Measure*, as relates to the Contents of the Gallon, Tun, Butt, Pipe and Hogshead of Wine; and also so much of an Act made in the Ninth Year of the Reign of Queen *Anne*, made, among other Things, for reviving, continuing and appropriating certain Duties upon several Commodities to be exported, and certain Duties upon Coals to be waterborne and carried coastwise, as relates to the Chaldron or Chalder and Bushel of Coals; and also the Whole of an Act made in the said Ninth Year of the Reign of Queen *Anne*, for making more effectual the hereinbefore recited Act of the Forty third Year of the Reign of Queen *Elizabeth*, concerning the Assize of Fuel; and also an Act made in the Tenth Year of the Reign of Queen *Anne*, intituled *An Act for explaining and altering the Laws now in being concerning the Assizes of Fuel, so far as they relate to the Assize of Billet made or to be made of Beech Wood only*; and also so much 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 preventing Combinations to enhance the Prices, and for avoiding Exactions and Abuses formerly practised in the Sale and Measure of Coals*, as relates to the Dimensions of the Half Barrel, Bushel, Half Bushel, Peck or Half Peck of Coals; and also so much of an Act made in the Eighth Year of the Reign of King *George* the Second, made, among other Things, for granting and continuing the Duties upon Salt and upon Red and White Herrings, as relates to the Computation of the Distance in Miles between the Pits and Refiners of Rock Salt; and also an Act made (in the Parliament of *Ireland*) in the Ninth Year of the Reign of King *George* the Second, intituled *An Act for the ascertaining the Gauge and the Measure of Barrels and Half Barrels used by Brewers in selling Beer, Ale and Small Beer*; and also so much of the Statute made in the Twenty fourth Year of the Reign of King *George* the Second, intituled *An Act for explaining, amending and enforcing an Act passed in the Thirteenth Year of His late Majesty's Reign, intituled 'An Act for the better Regulation of the Linnen and Hempen Manufactures in that Part of Great Britain called Scotland, and for further regulating and encouraging the said Manufactures'*, as relates to the Weight of Hemp or Flax; and also an Act made (in the Parliament of *Ireland*) in the Twenty sixth Year of the Reign of His late Majesty King *George* the Third, for preventing Frauds in the Measurement of Lime; and also so much of an Act made in the Thirty eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for transferring the Management of the Salt Duties to the Commissioners of Excise, and for repealing the Duties on Salt, and the Drawbacks, Allowances and Bounties thereon*, as relates to the Weight
- 5, 6 Ann. c. 27. in part.
- 9 Ann. c. 6. in part.
- 9 Ann. c. 15.
- 10 Ann. c. 6.
- 1 G. 2. (I.) in part.
- 8 G. 2. c. 12. in part.
- 9 G. 2. (I.)
- 24 G. 2. c. 31. in part.
- 26 G. 3. (I.)
- 38 G. 3. c. 89. in part.

Weight of a Bushel of Salt; and also so much of an Act made in the Forty third Year of the Reign of His late Majesty King George the Third, intituled *An Act to repeal the Duties of Excise payable in Great Britain, and to grant other Duties in lieu thereof*, as relates to the Quart, Gallon and Barrel of Beer or Ale; and all the said recited Statutes or Ordinances and Acts, and Parts of Statutes and Acts, so far as the same or any of them relate to the ascertaining or establishing any Standards of Weights and Measures, or to the establishing or recognizing certain Differences between Weights and Measures of the same Denomination, but no farther or otherwise, shall, from and after the said First Day of May One thousand eight hundred and twenty five, be and the same are hereby repealed; save and except only so far as any such Statutes or Acts, or any Part thereof, repeal any other Statutes or Acts, or any Part thereof which relate to the ascertaining or establishing any Standard of Weights and Measures, or to the establishing or recognizing certain Differences between Weights and Measures of the same Denomination; all which Statutes and Acts, or any Parts thereof so repealed, shall be and remain repealed to all Intents and Purposes whatever.

45 G. 3. c. 69.  
in part.

repealed,  
save so far as  
the said Acts  
repeal former  
Acts relating  
to Weights and  
Measures.

XXIV. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to repeal the hereinbefore recited Act made in the Parliament of Great Britain, in the Thirty first Year of the Reign of King George the Second, nor in any Manner to affect or alter the Power given by the said recited Act to the Dean, High Steward or his Deputy, and the Burgesses of the City of *Westminster*, to appoint a proper Officer to size and seal all Weights and Measures used by Persons dealing by Weight and Measure in the said City of *Westminster* and the Liberties thereof, but that all the Powers given and reserved to the said Dean, High Steward or his Deputy and Burgesses, by the said recited Act, shall and may be exercised in the appointing of a proper Officer to size and seal all such Weights and Measures as shall, from the passing of this Act, be lawful and be used by Persons dealing by Weight and Measure within the said City and Liberties of *Westminster*, and shall and may be used and exercised by any Officer so appointed, in the same Manner in all respects as is directed by the said recited Act with relation to the Weights and Measures in the said recited Act mentioned.

Proviso for  
51 G. 3. c. 17.  
which em-  
powers the  
Dean and High  
Steward of  
*Westminster*,  
&c. to appoint  
a proper Officer  
to size and seal  
Weights and  
Measures.

XXV. Provided always, and be it further enacted, That from and after the passing of this Act, all Tuns, Pipes, Tertians, Hogsheads or other Vessels of Wine, Oil, Honey and other gaugeable Liquors, imported or brought into the Port of the City of *London*, and landed within the said City and the Liberties thereof, shall be subject and liable to be gauged, as heretofore hath been of Right accustomed, by the Lord Mayor of the said City for the Time being, by virtue of his Office of Gauger, or by his sufficient Deputies, lawfully appointed, save and except that the Contents of all such Tuns, Pipes, Tertians, Hogsheads and other Vessels shall and may be ascertained by the Standard Measure of Capacity for Liquids directed by this Act, and the Multiples thereof; and that all such Tuns, Pipes, Tertians, Hogsheads or other Vessels that shall be found wanting of the true

Vessels of  
Wine, and  
other gaugeable  
Liquors im-  
ported into  
*London*, liable  
to gauge as  
heretofore by  
Lord Mayor or  
his Deputies.

Contents to be ascertained by Standard Measure of this Act.

Contents which such Tuns, Pipes, Tertians, Hogsheads or other Vessels ought to be of, to be ascertained as aforesaid, together with the Wine and other Liquids therein contained, shall be subject and liable to the like Seizures and Forfeitures as it or are provided by any Act or Acts of Parliament heretofore made for ascertaining the true Contents of Tuns, Pipes, Tertians, Hogsheads and other Vessels of Wine, Oil, Honey and other gaugeable Liquors; and that the Moieties of such Forfeitures due to his Majesty, His Heirs and Successors, shall be, in like Manner as heretofore hath been accustomed, accounted for by the Lord Mayor for the Time being, as such Gauger and his Deputies to His Majesty, His Heirs and Successors, in his and their Court of Exchequer at *Westminster*.

Proviso for London as to Office of Gauger of Wines, &c.

XXVI. Provided also, That this Act or any Thing herein contained shall not extend to prohibit, defeat, injure or lessen the Right of the Mayor and Commonalty and Citizens of the City of *London*, or of the Lord Mayor of the said City for the Time being, of, in, to or concerning the Office of Gauger of Wines, Oils, Honey and other gaugeable Liquors imported and landed within the City of *London* and the Liberties thereof.

#### C A P. LXXV.

An Act to decrease the Duty on Cocoa Nuts imported; to exempt certain Goods from Payment of Auction Duties; to provide that the Parish of *Saint Pancras* shall be under the Inspection of the Head Office of Excise; and to amend certain Laws of Excise relating to *Maltsters in Ireland*; to the Drawback on Beer exported from *Great Britain*; and to the Duty on Draining Tiles.

[17th June 1824.]

From July 5, 1825, Duties on Cocoa Nuts to cease, and in lieu thereof there shall be paid the Duties herein mentioned.

To be levied as the former Duties.

‘ WHEREAS it is expedient that the Duties on Cocoa Nuts imported into any Part of the United Kingdom should be decreased:’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fifth Day of *July* One thousand eight hundred and twenty five, the several Duties of Customs payable on Cocoa Nuts imported into any Part of the United Kingdom of *Great Britain* and *Ireland*, shall cease and determine; and that in lieu of the said Duties there be granted, raised, levied and paid to His Majesty, His Heirs and Successors, on Cocoa Nuts imported into any Part of the United Kingdom, the Duties following; that is to say, upon all Cocoa Nuts, the Growth or Produce of any *British* Colony, Plantation or Territory, the Sum of One Shilling for every Pound Weight thereof; and upon all Cocoa Nuts of the Growth or Produce of any other Country or Place, the Sum of One Shilling and Three Pence for every Pound Weight thereof; and that the said several Duties shall be collected, raised, levied, paid and applied in such and the like Manner, and under such and the like Regulations, as the several Duties of Excise and Customs on Cocoa Nuts imported into *Great Britain* or *Ireland*.

and hereby repealed, were collected, raised, levied, paid and applied under and by virtue of any Act or Acts in force immediately before the passing of this Act.

II. And Whereas it is expedient to exempt certain Goods, Wares, Merchandize and Effects of the Portuguese Dominions, in certain Cases, from the Duty on Goods sold by Auction; Be it therefore enacted, That from and after the passing of this Act, all Goods, Wares, Merchandize and Effects, which under the Provisions of an Act made in the Fifty first Year of the Reign of His late Majesty King George the Third, 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*, shall be imported into any Part of the United Kingdom in any Ship or Vessel built in any of the Territories or Dominions in the said Act mentioned or condemned as Prize there, and being owned and navigated as in the said Act is mentioned, shall and may be sold by Auction free of the Duty imposed by Law on Goods and Effects sold by Auction: Provided nevertheless, that nothing in this Act contained shall extend or be deemed or construed to extend to authorize the Sale of any such Goods or Effects free of the said Duty, unless on the First Sale of such Goods or Effects by or for the Account of the original Importer thereof, by whom the same were entered at the Custom House at the Port of Importation, nor unless such Sale shall be made within Twelve Months next after the Time when such Goods or Effects shall have been so imported.

Goods of the Portuguese Dominions imported under 51 G.S. c.47. exempt from Auction Duty,

only allowed on the First Sale on account of the Importer within Twelve Months.

III. And Whereas by an Act made in the Twelfth Year of the Reign of His late Majesty King Charles the Second, intituled *An Act for taking away the Court of Wards and Liveries and Tenures in Capite and by Knights Service, and Purveyance; and for settling a Revenue upon His Majesty in lieu thereof*; it is amongst other Things enacted, that all Parts of the Cities of London and Westminster, and the Borough of Southwark, and the several Suburbs thereof, and Parishes within the Weekly Bills of Mortality, should be under the immediate Care, Inspection and Management of the Head Office of Excise in London: And Whereas, since the passing of the said Act, the Parish of Saint Pancras in the County of Middlesex is greatly increased in Buildings and Inhabitants, and is contiguous to the Parishes within the said Bills of Mortality; Be it therefore enacted, That the said Parish of Saint Pancras shall, from and after the Fifth Day of July One thousand eight hundred and twenty four, be deemed and taken, and is hereby declared and enacted to be under the immediate Care, Inspection and Management of the said Head Office of Excise; any Law, Custom or Usage to the contrary thereof in any wise notwithstanding.

12 C.2. c.24. § 48.

Parish of St. Pancras to be under the Inspection of the Head Office of Excise.

IV. And Whereas the Amount of the Duties payable in Ireland upon Licences to Maltsters is considerably greater than the Amount of Duties on the like Licences in Great Britain; and it is expedient that such Duties should be assimilated; Be it therefore enacted, That from and after the Fifth Day of January One thousand eight hundred and twenty five, the several Duties upon any Licence to any Person to sell Malt, the

From Jan. 5, 1825, the Duties on Licences to Malt-

Party

sters payable in Ireland to cease, and in lieu thereof the Duties herein specified shall be paid.

Party selling the same not being licensed to make Malt, and which are made payable by an Act made in the Fifty fifth Year of the Reign of His late Majesty King *George* the Third, among other Things for granting Duties of Excise upon Licences to Persons dealing in Exciseable Commodities in *Ireland*, shall cease and determine; and that in lieu of such Duties the following Duties and no more shall be raised, levied and paid to His Majesty, His Heirs and Successors, being reduced Duties, and equal in Amount to the Duties payable in *Great Britain* upon such Licences; that is to say, upon all Licences to be taken out by Maltsters or Makers of Malt in *Ireland* for Sale or for the Purpose of being used in any Brewery or Distillery, for every such Licence, to be paid by every such Maltster or Maker of Malt, if the Quantity of Malt made by such Maltster or Maker of Malt within the Year ending the Fifth Day of *January* in each Year previous to taking out the Licence shall not exceed Fifty Quarters, the Sum of Seven Shillings and Sixpence; if the same shall exceed Fifty Quarters and shall not exceed One hundred Quarters, the Sum of Fifteen Shillings; if the same shall exceed One hundred Quarters and shall not exceed One hundred and fifty Quarters, the Sum of One Pound Two Shillings and Sixpence; if the same shall exceed One hundred and fifty Quarters and shall not exceed Two hundred Quarters, the Sum of One Pound Ten Shillings; if the same shall exceed Two hundred Quarters and shall not exceed Two hundred and fifty Quarters, the Sum of One Pound Seventeen Shillings and Sixpence; if the same shall exceed Two hundred and fifty Quarters and shall not exceed Three hundred Quarters, the Sum of Two Pounds Five Shillings; if the same shall exceed Three hundred Quarters and shall not exceed Three hundred and fifty Quarters, the Sum of Two Pounds Twelve Shillings and Sixpence; if the same shall exceed Three hundred and fifty Quarters and shall not exceed Four hundred Quarters, the Sum of Three Pounds; if the same shall exceed Four hundred Quarters and shall not exceed Four hundred and fifty Quarters, the Sum of Three Pounds Seven Shillings and Sixpence; if the same shall exceed Four hundred and fifty Quarters and shall not exceed Five hundred Quarters, the Sum of Three Pounds Fifteen Shillings; if the same shall exceed Five hundred Quarters and shall not exceed Five hundred and fifty Quarters, the Sum of Four Pounds Two Shillings and Sixpence; and if the same shall exceed Five hundred and fifty Quarters, the Sum of Four Pounds Ten Shillings; and that there shall be paid by every Person in *Ireland* who shall first become a Maltster or Maker of Malt for Sale or for the Purpose of being used in any Brewery or Distillery, for every such Licence the Sum of Seven Shillings and Sixpence; and that within Ten Days after the Fifth Day of *January* next after the taking out such Licence such further additional Sum shall be paid by every such Person as, with the said Sum of Seven Shillings and Sixpence, shall amount to the Duty required to be paid according to the Quantity of Malt made in the preceding Year; and that from and after the said Fifth Day of *January* One thousand eight hundred and twenty five in lieu of the Duties payable in *Ireland* under the said recited Act upon any Licence to any Person in *Ireland*

*Ireland* to sell Malt, the Party selling the same not being licensed to make Malt, there shall be raised, levied and paid to His Majesty, His Heirs and Successors, the Sum of Two Pounds, and no more.

V. And be it further enacted, That the several Duties on Licences made payable by this Act shall be calculated according to the Amount thereof in *British* Currency, and shall be raised, levied and paid, and such Licences shall be granted to the Persons requiring the same under such and the like general Regulations, as the Duties upon Licences to Persons dealing in Exciseable Commodities are or may be raised, levied and paid, and as such Licences may be granted, under the said Act made in the Fifty fifth Year of the Reign of His late Majesty King *George* the Third, among other Things for granting Duties of Excise upon Licences to Persons dealing in Exciseable Commodities in *Ireland*, and under such special Regulations relating to Licences to Persons making Malt, as are contained in any Act or Acts in force in *Great Britain* or *Ireland* for the Collection of the Duties on Malt and regulating the Trade of a Maltster, and as if such general and special Regulations were repeated and re-enacted in this Act, except only so far as the same are altered by this Act.

VI. Provided always, and be it enacted, That all Licences to be granted under this Act shall be in force until the Fifth Day of *January* next after the Date thereof respectively; and that every Person who shall take out any such Licence shall and every such Person is hereby required to apply for a fresh Licence Ten Days at least before the Fifth Day of *January* next after taking out the preceding Licence; and every such Licence shall be dated on or after such Fifth Day of *January*, and shall be granted before any such Person shall carry on the Business of a Maltster or Maker of Malt or Seller of Malt, as the Case may be, and in the same Manner to renew every such Licence from Year to Year, paying such Sum as by this Act is required to be paid for every such Licence respectively; and that if any Person or Persons in *Ireland* shall carry on the Business of a Maltster or Maker of Malt or Seller of Malt, without first taking out such Licence, and renewing the same yearly in Manner aforesaid, every such Person shall for every such Offence forfeit the Sum of Twenty Pounds, to be recovered and applied in like Manner as any Penalty of the like Amount may be recovered and applied under the said recited Act of the Fifty fifth Year of His said late Majesty's Reign, for granting Duties of Excise upon Licences to Persons dealing in Exciseable Commodities in *Ireland*.

VII. And, for the further assimilating the Regulations for collecting the Duties on Malt made in *Ireland* with the Regulations in force in *Great Britain*, be it enacted, That it shall and may be lawful for the Commissioners of His Majesty's Treasury, or any Three or more of them, to make any Orders, or to give any Directions, as to the said Commissioners shall seem fit and proper, for the Suspension, at any Time after the Fifth Day of *January* One thousand eight hundred and twenty five, of the several Enactments contained in an Act made in the Fifty fifth Year of the Reign of His late Majesty King *George* the Third, intituled

Duties on Licences to be in *British* Currency, and levied as Duties on Licences for dealing in Exciseable Commodities under 55 G. 3. c. 19.

Licences to be in force until 5th of *January* after their Date, and to be renewed yearly.

Carrying on Business of a Maltster in *Ireland* with a Licence.

Penalty 20l.

Treasury may order Suspension of 55 G. 3. c. 99. or any Act which requires yearly or monthly Charges on Maltsters in *Ireland* in proportion to the Size of the

Floors of the  
Malt House.

intituled *An Act to make further Provisions for collecting and securing the Duties of Excise on Malt made in Ireland*, or in any Act or Acts for amending the said recited Act, or for the Collection of the Malt Duties, or regulating the Trade of a Malster in *Ireland*, which authorize or require the making of any yearly or monthly Charges on Maltsters in *Ireland* in Proportion to the Size of the working or drying Floor or Floors, in each Malt House of such Maltsters; and such yearly or monthly Charges shall be suspended accordingly, during such Time as such Commissioners of His Majesty's Treasury shall specify in any Orders and Directions to be made by them for that Purpose; and during such Suspension no such monthly or yearly Charge, in Proportion to the Size of any such working or drying Floor, shall be made on any Maltster in *Ireland*; any Thing in the said recited Act, or in any other Act or Acts relating to the Duties on Malt made in *Ireland*, to the contrary in any wise notwithstanding.

On shipping  
Beer made in  
G. B. for Ex-  
portation,  
Brewer to make  
Oath that the  
Beer has been  
brewed wholly  
from Malt on  
which Duty  
paid, &c.

VIII. And be it further enacted, That from and after the passing of this Act, on every Shipment for Exportation on Drawback of any Beer made in *Great Britain*, the Shipper or Exporter thereof, and the Brewer thereof or his Foreman or Manager, shall make Oath (which Oath any Officer of Excise is hereby empowered to administer) that according to the best of his and their Knowledge and Belief, such Beer has been brewed wholly from Malt which has been charged with and paid the full Duty of Excise for every Bushel thereof, and shall in such Oath specify the Time when and the Place where and the Brewer by whom such Beer was brewed, and whether such Beer was brewed from Malt made of Bear or Bigg or not, and that the Quantity of Malt employed in the brewing of such Beer (if such Beer was brewed from Malt made of any Corn or Grain other than Bear or Bigg) was in the Proportion of not less than Two Bushels of such Malt for every Barrel of such Beer, and if such Beer was brewed from Malt made of Bear or Bigg, then that the Quantity of such Malt employed in the making of such Beer was in the Proportion of not less than Two Bushels and Five Gallons of such Malt for every Barrel of such Beer; and if any Person or Persons shall ship for Exportation on Drawback any Beer made in *Great Britain*, or shall claim any such Drawback thereon respectively, without such Oath being made as aforesaid, no Drawback shall be payable or paid on such Beer; and if it shall be sworn that such Duty on Malt has been paid, and the same shall not have been paid, or if any such Oath shall be in any other respect false or untrue, every such Person making such Oath shall for every such Offence forfeit and lose the Sum of Two hundred Pounds, to be recovered and applied in like Manner as any Penalty of the like Amount may be recovered and applied under any Act or Acts relating to the Duties of Excise; and all such Beer shall be forfeited, and shall and may be seized by any Officer or Officers of Excise.

Drawback not  
paid unless  
Oath made.

Swearing falsely  
Penalty 200l.  
and Forfeiture  
of Beer.

Tiles or Bricks  
may be made  
for draining  
Land Duty-  
free, provided

IX. And for the giving further Encouragement to the draining wet and marshy Lands, be it enacted, That from and after the passing of this Act it shall and may be lawful to and for any Person or Persons to make Tiles or Bricks for the sole Purpose of draining wet or marshy Land, without being charged or chargeable



chargeable with any Duty for or in respect of such Tiles or Bricks: Provided always, that all such Tiles and Bricks shall be made upon the Land for the draining of which such Tiles or Bricks shall be used and employed, or within a Quarter of a Mile of such Land; and that if any such Tiles or Bricks shall be used or employed in the erecting, or in the roofing or covering of any House, Shed or other Building, or otherwise than for such Purpose of draining as aforesaid, the same shall be charged and chargeable with the Duty, in like Manner as other Tiles or Bricks are chargeable under any Act or Acts in force immediately before the passing of this Act.

they are made on such Land or within a Quarter of a Mile of it.

## C A P. LXXVI.

An Act to continue several Acts for establishing Regulations for the Security of the Revenue on Goods imported from Places within the Limits of the Charter granted to the East India Company; and to grant, until the Twenty fifth Day of March One thousand eight hundred and twenty five, Duties on Sugar imported from Places within the Limits of the said Charter, in lieu of former Duties.

[17th June 1824.]

WHEREAS an Act was passed in the Fifty fourth Year of the Reign of His late Majesty King George the Third, 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*: And Whereas another Act was passed in the Fifty fifth Year of the Reign of His late Majesty, intituled *An Act to make further Provision respecting the Duties payable upon East India Goods, and to allow Bond to be given for Payment of the Duties upon such Goods when imported by Private Traders*: And Whereas another Act was passed in the said Fifty fourth Year of the Reign of His late Majesty, intituled *An Act to grant, until the Tenth Day of April One thousand eight 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 to establish further Regulations for the better Security of the Revenue on Goods so imported*: And Whereas by an Act made in the First and Second Years of the Reign of His present Majesty, all the said Acts were continued until the Fifth Day of July One thousand eight hundred and twenty four (except as in the said Act is excepted): And Whereas an Act was made in the Fifty ninth Year of His said late Majesty's Reign, intituled *An Act to repeal the several Duties of Customs*

54 G.3. c. 36.

55 G.3. c. 10.

54 G.3. c. 103.

1 & 2 G.4. c. 106

59 G.3. c. 52.

' chargeable in Great Britain, and to grant other Duties in lieu thereof; and by Table B. thereto annexed certain Duties of Customs were granted and made payable in lieu of the Duties granted by the said first recited Act of the Fifty fourth Year of His late Majesty: And Whereas by Two Acts made in the last Session of Parliament, the one for repealing certain Duties of Customs in *Great Britain*, and granting other Duties in lieu thereof, and the other for repealing the several Duties of Customs in *Ireland*, and granting other Duties in lieu thereof; and by the several Tables marked B., to the said Acts respectively annexed, certain Duties of Customs were granted and made payable on Goods, Wares and Merchandizes imported into *Great Britain* and *Ireland* respectively, from any Place within the Limits of the Charter of the said Company: And Whereas the said Three first recited Acts are near expiring, and it is fit that the same should be continued in Manner herein after mentioned: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Two several first recited Acts of the Fifty fourth Year of His said late Majesty's Reign, and also the said recited Act of the Fifty fifth Year of His said late Majesty's Reign, shall be and the same are hereby further continued until the same shall be altered or repealed by any Act or Acts of Parliament, except so far as relates to the Amount of the Duties and Drawbacks of Customs granted and made payable by the said Two Acts of the Fifty fourth Year of His said late Majesty's Reign.

54 G. 3. c. 36.  
and c. 103. and  
55 G. 3. c. 10.  
continued.

[Instead of the  
Duties on East  
India Sugar  
now payable,  
here shall be  
aid till March  
25, 1825, the  
Duties specified  
in the Schedule  
annexed.

II. And be it further enacted, That in lieu and instead of the several Duties on Sugar, the Growth, Produce or Manufacture of any Places within the Limits of the Charter granted to the United Company of Merchants of *England* trading to the *East Indies*, which under and by virtue of the said several recited Acts of the last Session of Parliament are imposed and made payable on such Sugar, until the First Day of *July* One thousand eight hundred and twenty four, or which are payable under any other Act or Acts in force immediately before the passing of this Act, there shall be granted, raised, levied and paid unto His Majesty, His Heirs and Successors, from and after the passing of this Act, and until and upon the Twenty fifth Day of *March* One thousand eight hundred and twenty five, upon all such Sugar imported into any Part of the United Kingdom, the several Duties of Customs specified in the Schedule to this Act annexed.

Duties to be  
levied as other  
Duties on  
Sugar.

III. And be it further enacted, That the several Duties of Customs by this Act, and the Table thereto annexed, granted and made payable on Sugar, shall be raised, levied, collected and paid in such Manner, and under and subject to all such and the like Regulations, as the several Duties of Customs on Sugar imported from Places in the *East Indies*, under any Act or Acts in force immediately before the passing of this Act, and as if all such Regulations had been repeated and re-enacted in this Act.

TABLE

TABLE to which this Act refers.

A TABLE of the DUTIES of CUSTOMS payable on SUGAR, 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 any Part of the United Kingdom of Great Britain and Ireland.

	£.	s.	d.
Sugar; viz.			
— Refined, the cwt. - - - - -	8	8	0
Candy; viz.			
— - - - - Brown, the cwt. - - - - -	5	12	0
— - - - - White, the cwt. - - - - -	8	8	0
— not being Sugar Candy, nor Refined, viz.			
— the Growth, Produce or Manufacture of any Country or Place within the Limits of the said Charter, and not being in the East Indies,			
— of any British Colony, Plantation or Territory, the cwt.	2	0	0
— of any other such Country or Place, the cwt. -	3	3	0
— the Growth, Produce or Manufacture of any Country or Place within the Limits of the said Charter, and being in the East Indies,			
— of any British Colony, Plantation or Territory, the cwt.	2	0	0
— of any other such Country or Place, the cwt. - -	3	3	0

C A P. LXXVII.

n Act to amend the Acts for the Issue of Exchequer Bills for Public Works. [17th June 1824:]

**W**HEREAS an Act was passed in the Fifty seventh Year of the Reign of His late Majesty, intituled *An Act to authorize the Issue of Exchequer Bills, and the Advance of Money out of the Consolidated Fund, to a limited Amount, for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in Great Britain, in Manner therein mentioned*; and another Act was passed in the said Fifty seventh Year, intituled *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*; and another Act was passed in the First Year of the Reign of His present Majesty, intituled *An Act to amend and continue Two Acts, passed in the Fifty seventh Year of His late Majesty King George the Third, 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 extend the Powers of the Commissioners for executing the said Acts in Great Britain*; and another Act was 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

57 G.3. c.34.  
57 G.3. c.124.  
1 G.4. c.60.  
3 G.4. c.86.

' to

Commissioners under recited Acts, when directed by Treasury, are to advance Money towards carrying into Execution any Act for completing Works of general Importance and Utility.

Interest not less than current on Exchequer Bills.

‘ to authorize a further Issue of Exchequer Bills for the Purpose of the said Acts: And Whereas it is expedient to authorize the Commissioners for executing the said Acts to advance and lend any Sums of Money towards the Execution of any Act of Parliament for making, completing or maintaining any Works of general public Importance and Utility, which shall be carried on under the Direction of Commissioners appointed by Authority of Parliament, on such Terms and Conditions as shall be directed by the Commissioners of His Majesty’s Treasury of the United Kingdom of *Great Britain and 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 it shall and may be lawful and for the Commissioners for the Time being for the Execution of the said recited Act of the Fifty seventh Year of the Reign of His late Majesty, and of the several other Acts hereinbefore recited, whenever the said Commissioners shall be directed so to do by any Warrant under the Hands of any Three or more of the said Commissioners of the Treasury, and the said Commissioners for the Execution of the said recited Acts are hereby authorized and required to advance and lend any Sum or Sums of Money towards the carrying into Execution any Act of Parliament for making, completing or maintaining any Works of general public Importance and Utility, which shall be carried on under the Direction of any Commissioners appointed by Authority of Parliament, on such Terms and Conditions as shall from time to time be directed by the said Commissioners of the Treasury or any Three or more of them, any Thing in the said recited Acts or any of them contained to the contrary in any wise notwithstanding: Provided always, that the Rate of Interest payable on such Loan or Advance shall not be less than the current Rate of Interest which shall be payable on Exchequer Bills at the Time of making such Loan or Advance.

### C A P. LXXVIII.

An Act to amend an Act of the Third Year of His present Majesty for enabling His Majesty to lease Lands belonging to the Duchy of *Cornwall*, and to authorize the Sale and Purchase of the Prisage and Butlerage of Wines in the Ports of the County of *Cornwall*, and in *Phymouth*.

[17th June 1824.]

§ G.4. c.78.  
§ 1.

‘ WHEREAS an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act to enable His Majesty to make Leases, Copies and Grants of Offices, Lands and Hereditaments, Parcel of the Duchy of Cornwall, or annexed to the same*: And Whereas the Power of granting certain Leases under the said Act is by Mistake limited to Three Years or under, instead of Thirty one Years:’ For the rectifying 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

and by the Authority of the same, That the Leases or Grants made or to be made of any Manors, Messuages, Parks, Tenements, Lands or Hereditaments, in Possession, may be made for Thirty one Years or under instead of Three Years or under, as limited by the said recited Acts, any Thing therein contained to the contrary notwithstanding.

Leases under recited Act may be made for 31 Years instead of Three Years.

‘ II. And Whereas an Act passed in the Forty third Year of the Reign of His late Majesty King George the Third, intituled *An Act to enable the Commissioners of His Majesty’s Treasury of Great Britain to contract for the Purchase of the Duties of Prisage and Butlerage of Wines*: And Whereas it was in the recited Act enacted, that it should be lawful for the Commissioners of His Majesty’s Treasury then or for the Time being, or any Three or more of them, or the Lord High Treasurer for the Time being, on the Behalf of His Majesty, to treat, contract and agree with the Council of His Royal Highness George Prince of Wales and Duke of Cornwall, on the Behalf of His said Royal Highness, and with the Lessee or Lessees of the said Duchy of Cornwall, for the absolute Purchase of all the Estate, Right, Title and Interest of His said Royal Highness George Prince of Wales and Duke of Cornwall, and of such Lessee or Lessees, of and in the Prisage and Butlerage of all Wines brought into any Ports, Havens, Creeks, Rivers and other Places, within the County of Cornwall, and into the Port of Plymouth in the County of Devon, and of all the Rights, Privileges, Profits and other Advantages whatsoever thereunto belonging, for such Annuity, to be charged upon and payable out of the Consolidated Fund, at such Times and in such Manner, and upon and subject to such Terms and Conditions for the Redemption thereof, or otherwise relating thereto, as the Council of His said Royal Highness George Prince of Wales and Duke of Cornwall, and the said Commissioners of His Majesty’s Treasury now or for the Time being, or any Three or more of them, or the Lord High Treasurer for the Time being, shall agree upon: And Whereas no Contract or Purchase was made under the Provisions of the said recited Act: And Whereas other Rights and Interest in Butlerage and Prisage mentioned in the said Act have since been purchased, and it is expedient that the Prisage and Butlerage of Wines brought into any Ports, Havens, Creeks, Rivers and other Places within the County of Cornwall or the Port of Plymouth, should also be purchased: Be it therefore enacted, That it shall be lawful for the Officers of the said Duchy of Cornwall for the Time being, who shall be duly authorized by Warrant under His Majesty’s Sign Manual, countersigned by any Three or more of the said Commissioners of His Majesty’s Treasury, under and according to the Provisions of the said recited Act of the Third Year aforesaid, to contract and agree with the said Commissioners of His Majesty’s Treasury, or the Lord High Treasurer for the Time being, for the Sale and Surrender, and it shall be lawful for the said Commissioners of the Treasury for the Time being, or any Three or more of them, or for the Lord High Treasurer for the Time being, to contract and agree with the said Officers of the said Duchy of Cornwall, or any Lessee or Lessees, for the

43 G.S. c. 156.  
§ 1.

Officers of Duchy of Cornwall duly authorized may contract with Treasury for Sale, and Treasury may purchase Right to Prisage and Butlerage of Wines in the Ports of Cornwall, and in Plymouth.

Purchase

Purchase of all the Estate, Right, Title and Interest of, in and to the Prilage and Butlerage of Wines brought into any Ports, Havens, Creeks, Rivers and other Places within the County of *Cornwall*, and into the Port of *Plymouth* in the County of *Devon*, and of all Rights, Privileges, Profits and Advantages whatsoever thereunto belonging, for such Annuity or Annuities, or for such Sum or Sums of Money, to be charged upon and payable out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, at such Time or Times, and in such Manner as shall be agreed upon by and between the said Officers of the Duchy, or any Lessee or Lessees, and the said Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, or the Lord High Treasurer for the Time being.

Treasury by Warrant to direct Auditor of Exchequer to pass Debentures for Payment of the Purchase Money by Annuity or otherwise.

III. And be it further enacted, That the said Commissioners of the Treasury or any Three or more of them, or the Lord High Treasurer for the Time being, shall, by Warrant under their or his Hands or Hand, direct the Auditor of the Receipt of the Exchequer for the Time being, to make forth and pass Debentures from time to time, for paying any such Annuity or Annuities as shall be agreed upon, and as the same shall from time to time become due and payable, or for the Payment of any Sum or Sums of Money as shall have been so agreed upon, without any Fees or Charges to be demanded or taken for paying the same or any Part thereof; which said Warrant, and the Debentures to be made forth and passed thereupon, shall be a sufficient Authority to the several and respective Officers of the Receipt of the Exchequer for the Time being, for the Payment of any such Annuity or Annuities, or Sum or Sums of Money, to the Receiver General for the Time being of the Duchy of *Cornwall*, or any Lessee or Lessees who shall for the Time being be entitled thereto, without any further or other Warrant to be sued for, had or obtained in that Behalf.

Warrant of Treasury not to be revocable.

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

No Fee.

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

VI. And

VI. And be it further enacted, That the Acquittance or Acquittances, or Receipt or Receipts, of the Receiver General of the said Duchy of *Cornwall* for the Time being, or of any Lessee or Lessees who may be entitled to any Annuity or Payment under any Agreement made under the Authority of this Act, shall be a good and sufficient Discharge for any such Payment or Payments, without any further or other Warrant to be sued for or obtained in that Behalf.

Acquittance of Receiver General of Duchy a sufficient Discharge.

VII. And be it further enacted, That out of any Sum or Sums of Money which shall, under any Contract made under the Provisions of this Act, be charged upon and made payable out of the Consolidated Fund, so much and such Part thereof as may be the Value of such Estate, Right, Title or Interest, as might be granted or might have been granted of such Prisaige and Butlerage under the Provisions of the said recited Act of the Third Year of the Reign of His present Majesty, shall be paid to His Majesty if such Contract shall be completed during the Period of the Duchy of *Cornwall* being vested in His Majesty, or to the Person in whom the said Duchy shall be vested at the Time of the Completion of any such Contract; and the Remainder of such Sum or Sums of Money shall be laid out, by Order of the regular Officers of the said Duchy for the Time being, or any Three or more of them, in the Purchase of Three Pounds *per Centum* Bank Annuities, in the Name of the Duke of *Cornwall*, in which Name the Governor and Company of the Bank of *England* are hereby authorized and required to permit Transfers to be made out of the Annuities, Funds or Stocks, so to be purchased; and such Transfers to be accepted by the Receiver General of the Duchy of *Cornwall*, or his Deputy, for and in the Name of the Duke of *Cornwall*, and the said Receiver General, or his Deputy, is hereby required to accept the same accordingly; and that all and singular the Annuities so to be purchased and accepted shall remain invested in the Name of the Duke of *Cornwall*, and shall not be transferred or transferable to any Person or Persons whomsoever; and that all the Dividends which shall from time to time be paid by the said Governor and Company into the Hands of the said Receiver General of the Duchy of *Cornwall* for the Time being, or his Deputy, and † shall by force and virtue of this Act be deemed and taken by Law to be Part of the Revenues of the said Duchy of *Cornwall*, and shall be from time to time answered, accounted for, applied and appropriated to such and the same Uses and Purposes as the other Revenues of the Duchy of *Cornwall*.

Purchase Money of Right of Prisaige and Butlerage to be paid to His Majesty.

Remainder of the Money laid out in Purchase of Three per Cent. Annuities.

Dividends taken as Part of the Revenue of Duchy.  
† Sic.

VIII. And Whereas under the Powers of the Acts passed for the Redemption of the Land Tax divers Manors, Messuages, Lands, Tenements, Rents, Hereditaments or other Revenues of the Duchy of *Cornwall*, have been sold, by Certificate under the Hand of the Surveyor General of the said Duchy, and the Purchase Monies have been duly paid into the Bank of *England*; and the Certificate of such Purchases have been brought to the Office of the Duchy of *Cornwall* to be enrolled: And Whereas there is reason to apprehend that the Auditor of the said Duchy, or his Deputy, may not have enrolled the said Certificate; or, having enrolled the same, may have neglected

42 G.S. c.116.  
§ 146.

In Cases where Certificates of Purchase of Lands have been lost, Surveyor General to grant fresh Certificates, and to order Receipts for Purchase Money to be indorsed and signed by Cashier who received it.

Mistakes at Bank or Duchy Office rectified by Surveyor General,

‘ neglected to enrol the Receipt of the said Cashier of the Bank of England to the same, or to specify the Name of such Cashier: And Whereas some Certificates granted by the said Surveyor General may have been lost or destroyed by Accident: And Whereas in some Instances the Manors, Messuages, Lands, Tenements, Rents, Hereditaments or other Revenues sold under the said Acts as aforesaid, or some Estate or Interest therein, may, by Descent, Conveyance, Sale, Settlement, Devise or otherwise, have come into the Possession of, or become charged for the Benefit of Persons claiming by, from, through or under the original Purchasers: And Whereas by the said Acts, or some of them, it is enacted, that if any Person or Persons with whom the Surveyor General of the Duchy of Cornwall shall contract for the Sale of any of the Manors, Messuages, Lands, Tenements, Rents, Hereditaments or other Revenues of or belonging to the said Duchy, should neglect to enrol such Certificate, and the Cashier’s Receipts for the Purchase Money, according to the Directions of the said Acts, in the Space of Forty Days, to be computed from the Day on which such Contract shall have been made, the said Contract shall be void: And Whereas it is expedient that such Errors and Defects be amended, and that the Title of the several Purchasers be confirmed; Be it therefore further enacted, That when the Purchase Money for any Manor or Manors, Messuages, Lands, Tenements, Rents, Hereditaments or other Revenues belonging to the said Duchy, sold under the said Acts, or any of them, shall have been duly paid into the Bank of England; and it shall be shown to the Satisfaction of the Surveyor General of the said Duchy for the Time being, that the Certificate of the Surveyor General hath been so lost or destroyed, it shall be lawful for the Surveyor General of the said Duchy to grant a fresh Certificate, of the same Tenor as the Certificate so lost or destroyed, and according to the Form and Date prescribed by the said Acts, and to order a Receipt for the Purchase Monies to be indorsed thereon, and signed with the Name of the Cashier (whether living or dead) who received the original Purchase Money, and to order such fresh Certificate and Receipt to be enrolled in the Office of the said Duchy; and in every other Case where, by any Neglect or Omission, any Error or Mistake hath been made, either at the Bank of England or in the Office of the said Duchy, touching any Certificate heretofore granted as aforesaid, or any Receipt for the Consideration Money, or any Enrolment thereof, or otherwise, it shall be lawful for the Surveyor General aforesaid, and he is hereby required to cause the Error or Mistake to be rectified; and every Contract in respect of which any fresh Certificate shall be granted pursuant to this Act, or in respect of which any such Error or Mistake as aforesaid shall be rectified, shall from and after the granting such new Certificate, or the Amendment of such Error or Mistake as aforesaid, be valid and effectual in the Law; and all such Manors, Messuages, Lands, Tenements, Rents and Hereditaments, thereby to be certified and conveyed, shall from the Date of such new Certificate, or the due Enrolment of any former Certificate, in pursuance of the Directions of this Act, be vested in



in such Person or Persons, and for such Estates and Interests, as he or they would have held the same had no such Error or Mistake been made; and all Conveyances, Assurances, Charges and Devises made subsequent to such Contract, and depending in point of Title on the due Enrolment of such Certificate and Receipt as aforesaid, shall be of the same Effect as if such Certificate and Receipt had been originally duly enrolled pursuant to the said Acts.

and Contract then valid as if no Error had been.

### C A P. LXXIX.

An Act to enable certain Persons to receive and hold Offices in the Management, Collection and Receipt of the Revenue, without taking or subscribing certain Oaths and Declarations.

[17th June 1824.]

WHEREAS it is expedient that Persons holding certain Offices or Places of Trust or Profit in the Management, Collection or Receipt of any of the Public Revenues, should be enabled to receive, hold, use and enjoy the same without previously taking, making or subscribing certain Oaths and Declarations; Be it therefore enacted by the King's most Excellent Majesty, by and with the 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, being His Majesty's Subject, to have, hold, take, use, enjoy and execute any of the Offices of Commissioners of Customs, Excise, Stamps or Taxes, or any of the Offices concerned in the Collection, Management or Receipt of the Revenues which are subject to the said Commissioners, or any of the Officers concerned in the Collection, Management or Receipt of the Revenues subject to the Authority of the Postmaster General, in any Part of the United Kingdom of Great Britain and Ireland, without previously taking, making or subscribing any Declaration or any Oath, except the Oath of Allegiance to His Majesty, His Heirs or Successors, and the Oath for the due Performance of the Duties of such Office or Place, prescribed by any Act or Acts of Parliament relating thereto or otherwise; any Thing in any Act or Acts made or passed in the Parliament of England, or of Great Britain or of Ireland, or of the said United Kingdom, to the contrary in any wise notwithstanding.

All Subjects may take and enjoy Offices in the Revenue herein mentioned without taking the Oath of Supremacy, &c.

## C A P. LXXX.

An Act for disappropriating, disuniting and divesting from and out of the Chancellors, Archdeacons and Precentors of the Diocese of *Connor* in the County of *Antrim*, in *Ireland*, (after the Decease or Removal of the present Incumbents) certain Rectories and the Rectorial Tithes thereof, Parts of the Corps of the said respective Dignities; and for annexing and uniting the said respective Rectories when so disappropriated, and the Rectorial Tithes thereof, to the respective Vicarages of the said several Rectories, whereby the Incumbent of each Parish and Rectory shall have the actual Cure of Souls, and for other Purposes.

[17th June 1824.]

Corps of which the Chancellorship of the Cathedral Church of *Connor* consists.

Corps of the Archdeaconry.

Corps of the Precentorship.

WHEREAS the Corps of the Chancellorship of the Cathedral Church of *Connor*, in the Diocese of *Connor*, consists of the Rectories of *Milltown* otherwise *Ballyvoellan*, *Saint Johnstown* otherwise *Siginstown* otherwise *Ballyrashane*, *Calfeightron* otherwise *Cufaghtrin*, *Ramoan*, *Loughgale* otherwise *Loughgeel*, and *Teckmacrevan* otherwise *Glenarm*, all situate, lying and being in the County of *Antrim*, and to the said Chancellorship perpetually annexed and appropriated; and that the Chancellors for the Time being have received the Rectorial Tithes of the said Parishes and Rectories, the present Income whereof taken together, as leased by the Reverend *William Trail* D. D. the present Chancellor of the said Diocese of *Connor*, during his Incumbency, is Eight hundred and fifty Pounds per Year or thereabouts, but which are of considerable greater annual Value, as hereinafter is mentioned: And Whereas the Corps of the Archdeaconry of the said Diocese of *Connor* consists of the Rectories of *Billy*, *Ballyclug*, *Armoyn*, *Donegore* and *Kilbride*, all situate, lying and being in the said County of *Antrim*, to the said Archdeaconry perpetually annexed and appropriated; and that the Archdeacons of *Connor* for the Time being have received the Rectorial Tithes of the said last mentioned Parishes or Rectories, the present Income whereof, taken together, as received by the Reverend *Anthony Trail* D. D. the present Archdeacon of the said Diocese of *Connor*, during his Incumbency, is Six hundred Pounds per Year or thereabouts, but which are of considerably greater annual Value, as hereinafter is also mentioned: And Whereas the Corps of the Precentorship of the Cathedral Church of the Diocese of *Connor* consists of the Rectories of *Ballymoney* and *Dunluce*, both in the said County of *Antrim*, thereto perpetually annexed and appropriated; and that the Reverend *Richard Symes* Clerk, the present Precentor of the said Cathedral Church of *Connor*, and his Predecessors, Precentors, have uniformly received the Tithes, Great and Small, of the said Parish of *Ballymoney*, and the Rectorial Tithes of the said Parish or Rectory of *Dunluce*; the present Income whereof, taken together, as received by the said *Richard Symes*, the present Precentor, is Eight hundred Pounds yearly or thereabouts, but which are of greater annual Value,

Value, as hereinafter is mentioned: And Whereas each of the said several and respective Rectories or Parishes so appropriated as aforesaid to the Chancellor, Archdeacon and Precentor of the said Diocese of Connor respectively, save the said Parish of *Ballymoney*, have within them Vicarages endowed, and the Chancellor and Archdeacon have not either of them the actual Cure of Souls within the said Parishes or Rectories so appropriated to their Dignities, or any of them, except in the Parish of *Ballymoney*, the actual Cure being in the respective Vicars; but the Precentor has the actual Cure of Souls in the said Parish of *Ballymoney*, the same being an entire Rectory: And Whereas the Vicarial Tithes of the before named several and respective Parishes, in which it is hereinbefore stated that there are Vicarages endowed, belong to and are received by their respective Vicars; but several of the same Vicarages being of inconsiderable yearly Value, the Predecessors of the Right Reverend *Richard Mant* Doctor in Divinity, the present Lord Bishop of *Down* and *Connor*, in order to provide for the suitable Maintenance of the Vicars having the actual Cure of Souls, have been under the Necessity from time to time of forming Episcopal Unions of some of those Vicarages; and accordingly the Vicarages of *Milltown* otherwise *Ballywellan*, and of *Saint Johnston* otherwise *Siginstown* otherwise *Ballyrashane*, are at present so united under one Incumbent, who receives the Vicarial Tithes of such Union, the present Value whereof is less than One hundred Pounds a Year; and the Vicarages of *Calfeightra* otherwise *Cufaghtrin* and *Ramoan*, are in like Manner united under One Incumbent, who receives the Vicarial Tithes of the Union, the present Value whereof is Seventy five Pounds per Year or thereabouts; and the Vicarages of *Loughgule* otherwise *Loughgeel* and *Armoay*, are in like Manner united under one Incumbent, who receives the Vicarial Tithes of such Union, the present Value whereof is One hundred and fifty Pounds a Year or thereabouts, but the said Vicarage of *Loughgule* is of very inconsiderable Value, and the Vicarage of *Teckmacreavan* otherwise *Glenarm*, being of very small Value, it was found necessary to unite it episcopally with another Vicarage in the said Diocese called *Templeoughter*, and the same are now united under one Incumbent; and the said last mentioned Union, although augmented from Primate *Boulter's* Fund, does not amount in present Value to more than One hundred Pounds a Year; and the Vicarial Tithes of the aforesaid Parish of *Billy* are of the present annual Value of Two hundred Pounds or thereabouts; and the said Vicarage of *Ballyclug*, the Vicarial Tithes whereof do not exceed in Value Twenty two Pounds yearly, has been and is episcopally united to the Improprate Curacy of *Ballynena* in the said County of *Antrim*, under one Incumbent, the yearly Value of which last mentioned Union, including an Augmentation from Primate *Boulter's* Fund, does not now exceed Eighty four Pounds Yearly; and the Vicarages of the said Parishes of *Donegore* and *Kilbride* are episcopally united under one Incumbent, and the Value of the said last mentioned Union does not exceed Three hundred Pounds a Year; and the annual Value of the Vicarage of the said Parish of

Patron.

Expedient that  
the Rectorial  
Tithes should  
be vested in the  
Vicars.

' *Dunluce* is One hundred Pounds or thereabouts; and the annual  
 ' Value of the said several and respective Rectories of *Milltown*  
 ' otherwise *Ballywellan*, *Saint Johnstown* otherwise *Signinstown*  
 ' otherwise *Ballyrashane*, *Calfeightron*, *Loughgule*, *Ramoan*, *Teck-*  
 ' *macreavan* otherwise *Glenarm*, *Armoyn*, *Billy*, *Ballyclug*, *Don-*  
 ' *gore*, *Kilbride*, *Ballymoney* and *Dunluce*, are as follows; that is  
 ' to say, *Milltown* otherwise *Ballywellan*, Three hundred Pounds  
 ' or thereabouts; *Saint Johnstown* otherwise *Signinstown* otherwis  
 ' *Ballyrashane*, Three hundred and fifty Pounds or thereabouts;  
 ' *Calfeightron*, Four hundred Pounds or thereabouts; *Loughgule*,  
 ' Four hundred Pounds or thereabouts; *Ramoan*, Four hundred  
 ' Pounds or thereabouts; *Teckmacreavan*, other wise *Glenarm*, from  
 ' Seventy Pounds to One hundred Pounds or thereabouts; *Armoyn*,  
 ' One hundred and sixty Pounds or thereabouts; *Billy*, Three  
 ' hundred and thirty Pounds or thereabouts; *Ballyclug*, One  
 ' hundred Pounds or thereabouts; *Donegore*, Two hundred and fifty  
 ' Pounds or thereabouts; *Kilbride*, Two hundred and fifty  
 ' Pounds or thereabouts; *Ballymoney*, One thousand two hundred  
 ' Pounds or thereabouts; and *Dunluce*, Two hundred Pounds  
 ' thereabouts: And Whereas the Lord Bishop of *Down* and  
 ' *Connor* for the Time being is the Patron, not only of the afore-  
 ' said Chancellorship, Archdeaconry and Precentorship, but of all  
 ' and every the Vicarages hereinbefore mentioned: And Whereas  
 ' it will be highly beneficial to the Church Establishment of that  
 ' Part of the United Kingdom called *Ireland*, that the Rectorial  
 ' Tithes of all the said several and respective Parishes or Rec-  
 ' tories, so as aforesaid appropriated to the Chancellorship of  
 ' the said Cathedral Church of *Connor*, save and except the said  
 ' Rectory or Parish of *Ramoan*, shall be vested in the respective  
 ' Vicars of the said Parishes (save as aforesaid) from and after  
 ' the Death or Removal of the said *William Trail*, the present  
 ' Chancellor; and for that Purpose, that the said last mentioned  
 ' Rectories and Rectorial Tithes, save as aforesaid, shall be dis-  
 ' appropriated, disunited and divested from and out of the  
 ' Chancellors of the said Cathedral Church, and annexed and  
 ' united to the Vicarages of the said respective last mentioned to  
 ' be disappropriated Parishes or Rectories, from and after the  
 ' Death or Removal of the said *William Trail*, the present Chan-  
 ' cellor; and that in like Manner the Rectorial Tithes of all and  
 ' singular the said Parishes or Rectories so as aforesaid appro-  
 ' priate and belonging to the said Archdeaconry (save and ex-  
 ' cept the said Parish of *Billy*) shall be vested in the respective  
 ' Vicars of and within the said respective last mentioned Parishes  
 ' (except as aforesaid), from and after the Death or Removal of  
 ' the said *Anthony Trail*, the present Archdeacon of the said  
 ' Diocese; and for that Purpose that all the said Rectories and  
 ' Rectorial Tithes, so as aforesaid appropriated and belonging to  
 ' the said Archdeaconry (save the said Parish of *Billy*), shall be  
 ' disappropriated, disunited and divested from and out of the  
 ' Archdeacons of the said Diocese of *Connor*, and for ever an-  
 ' nexed and united to the Vicarages of and within the said last  
 ' mentioned to be disappropriated Parishes or Rectories, from and  
 ' after the Death or Removal of the said *Anthony Trail*, the pre-  
 ' sent Archdeacon; and that the said Vicarage of *Ramoan* shall be

' be reunited to the Rectory of the same Parish, and so appro-  
 ' priated to the said Chancellorship, and that the Vicarage of  
 ' *Billy* shall be reunited to the Rectory of the same Parish of  
 ' *Billy*, and be so appropriated to the said Archdeaconry; thus  
 ' vesting in the Chancellors and Archdeacons respectively the  
 ' actual Cure of Souls, from and after the Death or Removal of  
 ' the present Vicars of *Ramoan* and *Billy* respectively; and that  
 ' each of the said several and respective Rectories, when so dis-  
 ' appropriated, shall, with its respective Vicarage, form One  
 ' Parish and Benefice: And Whereas it will also be highly bene-  
 ' ficial to the said Church Establishment, that the said Rectory of  
 ' *Dunluce* shall be disappropriated and disunited from the said  
 ' Precentorship; and that from and after the Death or Removal  
 ' of the said *Richard Symes*, the present Precentor, the said  
 ' Rectory and Rectorial Tithes of *Dunluce* shall be united and  
 ' annexed to the Vicarage of *Dunluce*, and be vested in the Vicars  
 ' of *Dunluce*, so as that the Rectory and Vicarage of *Dunluce*  
 ' shall together form One Parish and Benefice with Cure of  
 ' Souls; leaving as the Corps of the said Precentorship the  
 ' Rectory or Parish of *Ballymoney* only: And Whereas the said  
 ' *Richard Mant*, Lord Bishop of *Down* and *Connor*, the Patron of  
 ' the said Chancellorship, Archdeaconry and Precentorship of  
 ' the Diocese of *Connor*, and of all and every the Vicarages  
 ' hereinbefore mentioned, has consented that the before men-  
 ' tioned Objects shall be carried into Effect; but the same can-  
 ' not be attained or effected without the Aid and Authority of  
 ' Parliament: May it therefore please Your Majesty, upon the  
 ' Petition of the Right Reverend *Richard Mant*, Patron, and the  
 ' humble Petition of the Reverend *William Trail*, Chancellor, the  
 ' Reverend *Anthony Trail*, Archdeacon, the Reverend *Richard*  
 ' *Symes*, Precentor, and the several Persons therein named, Vicars  
 ' of the said several Parishes hereinbefore mentioned, 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 Spi-  
 ' ritual and Temporal, and Commons, in this present Parliament  
 ' assembled, and by the Authority of the same, That the Rectory  
 ' and Rectorial Tithes of the said Parish of *Milltown* otherwise  
 ' *Ballywellan*, so as aforesaid appropriated to the Chancellor of  
 ' the said Diocese of *Connor*, shall, from and immediately after the  
 ' Death or Removal of the said *William Trail*, the present Chan-  
 ' cellor, be and for ever afterwards shall remain vested in the  
 ' Vicar of the said Parish of *Milltown* otherwise *Ballywellan*; and  
 ' that the said last mentioned Rectory, and the Rectorial Tithes  
 ' thereof, shall from such the Death or Removal of the said *Wil-*  
 ' *liam Trail*, and for ever afterwards, be disappropriated, disunited  
 ' and divested from and out of the Chancellorship of the said  
 ' Cathedral Church of *Connor*, and annexed and united to the  
 ' Vicarage of the said Parish of *Milltown* otherwise *Ballywellan*;  
 ' and that the said last mentioned Rectory, when so disappropri-  
 ' ated, shall with its Vicarage form One Parish and Benefice.

Also expedient  
 that the Rectory  
 of *Dunluce*  
 should be dis-  
 appropriated  
 from the Pre-  
 centorship.

Rectory of  
*Milltown* to  
 become vested  
 in Vicar.

II. And be it further enacted, That the Rectory and Rec-  
 torial Tithes of the said Parish of *Saint Johnstown* otherwise  
*Siginstown* otherwise *Ballyrashane*, so as aforesaid appropriated  
 to the Chancellor of the said Diocese of *Connor*, shall, from and

Rectory of *St.*  
*Johnstown* to  
 become vested  
 in the Vicar,  
 &c.

immediately after the Death or Removal of the said *William Trail*, be and for ever afterwards shall remain vested in the Vicar of the said Parish of *Saint Johnstown* otherwise *Siginstown* otherwise *Ballyrashane*; and that the said last mentioned Rectory, and the Rectorial Tithes thereof, shall, from such the Death or Removal of the said *William Trail*, and for ever afterwards, be disappropriated, disunited and divested from and out of the Chancellorship of the said Cathedral Church of *Connor*, and annexed and united to the Vicarage of the said Parish of *Saint Johnstown* otherwise *Siginstown* otherwise *Ballyrashane*; and that the said last mentioned Rectory, when so disappropriated, shall with its Vicarage form One Parish and Benefice.

Rectory of Calfeightron to become vested in Vicar, &c.

† &c.

III. And be it further enacted, That the Rectory and Rectorial Tithes of the said Parish of *Calfeightron* otherwise *Cusfaghtra*, so as aforesaid appropriated to the Chancellor of the said Diocese of *Connor*, shall, from and immediately after the Death or Removal of the said *William Trail*, be and for ever afterwards shall remain vested in the Vicar of the said Parish of *Calfeightron*; and that the said last mentioned Rectory, and the Rectorial Tithes thereof, shall, from such the Death or Removal of the said *William Trail*, and for ever afterwards, be disappropriated, disunited and divested from and out of the Chancellorship of the said Cathedral Church of *Connor*, and annexed and united to the Vicarage of the said Parish of *Calfeightron*, otherwise *Cusfaghtra*; and that the said last mentioned Rectory, when so disappropriated, shall with its Vicarage form One Parish and Benefice.

Rectory of Loughgule to become vested in Vicar.

IV. And be it further enacted, That the Rectory and Rectorial Tithes of the said Parish of *Loughgule* otherwise *Loughgeel*, so as aforesaid appropriated to the Chancellor of the said Diocese of *Connor*, shall, from and immediately after the Death or Removal of the said *William Trail*, be and for ever afterwards shall remain vested in the Vicar of the said Parish of *Loughgule* otherwise *Loughgeel*; and that the said last mentioned Rectory, and the Rectorial Tithes thereof, shall, from such the Death or Removal of the said *William Trail*, and for ever afterwards, be disappropriated, disunited and divested from and out of the Chancellorship of the said Cathedral Church of *Connor*, and annexed and united to the Vicarage of the said Parish of *Loughgule* otherwise *Loughgeel*; and that the said last mentioned Rectory, when so disappropriated, shall with its Vicarage form One Parish and Benefice.

Rectory of Teckmacreavan to become vested in Vicar.

V. And be it further enacted, That the Rectory and Rectorial Tithes of the said Parish of *Teckmacreavan* otherwise *Glenarm*, so as aforesaid appropriated to the Chancellor of the said Diocese of *Connor*, shall, from and immediately after the Death or Removal of the said *William Trail*, be and for ever afterwards shall remain vested in the Vicar of the said Parish of *Teckmacreavan* otherwise *Glenarm*; and that the said last mentioned Rectory, and the Rectorial Tithes thereof, shall, from such the Death or Removal of the said *William Trail*, and for ever afterwards, be disappropriated, disunited and divested from and out of the Chancellorship of the said Cathedral Church of *Connor*, and annexed and united to the Vicarage of the said Parish of *Teckmacreavan* otherwise *Glenarm*; and that the said last mentioned Rectory,

Rectory, when so disappropriated, shall with its Vicarage form One Parish and Benefice.

VI. And be it further enacted, That the Rectory and Rectorial Tithes of the said Parish of *Ballyclug*, so as aforesaid appropriated to the Archdeacon of the said Diocese of *Connor*, shall, from and immediately after the Death or Removal of the said *Anthony Trail*, the present Archdeacon of *Connor*, be and for ever afterwards shall remain vested in the Vicar of the said Parish of *Ballyclug*; and that the said last mentioned Rectory, and the Rectorial Tithes thereof, shall, from such the Death or Removal of the said *Anthony Trail*, and for ever afterwards, be disappropriated, disunited and divested from and out of the Archdeacons of the said Diocese of *Connor*, and annexed and united to the Vicarage of the said Parish of *Ballyclug*; and that the said last mentioned Rectory, when so disappropriated, shall with its Vicarage form One Parish and Benefice.

Rectory of  
Ballyclug to  
become vested  
in Vicar.

VII. And be it further enacted, That the Rectory and Rectorial Tithes of the said Parish of *Armooy*, so as aforesaid appropriated to the Archdeacon of the said Diocese of *Connor*, shall, from and immediately after the Death or Removal of the said *Anthony Trail*, be and for ever afterwards shall remain vested in the Vicar of the said Parish of *Armooy*; and that the said last mentioned Rectory, and the Rectorial Tithes thereof, shall, from such the Death or Removal of the said *Anthony Trail*, and for ever afterwards, be disappropriated, disunited and divested from and out of the Archdeacons of the said Diocese of *Connor*, and annexed and united to the said Parish of *Armooy*; and that the said last mentioned Rectory, when so disappropriated, shall with its Vicarage form One Parish and Benefice.

Rectory of  
Armooy to be-  
come vested in  
Vicar.

VIII. And be it further enacted, That the Rectory and Rectorial Tithes of the said Parish of *Donegore*, so as aforesaid appropriated to the Archdeacon of the said Diocese of *Connor*, shall, from and immediately after the Death or Removal of the said *Anthony Trail*, be and for ever afterwards shall remain vested in the Vicar of the said Parish of *Donegore*; and that the said last mentioned Rectory, and the Rectorial Tithes thereof, shall, from such the Death or Removal of the said *Anthony Trail*, and for ever afterwards, be disappropriated, disunited and divested from and out of the Archdeacons of the said Diocese of *Connor*, and annexed and united to the Vicarage of the said Parish of *Donegore*; and that the said last mentioned Rectory, when so disappropriated, shall with its Vicarage form One Parish and Benefice.

Rectory of  
Donegore to  
become vested  
in Vicar.

IX. And be it further enacted, That the Rectory and Rectorial Tithes of the said Parish of *Kilbride*, so as aforesaid appropriated to the Archdeacon of the said Diocese of *Connor*, shall, from and immediately after the Death or Removal of the said *Anthony Trail*, be and for ever after shall remain vested in the Vicar of the said Parish of *Kilbride*; and that the said last mentioned Rectory, and the Rectorial Tithes thereof, shall, from such the Death or Removal of the said *Anthony Trail*, and for ever afterwards, be disappropriated, disunited and divested from and out of the Archdeacons of the said Diocese of *Connor*, and annexed and united to the Vicarage of the said Parish of *Kil-*

Rectory of  
Kilbride to be-  
come vested in  
Vicar.

*bride*; and that the said last mentioned Rectory, when so disappropriated, shall with its Vicarage form One Parish and Benefice.

Vicarage of Ramoan to be reunited to the Rectory.

X. And be it further enacted, That from and immediately after the Decease or Removal of the present Incumbent of the said Vicarage of *Ramoan* in the said County of *Antrim*, the said Vicarage shall be and shall for ever thereafter continue reunited to the Rectory of the said Parish of *Ramoan*, and be from thenceforward appropriated to the Chancellor of the said Cathedral Church for the Time being, who shall for ever thereafter be vested with the actual Cure of Souls.

Vicarage of Billy to be reunited to the Rectory.

XI. And be it further enacted, That from and immediately after the Death or Removal of the present Incumbent of the said Vicarage of *Billy* in the said County of *Antrim*, the said Vicarage shall be and for ever thereafter continue reunited to the Rectory of the said Parish of *Billy*, and be from thenceforward appropriated to the Archdeacon of the said Diocese of *Connor* for the Time being, who shall for ever thereafter be vested with the actual Cure of Souls.

Rectory of Dunluce to become vested in the Vicar.

XII. And be it further enacted, That the Rectory and Rectorial Tithes of the said Parish of *Dunluce* in the said County of *Antrim*, so as aforesaid appropriated to the Precentor of the said Cathedral Church of the said Diocese of *Connor*, shall from and immediately after the Death or Removal of the said *Richard Symes*, the present Precentor of the said Cathedral Church of *Connor*, be and for ever afterwards shall be vested in the Vicar of the said Parish of *Dunluce*; and that the said last mentioned Rectory, and the Rectorial Tithes thereof, shall, from such the Death or Removal of the said *Richard Symes*, and for ever afterwards, be disappropriated, disunited and divested from and out of the Precentors of the said Cathedral Church of *Connor*, and annexed and united to the Vicarage of the said Parish of *Dunluce*; and that the said last mentioned Rectory, when so disappropriated, shall with its Vicarage form One Parish or Benefice with Cure of Souls; and that from thenceforth the said Rectory, and the Rectorial Tithes of the said Parish of *Ballymoney* in the said County of *Antrim*, shall be, remain, and for ever continue the Corps of the Precentor of the said Cathedral Church of *Connor*.

Saving Clause.

XIII. Saving and reserving always to the King's most Excellent Majesty, and to all and every other Person or Persons, Bodies Politic and Corporate, his, her and their Executors and Successors, (other than the said *Richard Mant* Lord Bishop of *Down* and *Connor*, the Patron of the said Chancellorship, Archdeaconry and Precentorship, and of all and every the said Vicarages hereinbefore mentioned consenting hereto, and every future Bishop of the said Diocese, and every future Chancellor of the said Diocese, and every future Archdeacon of the said Diocese, and every future Precentor of the said Cathedral Church, and every future Rector and Vicar of the said several Parishes), all such Estates, Titles, Rights, Interests, Claims and Demands of, in, to or out of all or any of the said Chancellorship, Archdeaconry, Precentorship, Rectories and Vicarages as they, every or any of them had before the passing of this Act, or could, should or



or might have had, enjoyed, claimed or demanded in case this Act had not been made.

‘ XIV. And Whereas by an Act made in the Parliament of **2 G.1. (1.)**  
 ‘ *Ireland*, in the Second Year of the Reign of King *George* the  
 ‘ First, intituled *An Act for the real Union and Division of Parishes*,  
 ‘ it is among other things enacted, that all Acts of Parliament  
 ‘ for the uniting or disuniting of particular Parishes or Parts of  
 ‘ Parishes, or erecting particular Churches, shall be deemed as  
 ‘ Public and General Acts, in all Courts and by all Persons, and  
 ‘ that no Fees shall be paid or taken by any Person or Persons  
 ‘ for passing any such Act of Parliament: And Whereas it is ex-  
 ‘ pedient that a like Provision should be made in this Case;’  
 Be it therefore enacted, That this present Act is and shall be  
 deemed a Public and General Act, and shall be judicially taken  
 Notice of as such in all Courts, and by all Judges, Justices and  
 others, without being specially pleaded; and that no Fees shall  
 be paid or taken by any Person or Persons for the passing the  
 same.

This Act a public Act.

### C A P. LXXXI.

An Act for separating the Parish or Vicarage of *Bray* from the Parish of *Kiltiernan*, and for uniting the said Parish of *Kiltiernan* with the Parish of *Kilgobban*, situate in the Barony of *Rathdown* and County of *Dublin*, in *Ireland*.

[17th June 1824.]

‘ **W**HEREAS the Parish of *Kiltiernan*, in the County and  
 ‘ Diocese of *Dublin*, has been episcopally united to and  
 ‘ forms a Part of the Parish or Union of *Bray* in the County of  
 ‘ *Wicklow*, and is situated at a considerable and inconvenient Dis-  
 ‘ tance, the nearest Part being Four Miles, and other Parts Six  
 ‘ Miles, from the Parish Church of *Bray*, the only Church of  
 ‘ the said Union; and it is therefore expedient that the said  
 ‘ Parish should be separated and disunited from the Parish or  
 ‘ Vicarage of *Bray*: And Whereas the said Parish of *Kiltiernan*  
 ‘ adjoins to the Parish of *Kilgobban*, in the County and Dio-  
 ‘ cese of *Dublin*, and the Glebe Lands and Glebe House of the  
 ‘ Perpetual Curate or Minister of the said Parish of *Kilgobban*  
 ‘ are situated within the Bounds and Limits of the said Parish of  
 ‘ *Kiltiernan*: And Whereas there is not any Church in the said  
 ‘ Parish of *Kiltiernan*, and the Church of the said Parish of *Kil-*  
 ‘ *gobban* is small and inconvenient, and much out of Repair, and  
 ‘ wholly incapable of accommodating the Protestant Inhabitants  
 ‘ of the Parish of *Kilgobban*, and cannot be enlarged or re-  
 ‘ paired by reason of the Decay of its Walls, and of its local  
 ‘ Situation; and the Inhabitants of the said Parish of *Kilgobban*,  
 ‘ comprehending a poor and mountainous District, are unable to  
 ‘ contribute to the rebuilding of the said Church of *Kilgobban*:  
 ‘ And Whereas the respective Inhabitants of the said Parishes  
 ‘ of *Kiltiernan* and *Kilgobban*, with the Consent and Approbation  
 ‘ of His Grace the now Lord Archbishop of *Dublin* and Bishop  
 ‘ of *Glandelough*, the Patron of the said Parish or Vicarage of  
 ‘ *Kiltiernan*; the Honourable and Reverend *Charles Knox*, the  
 ‘ Incumbent

Union of the Parishes of *Kiltiernan* and *Kilgobban* desired by the Inhabitants, with a new Church.

' Incumbent of the said Parish or Union of *Bray*; the Reverend  
 ' *Henry Kearney*, Perpetual Curate of the said Parish or Cure of  
 ' *Kilgobban*; and the venerable *John Torrens*, the Archdeacon  
 ' of *Dublin*, who is entitled in right of his Archdeaconry to  
 ' nominate the Perpetual Curate of the said Parish of *Kilgobban*,  
 ' are desirous that the said Parishes of *Kiltiernan* and *Kilgobban*  
 ' should be united and made One entire Parish, to be called  
 ' "The Parish of *Kiltiernan*;" and that a new Church shall be  
 ' forthwith erected and built on the Glebe Lands aforesaid, con-  
 ' venient to and capable of accommodating the Inhabitants of the  
 ' said Parishes of *Kiltiernan* and *Kilgobban*; the said *Henry*  
 ' *Kearney*, the present Curate of *Kilgobban*, and the said Arch-  
 ' deacon of *Dublin*, first conveying a sufficient Quantity of the  
 ' said Glebe Land for the Scite of a Church and Churchyard  
 ' to the Churchwardens of the said Parish to be called the  
 ' Parish of *Kiltiernan*, and their Successors, Churchwardens for  
 ' ever, of the said Parish, for the Use of the said Parish: And  
 ' Whereas the Trustees and Commissioners of the First Fruits  
 ' of the several Benefices in *Ireland* have lately granted the  
 ' Sum of Nine hundred Pounds for building a Church in the  
 ' said Parish of *Kiltiernan*, wherein there has not been any Church  
 ' for the Performance of Divine Worship for upwards of Twenty  
 ' Years last past: And Whereas *Elizabeth Anderson* and *Susan*  
 ' *Anderson*, Spinsters, have proposed and agreed to grant and  
 ' convey to the Vicar or Incumbent of the said Parish, to be called  
 ' "The Parish of *Kiltiernan*," for ever, for the Use of the said  
 ' Vicar or Incumbent and his Successors, other Ground equal  
 ' in Quality and Quantity to that which may be so assigned and  
 ' allowed for the Scite of the said intended new Church: And  
 ' Whereas by reason that the said Parish or Curacy of *Kilgobban* is  
 ' not a presentative Benefice, the perpetual Union of the said last  
 ' mentioned Parish or Cure, with the said Vicarage or Parish of  
 ' *Kiltiernan*, cannot be effected without the Aid and Authority  
 ' of Parliament: For that Purpose be it therefore enacted by  
 ' the King's most Excellent Majesty, by and with the Advice and  
 ' Consent of the Lords Spiritual and Temporal, and Commons, in  
 ' this present Parliament assembled, and by the Authority of the  
 ' same, That from and immediately after the First Day of *July*  
 ' next, the said Parish of *Kiltiernan* shall be for ever separated and  
 ' disunited from the said Parish or Union or Vicarage † of *Bray*,  
 ' and that the said Two Parishes of *Kiltiernan* and *Kilgobban* shall  
 ' be for ever thereafter united and be and become One entire Parish  
 ' or Vicarage and Presentative Benefice, to be called "The Parish  
 ' of *Kiltiernan*;" and that the Reverend *Henry Kearney*, the pre-  
 ' sent Curate or Incumbent of the said Parish of *Kilgobban*, shall  
 ' be the First and Modern Incumbent or Vicar of the said hereby  
 ' created Union or Parish of *Kiltiernan*, without any Presentation,  
 ' Admission, Institution or Induction, or any other Act or Title  
 ' whatsoever other than this present Act; and that the present  
 ' Churchwardens of the said Parish of *Kilgobban* shall be the First  
 ' Churchwardens of the said hereby created Union or Parish of  
 ' *Kiltiernan*, as fully as if they had been duly elected as such by  
 ' the Inhabitants of the said United Parishes in Vestry duly as-  
 ' sembled.

Parish of *Kil-*  
*ternan* dis-  
 united from  
*Bray*, and  
 united with  
*Kilgobban*.

† &c.

Present In-  
 cumbent and  
 Churchwardens  
 of *Kilgobban*  
 to remain.

II. And be it further enacted, That it shall and may be lawful for the Archdeacon of *Dublin*, and the said present Curate or Incumbent of the now Parish of *Kilgobban*, to convey without Licence or Mortmain, to the Churchwardens of the said hereby created Union or Parish of *Kiltiernan*, and to their Successors for ever, such Part of the Glebe Land now belonging to the said Parish of *Kilgobban* as may be necessary for the Scite of a Church and of a Churchyard, for the said hereby created Union or Parish of *Kiltiernan*, not exceeding in the Whole One half Acre of Ground; and the same, when so conveyed, shall be vested in the said Churchwardens and their Successors for ever, for the Purposes of this Act.

Archdeacon of Dublin and Incumbent of Kilgobban empowered to convey a Piece of Glebe.

III. Provided always, That the said *Elizabeth Anderson* and *Susan Anderson*, their Heirs and Assigns, shall first grant and convey to the said Vicar or Incumbent of the said hereby created Union or Parish of *Kiltiernan* and his Successors, a Piece of Land adjoining to the said Glebe Lands equal in Quantity to the Piece of Land so as aforesaid to be allocated for the Scite of the said intended Church or Churchyard, for the Use of the Incumbent, from time to time for the Time being, of the said hereby created Union or Parish of *Kiltiernan*, and his Successors for ever; and it shall be lawful for the Vicar or Incumbent of the said Parish of *Kiltiernan* and his Successors, to have and to hold the said Piece of Land so to be granted and conveyed, any Statute or Mortmain, or any Law, Usage or Custom to the contrary notwithstanding, freed and discharged from the Payment of all Rent whatsoever, save and except that such Land so granted and conveyed shall be held, and deemed and taken as a Part and Parcel of all such Glebe Lands as aforesaid, and shall in common therewith be liable and subject to all and every such Rent, Covenants and Clauses as such Glebe Lands are now liable and subject to, as if the same had been originally a Part of such Glebe Lands, and not further or otherwise.

Provided a like Quantity is added to the Glebe by the Proprietor of the Estate from which former Glebe was taken.

IV. And be it further enacted, That the said Church, when built, together with the Churchyard, shall be consecrated, and shall be and shall be deemed and taken for ever to be the Parish Church of the said hereby created Union or Parish of *Kiltiernan*, to all Intents and Purposes whatsoever, and shall be called "The Parish Church of *Kiltiernan*;" and the old Churchyard and Place where the said old Church of *Kilgobban* stands shall, at the Charge of the Parishioners of the said hereby created Union or Parish of *Kiltiernan*, be fenced in and preserved from profane or common Use.

New Church shall be consecrated, and old Churchyard be fenced from Profanation.

V. And Whereas the Right of Patronage and Presentation to the Vicarage or Parish of *Kiltiernan* hath heretofore of Right belonged to the Archbishop of *Dublin* and Bishop of *Glan-dalough* and his Successors, in Right of his Archbishoprick; and the Right of Nomination or Presentation to the Perpetual Curacy or Parish of *Kilgobban* aforesaid hath heretofore of Right belonged to the Archdeacon of *Dublin* and his Successors; and it is therefore proper and necessary to settle and ascertain how and by which of them the said Archbishop and Archdeacon, and how often and in what Turns the Patron age and Right of Presentation to the said hereby created Union or Parish of *Kiltiernan*

Right of Patronage to new Parish or Benefice of Kiltiernan, to be as herein mentioned.

' *ternan* should henceforth be [by them exercised and enjoyed:  
' And Whereas the Tithes and Profits payable and arising to the  
' Curate of *Kilgobban* are of considerably greater Value than  
' the Tithes and Profits issuing and payable out of the Vicarage  
' of *Kiltiernan*;' Be it therefore enacted, That from and after the  
First Day of *July* next, the Archbishop of *Dublin* and Bishop of  
*Glandelough*, and his Successors, Archbishops of *Dublin* and  
Bishops of *Glandelough* for ever, shall have One Turn of Presenta-  
tion to the said hereby created Union or Parish of *Kiltiernan*,  
out of every Three Turns; that is to say, the said Archbishop of  
*Dublin* and Bishop of *Glandelough*, and his Successors, Archbishops  
of *Dublin* and Bishops of *Glandelough*, shall present a Vicar or  
Incumbent to the said Church of *Kiltiernan* on the first Vacancy  
that shall occur after the First Day of *July* next; and afterwards,  
on the Two Vacancies which shall next occur, that is, on the  
Second and Third Vacancies, the said Archdeacon and his Suc-  
cessors for the Time being shall present to the said United Church,  
and so on for ever thereafter.

Churchwardens of Bray may levy Arrears of Church Rates now due on Parish of Kiltiernan.

VI. Provided always, and be it enacted, That it shall and may be lawful for the Churchwardens of the Parish of *Bray*, at any Time after the First Day of *July* next, to collect, sue for, levy, recover and receive all Church Cesses and Rates which shall have been duly assessed and apportioned on the said Parish of *Kiltiernan* at any Time before the passing of this Act, and which shall remain due and unpaid at the Time of the passing of this Act, in like Manner, and with all such Powers and Authorities, as if this Act had not been made; any Thing in this Act contained to the contrary thereof in any wise notwithstanding.

Public Act pursuant to 2 G. 1. (I.)

' VII. And Whereas by an Act made in the Parliament of *Ireland*, in the Second Year of the Reign of King *George* the First, intituled *An Act for the real Union and Division of Parishes*, it is (among other Things) enacted, that all Acts of Parliament for the uniting or disuniting of particular Parishes or Parts of Parishes, or erecting particular Churches, shall be deemed as Public and General Acts in all Courts, and by all Persons; and that no Fees shall be paid or taken by any Person or Persons for passing any such Act of Parliament: And Whereas it is expedient that a like Provision should be made in this Case; Be it therefore enacted, That this present Act is and shall be deemed a Public and General Act, and shall be judicially taken Notice of as such in all Courts, and by all Judges, Justices and others, without being specially pleaded; and that no Fees shall be paid or taken by any Person or Persons for the passing the same.

### C A P. LXXXII.

An Act for better regulating the Office of Clerk of the Parliaments. [21st June 1824.]

Letters Patent 24th Feb. 23 G. 3.

' WHEREAS His late Majesty King *George* the Third, by Letters Patent under the Great Seal of Great Britain, bearing Date at *Westminster* the Twenty fourth Day of February in the Twenty third Year of His Reign, did grant unto *Samuel Strutt* Esquire, since deceased, the Office of Clerk of the

the Parliaments, to have, enjoy and exercise the said Office unto him the said *Samuel Strutt*, by himself or his sufficient Deputy or Deputies, for the Term of his natural Life, immediately after the Decease of *Ashley Cowper* Esquire, since deceased, or when the said Office should then first become vacant; and by the said Letters Patent His said Majesty did grant unto *George Rose* Esquire, since deceased, the said Office of Clerk of the Parliaments, to have, enjoy and exercise the said Office unto him the said *George Rose*, by himself or his sufficient Deputy or Deputies, for the Term of his natural Life, immediately after the Decease of the said *Ashley Cowper* and *Samuel Strutt*, or when the said Office should then first happen to become vacant: And Whereas His said late Majesty, by Letters Patent bearing Date the Twenty fourth Day of *October* in the Thirty fifth Year of His Reign, did grant unto *George Henry Rose*, now the Right Honourable Sir *George Henry Rose*, Son of the said *George Rose*, since deceased, the said Office of Clerk of the Parliaments, to have, enjoy and exercise the said Office, unto him the said *George Henry Rose*, by himself or his sufficient Deputy or Deputies, for and during the Term of his natural Life, immediately after the Decease of the said *George Rose*, or when the said Office should first happen to become vacant, with a Salary of Forty Pounds a Year, payable as therein mentioned, and with all and all Manner of Liberties and Privileges anciently belonging to the said Office, and with all Profits, Advantages, Pre-eminences and Emoluments whatsoever and howsoever belonging or appertaining to the same Office, and in as ample Manner and Form as the said *Ashley Cowper*, *Samuel Strutt* and *George Rose*, or any other Person or Persons then had and received, or ought to have had and received, in and for the Execution of the said Office: And Whereas the said Sir *George Henry Rose*, and his Predecessors, as such Clerks of Parliament as aforesaid, have exercised and enjoyed the Right of nominating and appointing (subject to the Approbation of the Most Honourable the House of Lords) all the Clerks belonging to the said Office: And Whereas the said Sir *George Henry Rose*, in accordance with the Wishes, and for promoting the Service of the said House of Lords, hath consented to relinquish such Right, (except as hereinafter provided); and it is expedient that such Right should in future be exercised in the Manner hereinafter provided, and that such further Regulations as hereinafter mentioned should be made upon the Expiration of the existing Interests of the present Clerk of the Parliaments and the Clerk Assistant: Be it therefore enacted by the King's most Excellent Majesty, by and with the 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 and immediately after the Expiration of the said last recited Letters Patent so granted to the said *George Henry Rose* as aforesaid, the Person then executing the Office of Clerk Assistant shall be and become Clerk of the Parliaments, and shall execute the Duties of the said Office in Person, and be removable by Address of the House of Lords to His Majesty for that Purpose.

Letters Patent  
24th Oct.  
35 G. 3.

Clerk Assistant  
to be Clerk of  
the Parliaments,  
upon Expiration  
of Letters  
Patent.

II. And

Clerk appointed by His Majesty, and to execute in Person.

II. And be it further enacted, That thereafter the Clerk of the Parliaments shall be appointed by His Majesty, His Heirs and Successors, but that such Clerk of the Parliaments so appointed shall also execute the Duties of the said Office in Person, and shall be removable by His Majesty, upon an Address of the House of Lords to His Majesty for that Purpose.

Appointment of other Clerks officiating at the Table vested in the Lord Chancellor.

III. And be it further enacted, That from and after the passing of this Act, the Nomination and Appointment (except as hereinafter provided) of the Clerk Assistant and other Clerks officiating at the Table of the House of Lords (except the Clerk of the Parliaments as aforesaid) shall be vested in and exercised by the Lord Chancellor or Speaker of the House of Lords for the Time being, but subject always to the Approbation of the said House of Lords, on such Appointments being duly notified to the House; and that such Officers, when so appointed and approved, shall be removable only by Order of the said House of Lords.

Sir George Henry Rose to appoint to any one of the said Offices for one Turn only.

IV. Provided always, and be it further enacted, That it shall be lawful for the said *Sir George Henry Rose* during his Life, and for such Person or Persons as he shall by any Writing under his Hand nominate for that Purpose in case of his Death, to appoint for one Turn only, and subject to the Approbation of the said House of Lords on such Appointment being notified to the House, any Person duly qualified to any one of the said Offices at the Table of the House of Lords, which may become vacant by Death or Superannuation or Promotion during the Life of the said *Sir George Henry Rose*, or within Twenty one Years from the Time of his Death, except as to such Appointment as is hereby vested in His Majesty, His Heirs and Successors; but after the Lord Chancellor or Speaker for the Time being of the said House of Lords shall have made on the Occasion of such Vacancy any Promotion in such Offices which he may deem expedient for the Service of the House, or to such vacant Office, if no such Promotion shall be made.

Other Clerks to be appointed by Clerk Assistant during Existence of present Letters Patent.

V. And be it further enacted, That from and after the passing of this Act, all the other Clerks, except as aforesaid, belonging to the said Office of Clerk of the Parliaments; (that is to say), the Clerk of the Journals, Copying Clerk, Clerk of the Inrolments, Clerk of the Inrolments, and the Writing Clerks under them, shall be nominated and appointed and removable at Pleasure, by the Person for the Time being executing the Office of Clerk Assistant, during the Existence of the said Patent so granted to the said *Sir George Henry Rose* as aforesaid, and afterwards by the Clerk of the Parliaments for the Time being executing in Person the Duties of the said Office, according to the Provisions hereinbefore contained.

Proviso for Rights, &c. of Sir George Henry Rose, and Henry Cowper, Esq.

VI. And be it further enacted, That the said *Sir George Henry Rose* shall remain in full Possession of all the Rights, Profits and Emoluments of his said Office (except as hereby otherwise provided) in the same Manner in all respects as if this Act had not been made; and that nothing herein contained shall in any Manner invalidate, abridge or alter the said recited Letters Patent, or the Rights of the said *Sir George Henry Rose*, derived under or from the same, except as is hereby expressly provided; and that

hat *Henry Couper Esquire*, the present Clerk Assistant, shall remain in full Possession of all the Rights, Profits and Emoluments of his said Office as heretofore, so long as he shall continue to hold the said Office; but that if the said Office shall at any Time or Times become vacant during the Existence of the said Patent so granted to the said *Sir George Henry Rose* as aforesaid, then and so often as the same shall happen during the Existence of the said Patent, the Person to succeed to the said Office of Clerk Assistant shall be nominated and appointed by the Crown, and be removable in like Manner as is hereinbefore provided with respect to the Office of the Clerk of the Parliaments.

During present Letters Patent, the Clerk Assistant to be appointed by the Crown.

## C A P. LXXXIII.

An Act for the Punishment of idle and disorderly Persons, and Rogues and Vagabonds, in that Part of *Great Britain* called *England*. [21st June 1824.]

WHEREAS an Act was passed in the Third Year of the Reign of His present Majesty, intituled *An Act for consolidating into one Act and amending the Laws relating to idle and disorderly Persons, Rogues and Vagabonds, incorrigible Rogues and other Vagrants, in England*: And Whereas the said Act was to continue in force until the First Day of *September* One thousand eight hundred and twenty four, and no longer; and it is expedient to make further Provision for the Suppression of Vagrancy, and for the Punishment of idle and disorderly Persons, Rogues and Vagabonds, and incorrigible Rogues, 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 all Provisions heretofore made relative to idle and disorderly Persons, Rogues and Vagabonds, incorrigible Rogues or other Vagrants, in *England*, shall be and the same are hereby repealed, except only as to any Offence committed before the passing of this Act, which shall be punished under the Provisions of the said recited Act, and save and except as hereinafter excepted.

3 G. 4. c. 40.

Former Provisions made as to Vagrants shall be repealed, except as to Offences committed before the passing of this Act.

32 G. 3. c. 45.  
§ 4.

II. And Whereas by an Act passed in the Thirty second Year of the Reign of His late Majesty King *George the Third*, intituled *An Act to explain and amend an Act made in the Seventh Year of the Reign of His late Majesty King George the Second*, intituled *An Act to amend and make more effectual the Laws relating to Rogues, Vagabonds and other idle and disorderly Persons, and to Houses of Correction*, His Majesty's Judges of Assizes and the Justices at the General or Quarter Sessions, or any Justice of the Peace, are empowered to order any Convict upon his Discharge from Prison to be conveyed by Pass in Manner therein directed; and the Judge, Justices or Justice aforesaid, are also empowered to convey by Pass any Person who shall be acquitted at the Assizes or General or Quarter Sessions, or discharged by Proclamation or otherwise, who shall apply to be conveyed as aforesaid: And Whereas Doubts have arisen whether such Parts of such Act as give such Power to order such Person to be conveyed by Pass were

‘ by the Provisions of the said recited Act of the Third Year of the Reign of His present Majesty repealed; And Whereas it is expedient to remove such Doubts;’ Be it therefore declared and enacted, That all such Provisions of the said recited Act of the Thirty second Year of the Reign of His late Majesty King George the Third, as give such Power of conveying by any Convict upon his Discharge from Prison, and any Person who shall be acquitted at the Assizes or General or Quarter Sessions, or discharged by Proclamation or otherwise, shall be and the same is hereby repealed.

**Repealed.**

Idle and disorderly Persons committing certain Offences herein mentioned, how to be punished.

III. And be it further enacted, That every Person being able wholly or in part to maintain himself or herself, or his or her Family, by Work or by other Means, and wilfully refusing or neglecting so to do, by which Refusal or Neglect he or she, or any of his or her Family whom he or she may be legally bound to maintain, shall have become chargeable to any Parish, Township or Place; every Person returning to and becoming chargeable in any Parish, Township or Place from whence he or she shall have been legally removed by Order of Two Justices of the Peace, unless he or she shall produce a Certificate of the Churchwardens and Overseers of the Poor of some other Parish, Township or Place, thereby acknowledging him or her to be settled in such other Parish, Township or Place; every Petty Chapman or Pedlar wandering abroad and trading, without being duly licensed, or otherwise authorized by Law; every Common Prostitute wandering in the public Streets or public Highways, or in any Place of public Resort, and behaving in a riotous or indecent Manner; and every Person wandering abroad, or placing himself or herself in any public Place, Street, Highway, Court or Passage, to beg or gather Alms, or causing or procuring or encouraging any Child or Children so to do, shall be deemed an idle and disorderly Person within the true Intent and Meaning of this Act; and it shall be lawful for any Justice of the Peace to commit such Offender (being thereof convicted before him by his own View, or by the Confession of such Offender, or by the Evidence on Oath of One or more credible Witness or Witnesses) to the House of Correction, there to be kept to hard Labour for any Time not exceeding One Calendar Month.

Persons committing certain Offences herein mentioned to be deemed Rogues and Vagabonds.

IV. And be it further enacted, That every Person committing any of the Offences hereinbefore mentioned, after having been convicted as an idle and disorderly Person; every Person pretending or professing to tell Fortunes, or using any subtle Craft, Means or Device, by Palmistry or otherwise, to deceive and impose on any of His Majesty's Subjects; every Person wandering abroad and lodging in any Barn or Outhouse, or in any deserted or unoccupied Building, or in the open Air, or under a Tent, or in any Cart or Waggon, not having any visible Means of Subsistence, and not giving a Good Account of himself or herself; every Person wilfully exposing to view, in any Street, Road, Highway or public Place, any obscene Print, Picture or other indecent Exhibition; every Person wilfully, openly, lewdly and obscenely exposing his Person in any Street, Road or public Highway, or in the View thereof, or in any Place of public Resort, with Intent to insult any Female; every Person wandering abroad and endeavouring



vouring by the Exposure of Wounds or Deformities to obtain or gather Alms; every Person going about as a Gatherer or Collector of Alms, or endeavouring to procure Charitable Contributions of any Nature or Kind, under any false or fraudulent Pretence; every Person running away and leaving his Wife, or his or her Child or Children, chargeable, or whereby she or they or any of them shall become chargeable to any Parish, Township or Place; every Person playing or betting in any Street, Road, Highway or other open and public Place, at or with any Table or Instrument of gaming, at any Game or pretended Game of Chance; every Person having in his or her Custody or Possession any Picklock Key, Crow, Jack, Bit or other Implement, with Intent feloniously to break into any Dwelling House, Warehouse, Coach House, Stable or Outbuilding, or being armed with any Gun, Pistol, Hanger, Cutlass, Bludgeon or other offensive Weapon, or having upon him or her any Instrument, with Intent to commit any felonious Act; every Person being found in or upon any Dwelling House, Warehouse, Coach House, Stable or Outhouse, or in any inclosed Yard, Garden or Area, for any unlawful Purpose; every suspected Person or reputed Thief, frequenting any River, Canal or navigable Stream, Dock or Basin, or any Quay, Wharf or Warehouse near or adjoining thereto, or any Street, Highway or Avenue leading thereto, or any Place of public Resort, or any Avenue leading thereto, or any Street, Highway or Place adjacent, with Intent to commit Felony; and every Person apprehended as an idle and disorderly Person, and violently resisting any Constable or other Peace Officer so apprehending him or her, and being subsequently convicted of the Offence for which he or she shall have been so apprehended, shall be deemed a Rogue and Vagabond, within the true Intent and Meaning of this Act; and it shall be lawful for any Justice of the Peace to commit such Offender (being thereof convicted before him by the Confession of such Offender, or by the Evidence on Oath of One or more credible Witness or Witnesses) to the House of Correction, there to be kept to hard Labour for any Time not exceeding Three Calendar Months; and every such Picklock Key, Crow, Jack, Bit and other Implement, and every such Gun, Pistol, Hanger, Cutlass, Bludgeon or other offensive Weapon, and every such Instrument as aforesaid, shall, by the Conviction of the Offender, become forfeited to the King's Majesty.

V. And be it further enacted, That every Person breaking or escaping out of any Place of legal Confinement before the Expiration of the Term for which he or she shall have been committed or ordered to be confined by virtue of this Act; every Person committing any Offence against this Act which shall subject him or her to be dealt with as a Rogue and Vagabond, such Person having been at some former Time adjudged so to be and duly convicted thereof; and every Person apprehended as a Rogue and Vagabond, and violently resisting any Constable or other Peace Officer so apprehending him or her, and being subsequently convicted of the Offence for which he or she shall have been so apprehended, shall be deemed an incorrigible Rogue within the true Intent and Meaning of this Act; and it shall be lawful for any Justice of the Peace to commit such Offender

Who shall be deemed incorrigible Rogues.

(being

(being thereof convicted before him by the Confession of such Offender, or by the Evidence on Oath of One or more credible Witness or Witnesses) to the House of Correction, there to remain until the next General or Quarter Sessions of the Peace; and every such Offender who shall be so committed to the House of Correction, shall be there kept to hard Labour during the Period of his or her Imprisonment.

Any Person  
may apprehend  
Offenders.

Constables, &c.  
neglecting their  
Duty.

Punishment.

Justices may  
issue Warrant  
to apprehend  
suspected Persons.

Vagrants to be  
searched, and  
Trunks, Bundles,  
&c. to be  
inspected.

Money and  
Effects found  
upon Vagrants  
applied towards  
Expence of ap-  
prehending and  
maintaining  
them.

VI. And be it further enacted, That it shall be lawful for any Person whatsoever to apprehend any Person who shall be found offending against this Act, and forthwith to take and convey him or her before some Justice of the Peace, to be dealt with in such Manner as is hereinbefore directed, or to deliver him or her to any Constable or other Peace Officer of the Place where he or she shall have been apprehended, to be so taken and conveyed as aforesaid; and in case any Constable or other Peace Officer shall refuse or neglect wilfully to take such Offender into his Custody, and to take and convey him or her before some Justice of the Peace, or shall not use his best Endeavours to apprehend and to convey before some Justice of the Peace any Person that he shall find offending against this Act, it shall be deemed a Neglect of Duty in such Constable or other Peace Officer, and he shall on Conviction be punished in such Manner as is herein-after directed.

VII. And be it further enacted, That it shall be lawful for any Justice of the Peace, upon Oath being made before him that any Person hath committed or is suspected to have committed any Offence against this Act, to issue his Warrant to apprehend and bring before him or some other Justice of the Peace the Person so charged to be dealt with as is directed by this Act.

VIII. And be it further enacted, That it shall be lawful for any Constable, Peace Officer or other Person apprehending any Person charged with being an idle and disorderly Person, or a Rogue and Vagabond, or an incorrigible Rogue, to take any Horse, Mule, Ass, Cart, Car, Caravan or other Vehicle, or Goods in the Possession or Use of such Person, and to take and convey the same as well as such Person before some Justice of the Peace, and for every Justice of the Peace by whom any Person shall be adjudged to be an idle and disorderly Person, or a Rogue and Vagabond, or an incorrigible Rogue, to order that such Offender shall be searched, and that his or her Trunks, Boxes, Bundles, Parcels or Packages shall be inspected in the Presence of the said Justice, and of him or her, and also that any Cart, Car, Caravan or other Vehicle which may have been found in his or her Possession or Use, shall be searched in his or her Presence: and it shall be lawful for the said Justice to order that any Money which may be then found with or upon such Offender shall be paid and applied for and towards the Expence of apprehending, conveying to the House of Correction, and maintaining such Offender during the Time for which he or she shall have been committed; and if upon such Search Money sufficient for the Purposes aforesaid be not found, it shall be lawful for such Justice to order that a Part, or if necessary the Whole of such other Effects then found, shall be sold, and that the Produce of such Sale shall be paid and applied as aforesaid, and also that the

the Overplus of such Money or Effects, after deducting the Charges of such Sale, shall be returned to the said Offender. .

IX. And be it further enacted, That when any Justice as aforesaid shall commit any such incorrigible Rogue to the House of Correction, there to remain till the next General or Quarter Sessions, or when any such idle and disorderly Person, Rogue and Vagabond, or incorrigible Rogue, shall give Notice of his or her Intention to appeal against the Conviction of him or her, and shall enter into Recognizance as hereinafter directed to prosecute such Appeal, such Justice shall require the Person by whom such Offender shall be apprehended, and the Person or Persons whose Evidence shall appear to him to be material to prove the Offence and to support such Conviction, to become bound in Recognizance to His Majesty, His Heirs and Successors, to appear at the said General or Quarter Sessions, to give Evidence against such Offender touching such Offence; and the Justices of the Peace at their said General or Quarter Sessions are hereby authorized and empowered, at the Request of any Person who shall have become bound in any such Recognizance, to order the Treasurer of the County, Riding, Division or Place in which the Offence shall have been committed, to pay unto such Prosecutor, and unto the Witness or Witnesses on his or her Behalf, such Sum or Sums of Money as to the Court shall seem reasonable and sufficient to reimburse such Prosecutor and such Witness or Witnesses respectively for the Expences he, she or they shall have been severally put to, and for his, her or their Trouble and Loss of Time in and about such Prosecution; which Order the Clerk of the Peace is hereby directed and required forthwith to make out and deliver unto such Prosecutor, or unto such Witness or Witnesses, upon being paid for the same the Sum of Two Shillings and no more; and the said Treasurer is hereby authorized and required, upon Sight of such Order, forthwith to pay unto such Prosecutor or other Person or Persons authorized to receive the same, such Money as aforesaid, and the said Treasurer shall be allowed the same in his Account; and in case any such Person or Persons as aforesaid shall refuse to enter into such Recognizance, it shall be lawful for such Justice to commit such Person or Persons so refusing to the Common Gaol, there remain until he, she or they shall enter into such Recognizance, or shall be otherwise discharged by due Course of Law.

X. And be it further enacted, That when any incorrigible Rogue shall have been committed to the House of Correction, there to remain until the next General or Quarter Sessions, it shall be lawful for the Justices of the Peace there assembled to examine into the Circumstances of the Case, and to order, if they think fit, that such Offender be further imprisoned in the House of Correction, and be there kept to hard Labour for any Time not exceeding One Year from the Time of making such Order, and to order further, if they think fit, that such Offender (not being a Female) be punished by Whipping, at such Time during his Imprisonment, and at such Place within their Jurisdiction, as according to the Nature of the Offence they in their Discretion shall deem to be expedient.

Justices may bind Persons by Recognizance to prosecute Vagrants at Sessions.

Sessions may order Payment of Expences to Prosecutors and Witnesses.

Clerk of the Peace to make out and deliver Orders.

Sessions may detain and keep to hard Labour, and punish by Whipping, Rogues and Vagabonds and incorrigible Rogues.

Officers neglecting their Duties, &c.

Obstructing them.

Penalty.  
Distress.

Imprisonment.

On Conviction of Officers, &c. Justices to make order for Payment of Expences of Prosecution as under.

33 G. 3. c. 55.

Lodging Houses, &c. suspected to conceal Vagrants may be

XI. And be it further enacted, That in case any Constable or other Peace Officer shall neglect his Duty in any Thing required of him by this Act, or in case any Person shall disturb or hinder any Constable or other Peace Officer in the Execution of this Act, or shall be aiding, abetting or assisting therein, and shall be thereof convicted upon the Oath of One or more credible Witness or Witnesses before One or more Justice or Justices of the Peace where such Offence shall be committed, every such Offender shall for every such Offence forfeit any Sum not exceeding Five Pounds; and in case such Offender shall not forthwith pay such Sum so forfeited, the same shall be levied by Distress and Sale of the Offender's Goods, by Warrant from such Justice or Justices; and if sufficient Distress cannot be found, it shall be lawful to and for One or more such Justice or Justices to commit the Person so offending to the House of Correction, there to be kept for any Time not exceeding Three Calendar Months, or until such Fine be paid; and the said Justice or Justices shall cause the said Fine, when paid, to be forthwith delivered to the Treasurer of the County, Riding, Division or Place where such Offences shall have been committed, to be by him added to and used as Part of the Stock of the said County, Riding, Division or Place.

XII. And be it further enacted, That in case any Constable or other Peace Officer shall be convicted before any One or more Justice or Justices of the Peace, for any Neglect of any Duty required of him by this Act, or of any Disobedience of any lawful Warrant or Order of any Justice or Justices of the Peace issued under the Provisions of this Act, and in case any Two or more Justices of the Peace shall impose any Fine, or direct any Penalty to be paid by such Officer, under and by virtue of the Powers given to Justices of the Peace by an Act passed in the Thirty third Year of the Reign of His late Majesty King George the Third, intituled *An Act to authorize Justices of the Peace to impose Fines upon Constables, Overseers and other Peace or 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, or under any other Powers enabling such Justices in that Behalf*, then and in every such Case it shall be lawful for such Justice or Justices, upon Conviction of any such Offender, to reimburse and allow to the Person or Persons on whose Complaint or Information such Offender shall have been convicted, all necessary Costs and Expences which such Person or Persons may thereby have incurred, or by any Appeal made in consequence thereof, by making an Order under his or their Hands and Seals upon the Treasurer of the County, Riding, Division or Place, to pay to such Person or Persons the Amount of such Costs and Expences, on producing the said Order and giving a Receipt for the same, and the same shall be allowed the said Treasurer in his Account.

XIII. And be it further enacted, That it shall be lawful for any Justice of the Peace, upon Information on Oath before him made, that any Person hereinbefore described to be an idle and disorderly Person, or a Rogue and Vagabond, or an incorrigible Rogue

Rogue, is or is reasonably suspected to be harboured or concealed in any House kept or purporting to be kept for the Reception, Lodging or Entertainment of Travellers, by Warrant under his Hand and Seal to authorise any Constable or other Person or Persons to enter at any Time into such House, and to apprehend and bring before him or any other Justice of the Peace every such idle and disorderly Person, Rogue and Vagabond, and incorrigible Rogue as shall be found therein, to be dealt with in the Manner hereinbefore directed.

searched, and suspected Persons brought before a Justice.

XIV. And be it further enacted, That any Person aggrieved by any Act or Determination of any Justice or Justices of the Peace out of Sessions, in or concerning the Execution of this Act, may appeal to the next General or Quarter Sessions for the County, Riding, Division or Place in and for which such Justice or Justices shall have so acted, giving to the Justice or Justices of the Peace, whose Act or Determination shall be appealed against, Notice in Writing of such Appeal, and of the Ground thereof, within Seven Days after such Act or Determination, and before the next General or Quarter Sessions, and entering within such Seven Days into a Recognizance, with sufficient Surety, before a Justice of the Peace for the County or Place in which such Person shall have been convicted personally to appear and prosecute such Appeal; and upon such Notice being given, and such Recognizance being entered into, such Justice is hereby empowered to discharge such Person out of Custody; and the Court at such General or Quarter Sessions shall hear and determine the Matter of such Appeal, and shall make such Order therein as shall to the said Court seem meet, and in case of the Dismissal of the Appeal, or the Affirmance of the Conviction, shall issue the necessary Process for the Apprehension and Punishment of the Offender, according to the Conviction.

Appeal to Sessions.

Notice.

Recognizance.

Sessions may determine.

XV. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend so as to restrain, hinder or prevent any Visiting Justice of any County Gaol, House of Correction or other Prison, from granting a Certificate or other Instrument for enabling any Person discharged from a County Gaol, House of Correction or other Prison, to have or receive Alms or Relief in or upon his or her Route to his or her Place of Settlement; provided that such Certificate be made and drawn up in compliance with the Directions and Provisions of any Act or Acts of Parliament for the better Regulation and Management of Gaols, Houses of Correction or Prisons; and if any Person to whom any such Certificate or Instrument shall be delivered shall act in any Manner contrary to the Directions or Provisions of such Certificate or Instrument, or shall loiter upon his or her Route, or shall deviate therefrom, every such Person shall be and be deemed to be a Rogue and Vagabond within the Provisions and Directions of this Act, and shall be punished accordingly.

Visiting Justices of Gaols, &c. may grant Certificates to Persons discharged to receive Alms in their Route.

Such Persons loitering, &c. deemed Rogues.

XVI. And be it further enacted, That from and after the passing of this Act, no Justice of the Peace, Mayor or other Magistrate shall grant to any Person, other than a Person entitled thereto 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

No Certificates except to those intituled under 43 G. 3. c. 61.

intituled *An Act for the Relief of Soldiers, Sailors and Marines, and of the Wives of Soldiers in the Cases therein mentioned*, so far as relates to England, any Certificate or other Instrument enabling such Person to ask Alms or Relief in their Route to any Place, or for any other Purpose whatever; and every Person asking Alms or Relief under and by virtue of any Certificate or other Instrument hereby prohibited, is liable to be declared to be an idle and disorderly Person in like Manner as if he or she had possessed no such Certificate or other Instrument as aforesaid.

Other Persons asking Alms deemed Idle, &c.

Form of Conviction under this Act.

XVII. And be it further enacted, That no Proceeding to be had before any Justice or Justices of the Peace under the Provisions of this Act shall be quashed for Want of Form; and every Conviction of any Offender as an idle and disorderly Person, or as a Rogue and Vagabond, or as an incorrigible Rogue, under this Act, shall be in the Form or to the Effect following, or as near thereto as Circumstances will permit; (that is to say.)

‘ to wit. } BE it remembered, That on the Day of  
 ‘ in the Year of our Lord at  
 ‘ in the County of A. B. is con-  
 ‘ victed before me C. D. one of His Majesty’s Justices of the  
 ‘ Peace in and for the said County, of being an idle and disorderly  
 ‘ Person [or a Rogue and Vagabond, or an incorrigible Rogue]  
 ‘ within the Intent and Meaning of the Statute made in the  
 ‘ Fifth Year of the Reign of His Majesty King George the  
 ‘ Fourth, intituled *An Act* [here insert the Title of this Act]; that  
 ‘ is to say, for that the said A. B. on the Day  
 ‘ of at in the said County [here  
 ‘ state the Offence proved before the Magistrate], and for which  
 ‘ said Offence the said A. B. is ordered to be committed to the  
 ‘ House of Correction at there to be kept to  
 ‘ hard Labour for the Space of [or until  
 ‘ the next General or Quarter Sessions.] Given under my Hand  
 ‘ and Seal the Day, Year and at the Place first above written.’

Conviction to be transmitted to the Sessions, and a Copy thereof to be Evidence.

And the Justice or Justices of the Peace before whom any such Conviction shall take place shall, and he and they is and are hereby required to transmit the said Conviction to the next General or Quarter Sessions of the Peace to be holden in and for the County, Riding, Division or Place wherein such Conviction shall have taken place, there to be filed and kept on Record; and a Copy of the Conviction so filed, duly certified by the Clerk of the Peace, shall and may be read as Evidence in any Court of Record, or before any Justice or Justices of the Peace acting under the Powers and Provisions of this Act.

Justices, &c. to have Treble Costs if Judgment be in their Favour.

XVIII. And be it further enacted, That in all Cases where an Action shall be brought against any Justice of the Peace, Constable or other Person, for or on account of any Matter or Thing whatsoever done or commanded by him in the Execution of his Duty or Office under this Act, such Justice, Constable or other Person, if he shall have Judgment in his Favour, shall have Treble Costs awarded to him by the Court, unless the Judge shall certify that there was a reasonable Cause for such Action.

Limitation of Actions.

XIX. And be it further enacted, That every such Action shall be commenced within Three Calendar Months after the Cause

Cause of Action or Complaint shall have arisen, and not afterwards; and if any Person or Persons shall be sued for any Matter or Thing which he, she or they shall have done in the Execution of this Act, he, she or they may plead the General Issue, and give the Special Matter in Evidence. General Issue.

XX. And be it further enacted, That every Person who under the Provisions of this Act shall have been convicted as an idle and disorderly Person, or as a Rogue and Vagabond, shall be deemed to be actually chargeable to the Parish, Township or Place in which such Person shall reside; and such Person shall be liable to be removed to the Parish of his or her last legal Settlement, by the Order of Two Justices of the Peace of the Division or Place in which such Person shall reside. Persons convicted chargeable to Parish in which they reside.

XXI. Provided always, That wherever by any Act or Acts of Parliament now in force it is directed that any Person shall be punished as an idle and disorderly Person, or as a Rogue and Vagabond, or as an incorrigible Rogue, for any Offence specified in such Act or Acts, and not hereinbefore provided for by this Act, in every such Case, whether such Person shall or shall not have committed any Offence against this Act, every such Person shall be punished under the Provisions, Powers and Directions of this Act. Offenders under former Acts to be punished under this Act.

XXII. Provided also, and be it further enacted, That nothing herein contained shall be construed to extend or apply to Scotland or Ireland, nor to alter any Law now in force for the Removal of poor Persons born in Scotland, Ireland or the Isles of Man, Jersey and Guernsey, and becoming chargeable to Parishes in England, such Persons not having committed Acts of Vagrancy as hereinbefore described, nor to alter any Law now in force relating to Lunatic Vagrants. Proviso for Acts in force in Scotland and Ireland relative to Removal of Poor, &c.

#### C A P. LXXXIV.

An Act for the Transportation of Offenders from *Great Britain*. [21st June 1824.]

‘ WHEREAS the several Laws in force for regulating the Transportation of Offenders from *Great Britain* will expire at the End of the present Session of Parliament; and it is expedient that the Laws relative to that Subject should be revised and consolidated into one Act:’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act shall take Effect on the last Day of this present Session of Parliament; and that on and from that Day, all Things remaining to be done, touching the Punishment, Imprisonment, Correction, Removal, Transportation, Discipline, Employment, Diet and Clothing of Persons sentenced or ordered to Transportation or Banishment from any Part of *Great Britain*, under any Acts heretofore or now in force, or pardoned on Condition of being transported under any such Acts, shall be continued, done and completed under the Provisions of this Act; and that all Sentences and Orders for Transportation, all Orders in Council, and other Orders, Warrants, Instructions, Directions, Appointments, Authorities, Contracts and Securities made, issued Commencement of Act under the Provisions of which all Persons already sentenced or ordered for Transportation shall be placed.

or given under any of the said Acts, and in force at the Time of the Commencement of this Act, shall continue in force under and by virtue of this Act; unless and until they shall be revoked or superseded.

Offenders adjudged for Transportation to be transported under this Act.

II. And be it further enacted, That from and after the Commencement of this Act, every Person convicted before any Court of competent Jurisdiction in *Great Britain*, of any Offence for which he or she shall be liable to be transported or banished, shall be adjudged and ordered to be transported or banished beyond the Seas, for the Term of Life or Years for which such Offender shall be liable by any Law to be transported or banished; and every Sentence of Transportation or Banishment passed or to be passed on any Offender in any Court of competent Jurisdiction in *Great Britain*, and every Order for Transportation or Banishment made or to be made in pursuance of the Sentence of any such Court or other competent Authority, shall subject the Offender to be conveyed beyond the Seas under the Provisions of this Act; and whenever His Majesty shall be pleased to extend Mercy to any Offender convicted of any Crime for which he or she is or shall be excluded from the Benefit of Clergy, upon Condition of Transportation beyond the Seas, either for the Term of Life, or any Number of Years, and such Intention of Mercy shall be signified by One of His Majesty's Principal Secretaries of State to the Court before which such Offender hath been or shall be convicted, or any subsequent Court with the like Authority, such Court shall allow to such Offender the Benefit of a conditional Pardon, and make an Order for the immediate Transportation of such Offender; and in case such Intention of Mercy shall be so signified to the Judge or Justice before whom such Offender hath been or shall be convicted, or to any Judge of His Majesty's Court of King's Bench or Common Pleas, or to any Baron of the Exchequer of the Degree of the Coif in *England*, such Judge, Justice or Baron shall allow to such Offender the Benefit of a Conditional Pardon, and make an Order for the immediate Transportation of such Offender, in the same Manner as if such Intention of Mercy had been signified to the Court during the Term or Session in or at which such Offender was convicted; and such Allowance and Order shall be considered as an Allowance and Order made by the Court before which such Offender was convicted, and shall be entered on the Records of the same Court by the proper Officer thereof, and shall be as effectual to all Intents and Purposes, and have the same Consequences as if such Allowance and Order had been made by the same Court during the Continuance thereof; and every such Order, and also every Order made, by the Court of Justiciary in *Scotland* for the Transportation of any Offender, whose Sentence of Death shall be remitted by His Majesty, shall subject the Offender to be conveyed beyond the Seas under the Provisions of this Act.

Power for subsequent Court, &c. to allow conditional Pardon in Cases where His Majesty extends Mercy to the Offender.

His Majesty may appoint Places of Transportation.

III. And be it further enacted, That it shall be lawful for His Majesty, by and with the Advice of His Privy Council, from time to time, to appoint any Place or Places beyond the Seas, either within or without His Majesty's Dominions, to which Felons and other Offenders under Sentence or Order of Transportation or Banishment shall be conveyed; and that when any



Offenders shall be about to be transported or banished from *Great Britain*, One of His Majesty's Principal Secretaries of State shall give Orders for their Removal to the Ship to be employed for their Transportation, and shall authorize and empower some Person to make a Contract for their effectual Transportation to some of the Places so appointed, and shall direct Security to be given for their effectual Transportation, in the Manner hereinafter mentioned.

*Secretary of State to authorize Persons to make Contracts for Transportation.*

IV. And be it further enacted, That the Sheriff or Gaoler receiving such Order of Removal shall by virtue thereof forthwith remove every Offender to whom the same shall apply, and who, having been examined by an experienced Surgeon or Apothecary, shall appear to be free from any putrid or infectious Distemper, and fit to be transported to the Ship employed for his or her Transportation, and there deliver every such Offender to the Contractor, together with a true Copy, attested by such Sheriff or Gaoler, of the Caption and Order of the Court by which each such Offender was sentenced or ordered for Transportation, containing the Sentence or Order of Transportation of each such Offender, by virtue whereof he or she shall be in the Custody of such Sheriff or Gaoler; and also a Certificate specifying concisely the Description of his or her Crime, his or her Age, whether married or unmarried, his or her Trade or Profession, and an Account of his or her Behaviour in Prison before and after Trial, and the Gaoler's Observations on his or her Temper and Disposition, and such Information concerning his or her Connexions and former Course of Life as may have come to the Gaoler's Knowledge; and such Contractor shall give a Receipt in Writing to the Sheriff or Gaoler, for the Discharge of such Sheriff or Gaoler.

*Sheriffs or Gaolers, on receiving Orders for Removal of Offenders for Transportation, to deliver them over to the Contractor, if free from Distemper.*

V. And be it further enacted, That every such Contractor, with Two Sureties, shall, before any such Offender shall be delivered to him to be transported, give Security by Bond to His Majesty, that he will effectually transport, or cause to be transported, every Offender included in his Contract, to such Place beyond the Seas as shall be specified in the Contract, and procure from the Governor of the Colony, or other Person or Persons to whom he shall be directed by One of the Principal Secretaries of State to deliver such Offender, a Certificate of the landing of such Offender in that Place, whereto he or she shall be ordered to be transported (Death and Casualties by Sea excepted); and that such Offender shall not be suffered to return to any Part of the United Kingdom, by the wilful Default of such Contractor, or of any Person employed by him.

*Persons undertaking to transport Offenders to give proper Security.*

VI. And be it further enacted, That if any such Offender shall be guilty of Misbehaviour or disorderly Conduct on board of the Ship in which he or she shall be transported, it shall be lawful for the Surgeon or Principal Medical Officer for the Time being of such Ship, to inflict or cause to be inflicted on such misbehaving or disorderly Offender, such moderate Punishment or Correction as may be authorized by the Instructions which he may receive from One of His Majesty's Principal Secretaries of State: 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 shall first signify his Approbation thereof in Writing under his Hand; and every such Punishment

*For Punishment of Transports misbehaving on the Voyage.*

Such Punishment to be entered on Log Book.

or Correction, together with the Particulars of the Offence for which the same is inflicted, and 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 Book of the Ship, under a Penalty of Twenty Pounds for every Neglect to make such Entry, to be recovered to the Use of the Informer, by Bill, Plaint or Information in any Court of Record in *England*, or in One of the Supreme Courts of *New South Wales* or *Van Dieman's Land*.

Secretary of State may give Custody of Offenders transported in King's Ships, without Security.

VII. Provided always, and be it further enacted, That whenever the Transportation of any such Offender shall take place in any Ship belonging to His Majesty, it shall be lawful for One of the Principal Secretaries of State, by Warrant under his Hand, to nominate some Person or Persons who shall have the Custody of such Offender during the Voyage, and thereupon such Offender may be delivered to such Nominee or Nominees, without any Contract or Security being required or given for the effectual Transportation of such Offender; and every such Nominee shall have the like Power of punishing Misbehaviour and disorderly Conduct in such Offender during the Voyage, as is hereby given to the Surgeon of a Ship specially employed for the Transportation of Offenders.

Governor of the Colony, &c. to have Property in Service of Offender.

VIII. And be it further enacted, That so soon as any such Offender shall be delivered to the Governor of the Colony, or other Person or Persons to whom the Contractor, or such Nominee or Nominees as aforesaid shall be so directed to deliver him or her, the Property in the Service of such Offender shall be vested in the Governor of the Colony for the Time being, or in such other Person or Persons; and it shall be lawful for the Governor for the Time being, and for such other Person or Persons, whenever he or they shall think fit, to assign any such Offender to any other Person for the then Residue of his or her Term of Transportation, and for such Assignee to assign over such Offender, and so as often as may be thought fit; and the Property in the Service of such Offender shall continue in the Governor for the Time being, or in such other Person or Persons as aforesaid, or his or their Assigns, during the Whole remaining Term of Life or Years for which such Offender was sentenced or ordered to be transported: Provided always, that for the Purposes of this Act, every Person administering the Government of a Colony, by whatever Name or Title he may be denominated, shall be deemed to be the Governor thereof.

What Persons deemed Governors.

King's Prerogative.

IX. Provided always, and be it further enacted, That nothing in this Act contained shall in any Manner affect His Majesty's Royal Prerogative of Mercy.

His Majesty to appoint Places of Confinement of Offenders in England.

X. And be it further enacted, That it shall be lawful for His Majesty from time to time, by Warrant under His Royal Sign Manual, to appoint Places of Confinement within *England* or *Wales*, either at Land, or on board Vessels to be provided by His Majesty in the River *Thames*, or some other River, or within the Limits of some Port or Harbour of *England* or *Wales*, for the Confinement of Male Offenders under Sentence or Order of Transportation, which shall be under the Management of a Superintendant and Overseer to be appointed by His Majesty; and that it shall be lawful for One of His Majesty's Principal Secretaries

Secretaries of State to direct the Removal of any Male Offender who shall be under Sentence of Death, but who shall be reprieved, or whose Sentence shall be respited during His Majesty's Pleasure, or who shall be under Sentence or Order of Transportation, and who, having been examined by an experienced Surgeon or Apothecary, shall appear to be free from any putrid or infectious Distemper, and fit to be removed from the Gaol or Prison in which such Offender shall be confined, to any of the Places of Confinement so appointed; and every Offender who shall be so removed shall continue in the said Place of Confinement, or be removed to and confined in some other such Place or Places as aforesaid, as One of His Majesty's Principal Secretaries of State shall from time to time direct, until such Offender shall be transported according to Law, or shall become entitled to his Liberty, or until One of His Majesty's Principal Secretaries of State shall direct the Return of such Offender to the Gaol or Prison from which he shall have been removed; and the Sheriff or Gaoler having the Custody of any Offender whose Removal shall be ordered in Manner aforesaid, shall, with all convenient Speed, after the Receipt of any such Order, convey or cause to be conveyed every such Offender to the Place appointed, and there deliver him to such Superintendant or Overseer, together with a true Copy, attested by such Sheriff or Gaoler, of the Caption and Order of the Court by which such Offender was sentenced or ordered for Transportation, containing the Sentence or Order of Transportation of each such Offender, by virtue whereof he shall be in the Custody of such Sheriff or Gaoler; and also a Certificate, specifying concisely the Description of his Crime, his Age, whether married or unmarried, his Trade or Profession, and an Account of his Behaviour in Prison before and after his Trial, and the Gaoler's Observations on his Temper and Disposition, and such Information concerning his Connexions and former Course of Life as may have come to the Gaoler's Knowledge; and such Superintendant or Overseer shall give a Receipt in Writing to the Sheriff or Gaoler, for the Discharge of such Sheriff or Gaoler.

Order of Removal.

Duty of Sheriff and Gaoler thereon.

XI. And be it further enacted, That it shall be lawful for His Majesty to appoint One fit and able Person to be Superintendant of the said Places of Confinement; and in case it shall be deemed expedient, it shall be lawful for His Majesty also to appoint One fit and able Person to be Assistant or Deputy to such Superintendant, at One or more of the said Places of Confinement, and to be constantly resident at or near the Place or Places to which he shall be appointed; and also One fit and able Person to be Overseer of each such Place of Confinement, who, with a sufficient Number of Officers and Guards, shall constantly reside therein; and such Superintendant shall personally visit and inspect each Place of Confinement Four Times in every Year, or oftener Occasion shall require, and shall distinctly examine into the State of such Places of Confinement, the Behaviour and Conduct of the respective Assistants or Deputies, Overseers, Officers and Guards, the Treatment and Condition of the Prisoners, and the Amount of the several Earnings, and the Expences attending every such Place of Confinement, and shall, at least Twice in every Year, make a faithful Report of the same to One of His Majesty's

Appointment by His Majesty of Superintendant of Places of Confinement, &c.

His Duty.

Report of State of such Places to Secretary of State.

Majesty's Principal Secretaries of State, who shall cause such Report to be laid before both Houses of Parliament at the beginning of every Session; and such Superintendent shall distinguish in such Report the Amount of the Earnings and Expences at each of such Places of Confinement, and shall state the Average Number of Prisoners confined therein, and the Number of Days' Labour done by such Prisoners, distinguishing the Work of Artificers, and of any other superior Labourers, from that of common Labourers; and such Superintendent shall also, in Matters of extreme Necessity, make a Special Report thereof to One of His Majesty's Principal Secretaries of State, who may, and is hereby authorized to afford such Redress or provide such Regulations as he shall deem proper; and such Superintendent, Assistants or Deputies, and Overseers, shall continue in Office during His Majesty's Pleasure, and shall receive such Salaries as One of His Majesty's Principal Secretaries of State shall appoint; and such Superintendent shall be paid such travelling and other reasonable Expences as shall be incurred by him in Discharge of his Duty.

Regulations for cleansing and purifying and clothing Offenders.

Subsistence allowed on Discharge.

His Majesty, in Council, may direct Convicts to be employed in any Part of His Dominions out of England, under Management of Superintendent and Overseer.

XII. And be it further enacted, That whenever any Offender shall be brought to any such Place of Confinement as aforesaid, in pursuance of the Powers of this Act, he shall be washed, cleansed and purified, and the Clothes in which he shall be then clothed shall be burnt, if necessary, or otherwise shall be preserved and taken care of for him by the Overseer, and re-delivered to him upon his quitting it, or sold for his Benefit, and the Produce thereof accounted for to him by the Overseer; and when such Offender shall be finally discharged, such other decent Clothing, as shall be judged necessary and proper by the Superintendent, shall be delivered to such Offender by the Overseer, and also such Sum of Money for his immediate Subsistence as the Superintendent shall think proper, so as such Sum shall not in any Case exceed Three Pounds.

XIII. And be it further enacted, That it shall 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 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 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 of the said Superintendent, and of an Overseer to be appointed by His Majesty for each such Vessel or other Place of Confinement; and that every Offender who shall be so removed shall continue on board the Vessel or other Place of Confinement to be so provided, or any similar 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.

XIV. And

XIV. And be it further enacted, That the said Superintendent shall from time to time make Returns, specifying the Name of every Person in Custody in each of such Places of Confinement, the Offence of which he shall have been guilty, the Court before which he shall have been convicted, and the Sentence of such Court, together with his Age and bodily State, and his Behaviour whilst in Custody; and also the Names of such Offenders as shall have died whilst in such Custody, or shall have escaped, or have been lawfully discharged from the same; which Returns shall be made on the First Day of *January, April, July and October* in every Year, to One of His Majesty's Principal Secretaries of State, on the Oath of the Overseer of each Place of Confinement, such Oath to be made before a Justice of the Peace.

Superintendent to make Returns of Prisoners to Secretary of State, as herein mentioned.

XV. And be it further enacted, That after the Removal of any Offender under this Act, the Superintendent and Overseer who shall have the Custody of him, shall, during the Term of such Custody, have the same Powers over him as are incident to the Office of a Sheriff or Gaoler, and shall in like Manner be answerable for any Escape of such Offender; and if any Offender shall during such Custody be guilty of any Misbehaviour or disorderly Conduct, the Superintendent or Overseer shall be authorized to inflict, or cause to be inflicted on him, such moderate Punishment or Correction as shall be allowed by One of His Majesty's Principal Secretaries of State; and such Superintendent or Overseer shall also, during such Custody, see every Offender 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 shall keep such Offender to Labour at such Places, and under such Regulations, Directions, Limitations and Restrictions, as by such Secretary of State shall from time to time be prescribed; and in case of the Absence of any such Superintendent or Overseer, or of the Vacancy of his Office, his Duties or Powers shall be discharged and exercised in all respects by the Officer or Person on whom the Command of the Place of Confinement shall devolve.

Power and Duties of Superintendent and Overseers.

XVI. And be it further enacted, That it shall be lawful for such Superintendent, and he is hereby authorized, in every such Place of Confinement as aforesaid, either at Land or on board any Vessel to be provided as aforesaid, and also in every Place wherein any Offenders under his Superintendance shall be employed to labour, to act in every respect as a Justice of the Peace, as if he had been named in the Commission of the Peace, and had been duly qualified to act as a Justice of the Peace for the County or Place in which any such Place of Confinement shall be, or any such Offender shall be employed to labour.

Superintendent empowered to act as a Justice of the Peace.

XVII. And Whereas by the Laws in force in some Parts of His Majesty's Dominions not within the United Kingdom, Offenders convicted of certain Offences are liable to be punished by Transportation beyond the Seas, and other Convicts adjudged to suffer Death in such Parts of His Majesty's Dominions have received or may receive His Majesty's most gracious Pardon upon Condition of Transportation beyond the Seas, and there may be no Means of transporting such Convicts to any of the Places appointed by His Majesty in Council in that Behalf, without first bringing them to *England*; Be it therefore further enacted,

Convicts adjudged by Courts out of the United Kingdom to Transportation, and Convicts pardoned on Condition of Transportation, may, when brought to England, be imprisoned and transported.

Convicts may be kept to hard Labour, and may be removed to House of Correction.

Time of Imprisonment deemed Part of Term.

Offenders may be carried through any County to the Seaport.

Expences of Removal to be paid by County where Conviction took place.

enacted, That whenever any Convict adjudged to Transportation by any Court or Judge in any Part of His Majesty's Dominions not within the United Kingdom, or any Convict adjudged to suffer Death by any such Court or Judge, and pardoned on Condition of Transportation, have been or shall be brought to England in order to be transported, it shall and may be lawful to imprison any such Offender in any Place of Confinement provided under the Authority of this Act, until such Convict shall be transported, or shall become entitled to his Liberty; and that so soon as every such Convict shall be so imprisoned, all the Provisions, Rules, Regulations, Clauses, Authorities, Powers, Penalties, Matters and Things aforesaid, concerning the safe Custody, Confinement, Treatment and Transportation of any Offender convicted in *Great Britain*, shall extend and be construed to extend to every Convict who may have been or may be hereafter adjudged to Transportation by any Court or Judge in any Part of His Majesty's Dominions not within the United Kingdom, and to every Convict adjudged by any such Court or Judge to suffer Death, and pardoned on Condition of Transportation, and brought to *England* in order to be transported, as fully and effectually to all Intents and Purposes, as if such Convict had been convicted and sentenced at any Session of Gaol Delivery holden for any County within *England*.

XVIII. And be it further enacted, That it shall be lawful to keep to hard Labour every Offender under Sentence or Order of Transportation, while he or she shall remain in the Common Gaol, if his or her Health shall permit, and if One or more of the Visiting Justices of such Gaol shall give a written Order to that Effect; and that it shall be lawful for One of His Majesty's Principal Secretaries of State, if he shall think fit, to order that any such Offender be removed from the Common Gaol to the House of Correction, and there kept to hard Labour.

XIX. And be it further enacted, That the Time during which any Offender shall continue in any Gaol or House of Correction, or in any such Place of Confinement as aforesaid, under Sentence or Order of Transportation or Banishment, shall be taken and reckoned in Discharge or Part Discharge of the Term of his or her Transportation or Banishment.

XX. And be it further enacted, That the Sheriff or Gaoler, and every Person employed in the Conveyance of any Offender in order to be transported or banished, or to be imprisoned in any such Place of Confinement as aforesaid, or in the Reconveyance of any Offender from any such Place of Confinement to the Gaol or Prison from which he was removed, may, in such Manner as he shall think fit, carry and secure such Offender in and through any County of *Great Britain*, towards the Seaport or Place from whence he or she is to be transported or banished, or where he or she is to be confined, or to the Gaol or Prison to which he or she is to be reconveyed.

XXI. And be it further enacted, That in *England* and *Wales* all such Fees, on the delivering out of Custody of any such Offender so ordered to be transported or removed, as have usually been paid to the Sheriff or Gaoler, and all reasonable Expences which the Sheriff or Gaoler shall incur in every such Removal, shall be paid by the County, Riding, Division, City, Borough, Liberty

Liberty or Place for which the Court in which the Offender was convicted shall have been held; and the Sheriff or Gaoler shall receive the Money due for such Expences from the Treasurer of such County, Riding, Division, City, Borough, Liberty or Place; such Fees and Expences being first allowed by the Order of the Justices of the Peace at their Quarter or other General Sessions of the Peace, who are hereby required to make such Order as shall be just in that Behalf; and the Clerk of the Court shall be paid by such Treasurer the same Fee as hath been usually paid, and he is lawfully entitled to receive, for every Order of Transportation; and in *Scotland* all such Fees and Expences shall be paid in the same Manner as has been heretofore practised.

Fee to Clerk of the Court.

XXII. And be it further enacted, That if any Offender who shall have been or shall be so sentenced or ordered to be transported or banished, or who shall have agreed or shall agree to transport or banish himself or herself on certain Conditions, either for Life or any Number of Years, under the Provisions of this or any former Act, shall be afterwards at large within any Part of His Majesty's Dominions, without some lawful Cause, before the Expiration of the Term for which such Offender shall have been sentenced or ordered to be transported or banished, or shall have so agreed to transport or banish himself or herself, every such Offender so being at large, being thereof lawfully convicted, shall suffer Death as in Cases of Felony without the Benefit of Clergy; and such Offender may be tried either in the County or Place where he or she shall be apprehended, or in that from whence he or she was ordered to be transported or banished; and if any Person shall rescue or attempt to rescue, or assist in rescuing or attempting to rescue, any such Offender from the Custody of such Superintendent or Overseer, or of any Sheriff or Gaoler or other Person conveying, removing, transporting or reconveying him or her, or shall convey or cause to be conveyed any Disguise, Instrument for effecting Escape, or Arms to such Offender, every such Offence shall be punishable in the same Manner as if such Offender had been confined in a Gaol or Prison in the Custody of the Sheriff or Gaoler, for the Crime of which such Offender shall have been convicted; and whoever shall discover and prosecute to Conviction any such Offender so being at large within this Kingdom, shall be entitled to a Reward of Twenty Pounds for every such Offender so convicted.

Offender found unduly at large before Expiration of Sentence.

Death.

Persons rescuing Prisoners how punished.

Prosecuting to Conviction, Reward 20*l*.

XXIII. And be it further enacted, That in any Indictment against any Offender for being found at large contrary to the Provisions of this or of any other Act now made or hereafter to be made, and also in any Indictment against any Person who shall rescue or attempt to rescue, or assist in rescuing any such Offender from such Custody, or who shall convey or cause to be conveyed any Disguise, Instrument for effecting Escape, or Arms, to any such Offender, contrary to the Provisions of this or of any other Act now made or hereafter to be made, whether such Offender shall have been tried before any Court or Judge within or without the United Kingdom, or before any Naval or Military Court Martial, it shall be sufficient to charge and allege the Order made for the Transportation or Banishment of such Offender, without charging or alleging any Indictment, Trial, Conviction,

Form of Indictment against Offenders found at large, or against Persons rescuing Prisoners.

viction, Judgment or Sentence, or any Pardon or Intention of Mercy or Signification thereof, of or against or in any Manner relating to such Offender.

Certificate of Clerk of Court, of Conviction and Sentence, sufficient Evidence.

XXIV. And be it further enacted, That the Clerk of the Court or other Officer having the Custody of the Records of the Court where such Sentence or Order of Transportation or Banishment shall have been passed or made, shall, at the Request of any Person on His Majesty's Behalf, make out and give a Certificate in Writing, signed by him, containing the Effect and Substance only (omitting the formal Part) of every Indictment and Conviction of such Offender, and of the Sentence or Order for his or her Transportation or Banishment (not taking for the same more than Six Shillings and Eight Pence), which Certificate shall be sufficient Evidence of the Conviction and Sentence, or Order for the Transportation or Banishment of such Offender; and every such Certificate, if made by the Clerk or Officer of any Court in *Great Britain*, shall be received in Evidence, upon Proof of the Signature and official Character of the Person signing the same; and every such Certificate, if made by the Clerk or Officer of any Court out of *Great Britain*, shall be received in Evidence if verified by the Seal of the Court or by the Signature of the Judge or One of the Judges of the Court, without further Proof.

Proviso for Persons banished under 60 G. 3. and 1 G. 4. c. 8.

XXV. And be it further enacted, That nothing in this Act contained respecting Offenders under Sentence or Order of Banishment, shall apply to Persons adjudged to be banished under and by virtue of an Act passed in the Sixtieth Year of His late Majesty's Reign, intituled *An Act for the more effectual Prevention and Punishment of blasphemous and seditious Libels*.

For protecting transported Felons herein mentioned in the Enjoyment of Property acquired after Conviction.

XXVI. And Whereas it hath sometimes happened, that Felons under Sentence or Order of Transportation in *New South Wales* and the Islands adjacent, have received from the Governor or Lieutenant Governor thereof Remissions, either absolute or conditional, of the Whole or of some Part of the Term of their Transportation, and have by their Industry acquired Property, in the Enjoyment whereof it is expedient to protect them; and the like may happen in future in the same Colony, and in other Colonies to which Felons may be transported under and by virtue of this Act; Be it therefore enacted, That it shall and may be lawful for every Felon under Sentence or Order of Transportation, who hath received or shall receive any such Remission as aforesaid from the Governor or Lieutenant Governor of *New South Wales*, or from the Governor or Lieutenant Governor of any other Colony, who may be authorized to grant the same, while such Felon shall reside in a Place where he lawfully may reside under such Sentence, Order or Remission, and under the Provisions of this Act, to maintain any Action or Suit for the Recovery of any Property, Real, Personal or Mixed, acquired by such Felon since his or her Conviction, and for any Damage or Injury sustained by such Felon since his or her Conviction, not only in the Courts of the Colony or Place where such Felon shall lawfully reside, but also in the Courts of this Kingdom, and of all other His Majesty's Dominions; and if the Defendant in any such Action or Suit shall plead or allege in his Defence the Plaintiff's or Complainant's Conviction of Felony, and the Plaintiff or Complainant shall allege and prove that he



r she hath received such Remission as aforesaid, and is residing in some Place consistent therewith and with the Provisions of this Act, a Verdict shall pass and Judgment shall be given for the Plaintiff or Complainant.

XXVII. And be it further enacted, That if any Suit or Action shall be prosecuted in *England, Wales or Ireland*, against any Person for any Thing done in pursuance of this Act, the Defendant 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 Judgment shall in any Manner be given against the Plaintiff, 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 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 had shall certify his Approbation of the Verdict.

In Actions for  
executing Act.

General Issue.

Treble Costs.

In what Case  
no Costs to  
Plaintiff.

Limitation of  
Actions.

XXVIII. And be it further enacted, That all Actions, Suits and Prosecutions against any Person for any Thing done in pursuance of this Act, shall be commenced within Six Calendar Months after the Fact committed, and not otherwise; and if the Fact was done within the Body of any County, it shall be laid and tried in that County, and no other; and if done out of the Body of any County, it shall be laid and tried in the County of *Middlesex*, and not elsewhere.

XXIX. And be it further enacted, That from and after the Commencement of this Act, so much of an Act passed in the Fourth Year of the Reign of King George the First, intituled *An Act for the further preventing Robbery, Burglary and other Felonies, and for the more effectual Transportation of Felons, and unlawful Exporters of Wool; and for declaring the Law upon some Points relating to Pirates*, as relates to Contracts and Security for the Transportation of Offenders, and to the Punishment of those who return from Transportation; and so much of an Act passed in the Sixth Year of the same Reign, intituled *An Act for the further preventing Robbery, Burglary and other Felonies, and for the more effectual Transportation of Felons*, as relates to the same Objects; and an Act passed in the Sixteenth Year of the Reign of King George the Second, intituled *An Act for the more easy and effectual Conviction of Offenders found at large within the Kingdom of Great Britain, after they have been ordered for Transportation*; and an Act passed in the Eighth Year of the Reign of King George the Third, intituled *An Act for the more speedy and effectual Transportation of Offenders*; and so much of an Act passed in the Twenty eighth Year of the same Reign, intituled *An Act to continue several Laws relating to the granting a Bounty on the Exportation of certain Species of British and Irish Linens exported, and taking off the Duties on the Importation of Foreign Raw Linen Yarns made of Flax, and to the preventing the committing of Frauds by Bankrupts, and for continuing and amending several Laws relating to the Imprisonment and Transportation of Offenders*, as relates to the Transportation of Offenders, and their Removal to and Imprisonment in temporary Places of Confinement; and so much of an Act passed in the Thirty first Year of

4 G.1. c.11.  
in part.

6 G.1. c.23.  
in part.

16 G.2. c.15.

8 G.3. c.15.

28 G.3. c.24.  
in part.

31 G.3. c.46.  
the in part.

43 G. 3. c. 15.  
repealed.

the same Reign, intituled *An Act for the better regulating of Gaols and other Places of Confinement*, as relates to the Imprisonment and Employment in hard Labour of Prisoners sentenced to Transportation; and an Act passed in the Forty third Year of the same Reign, intituled *An Act to facilitate and render more easy the Transportation of Offenders*; shall be and the same are hereby repealed.

C A P. LXXXV.

An Act for amending an Act of the last Session of Parliament, relating to the building, repairing and enlarging of certain Gaols and Houses of Correction; and for procuring Information as to the State of all other Gaols and Houses of Correction in *England and Wales*.

[21st June 1824.]

4 G. 4. c. 64.

Justices having Charge of Gaols for Cities, &c. may contract with Justices having Charge of County Gaols for Care of Prisoners.

No Contract entered into without an Order of the Quarter Sessions.

Prisoners to be committed to the Prison contracted for.

‘ WHEREAS an Act was passed in the last Session of Parliament, intituled *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*: And Whereas it is expedient that the said Act should in some Respects be amended, and that Provision should be made for ascertaining the State of all other Prisons in *England and Wales*: Be it enacted by the King’s most Excellent Majesty, by and with the 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 of the Peace, or any Two of them, or for other Persons having the Government or ordering of any Gaol or House of Correction, in any City, Town, Borough, Port or Liberty, to contract with the Justices of the Peace, having Authority or Jurisdiction in and over any Gaol or House of Correction of the County, Riding or Division, wherein or whereto such City, Town, Borough, Port or Liberty is situate or adjacent, or with any Two of them, for the Support and Maintenance, in such last mentioned Gaol or House of Correction, of any Prisoners committed thereto, from such City, Town, Borough, Port or Liberty; provided that no such Contract be entered into by any Justices of the Peace of any County, Riding or Division, without an Order for that Purpose being made at some General or Quarter Sessions, or Gaol Sessions, having Jurisdiction in that Behalf, nor by the Justices or other Persons having the Government of the Prison of any such City, Town, Borough, Port or Liberty, without an Order for that Purpose being made at the Sessions thereof; and every such Contract may either be perpetual, or limited to a certain Term of Years, as the Parties shall mutually agree; and during the Existence of such Contract, every Prisoner who would otherwise be confined in the Gaol or House of Correction of the City, Town, Borough, Port or Liberty, so contracting, may be lawfully committed or removed to and confined in the Gaol or House of Correction so receiving him or her under such Contract; and all Prisoners so confined by Contract, whether before or after Trial, shall be subject in all Matters and

and Things to the same Rules and Regulations as if they were committed thereto by any of the Justices of the County, Riding or Division; and if committed before Trial, shall be triable and tried in the same Manner as if their Offences had been committed in a Part of the County, Riding or Division, not within the City, Town, Borough, Port or Liberty from whence such Prisoners shall come; save only, that if the Gaol or House of Correction so receiving under Contract a Prisoner committed for Trial, shall be situate within Two Miles of the usual Place of Trial of the City, Town, Borough, Port or Liberty wherein the Offence charged against such Prisoner shall be alleged to have been committed, it shall be lawful to try such Prisoner in the Manner heretofore accustomed, and for the Magistrates or other proper Officer of such City, Town, Borough, Port or Liberty, to direct the Removal of such Prisoner for Trial, and to do all other Acts necessary for such Trial, or consequent thereon.

II. And be it further enacted, That the Monies to be paid under any such Contract as aforesaid shall be raised in the same Manner as Monies for defraying the Expences of the Gaol or House of Correction for which a Substitute shall be provided under such Contract; and where such Expences are not wholly defrayed from the same Fund, and there shall arise a Difference of Opinion between the Parties interested in the several Funds applicable to the several Purposes of the Prison, as to the Proportion in which whose Funds respectively shall contribute to the Sum to be paid to the County, Riding or Division, for the Use of its Prison, and such Difference shall not be adjusted by Agreement between themselves, it shall be lawful for either of such Parties to apply to the Justices of Assize of the last preceding Circuit, or of the next succeeding Circuit, or to One of such Justices, who shall, by Writing under their or his Hands or Hand, nominate a Barrister at Law, not having any Interest in the Question, to arbitrate between the Parties; and such Arbitrator may, if he shall see fit, adjourn the Hearing from time to time, and require all such further Information to be afforded by either of the Parties, as shall appear to him meet and necessary; and shall by his Award in Writing, determine the Proportions in which such Parties shall contribute towards the said Expences; and his Award shall be final and conclusive between the Parties; and such Arbitrator shall also assess the Costs of the Arbitration, and shall direct by whom, and out of what Fund, the same shall be paid.

III. And be it further enacted, That during the Existence of any such Contract, if it shall extend to the Whole of the Prisoners who would otherwise be confined in the Gaol or House of Correction of the City, Town, Borough, Port or Liberty so contracting, such City, Town, Borough, Port or Liberty shall not be liable to Indictment or Impeachment for the Nonrepair of its Gaol or House of Correction respectively; and if such Contract shall extend to only a certain Class or Classes of its Prisoners, such City, Town, Borough, Port or Liberty shall not be liable to provide the Accommodation required to be otherwise provided for the same Class or Classes of Prisoners by the said recited Act, or by any other Act now in force.

Expences under Contract how raised.

In case of Dispute, to be settled by Arbitration.

Powers of Arbitrator.

Award final. Costs.

How far during Contract, City, &c. contracting not liable to provide a Prison.

Magistrates, &c. empowered to borrow Money for rebuilding Gaols, &c. in case it should appear more advisable than altering old ones.

IV. And be it further enacted, That if it shall seem fit to the Magistrates or Superintending Officers of any City, Town, Borough, Port or Liberty, that instead of altering or building any Gaol or House of Correction for their separate Use, or contracting under the Provisions aforesaid, it would be more advisable to raise a Sum or Sums of Money in aid of building a new or of enlarging a County Prison, it shall be lawful for them to agree with the Justices of the Peace, having Authority or Jurisdiction in and over any Gaol or House of Correction of the County, Riding or Division wherein or whereto such City, Town, Borough, Port or Liberty is situate or adjacent, or with any Two of them, for the Payment to such Justices, having such Authority as aforesaid, of any Sum or Sums of Money to be by them applied in or towards the altering, enlarging, building, rebuilding, repairing or improving such Gaol or House of Correction of the County, Riding or Division aforesaid: Provided that no such Agreement be entered into by any Justices of the Peace for any County, Riding or Division, without an Order for that Purpose being made at some General or Quarter Sessions or Gaol Sessions having Jurisdiction in that Behalf.

How Monies raised for building Gaols, &c.

V. And it is hereby further enacted, That all Monies to be paid under any such Agreement as last mentioned shall be raised in the same Manner, and subject to the same Conditions, as is directed in respect of Monies to be raised for the building or rebuilding, repairing or enlarging any Gaol or House of Correction under the Provisions of this Act.

Money borrowed for rebuilding Gaols, &c. to be repaid to such City, &c. advancing the same.

VI. Provided always, and it is hereby enacted, That it shall be lawful for such Justices of the Peace of any such County, Riding or Division, entering into any such Agreement as last aforesaid, to stipulate in the same (if they shall see fit so to do) that it shall be lawful for such County, Riding or Division at such Time or Times as shall be in that Behalf provided in such Agreement, to repay to the said City, Town, Borough, Port or Liberty the Sum or Sums of Money which shall have been so paid or advanced in or towards the altering, enlarging, building, rebuilding, repairing or improving such Gaol or House of Correction of the County, Riding or Division aforesaid.

Magistrates to report to Secretary of State as to Contracts with Counties for Use of Prisons.

VII. And be it further enacted, That the Chief Magistrate of every City, Town, Borough, Port or Liberty now having a Gaol or House of Correction, in *England* and *Wales*, shall, in the Month of *October* next, report to One of His Majesty's Principal Secretaries of State whether any Contract has been made with the County, Riding or Division, for the Use of its Prisons, or any of them, by such City, Town, Borough, Port or Liberty, and to what Classes of Prisoners such Contract, if any, shall extend; and if there be no such Contract, whether any Steps have been taken towards such Contract; and if so, in what State the Treaty is, and what Obstacles there are to its Completion; and the Chief Magistrate of every such City, Town, Borough, Port or Liberty where no such Contract shall be in Existence, shall, in the same Month of *October*, transmit to One of His Majesty's Principal Secretaries of State, a Copy of all such Rules and Regulations as shall be then in force for the Government of every such Prison, and a Return in the Form of the Schedule to this Act annexed, marked (A.), and a Statement of the Establishment of Officers

Copy of Regulations of Prisons, and a Return to be made as in Schedule.

and Servants employed therein, specifying the Number and Description of such Officers and Servants, the Salaries and Emoluments of each, and by whom such Officers and Servants are respectively appointed, and a Plan of every such Prison, 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 such Magistrate shall, in every subsequent Month of *October*, until such a Contract shall be entered into, transmit to such Secretary of State a Return in the Form of the said Schedule, and a Copy of all Additions to such Rules and Regulations, or Alterations made therein, and a Statement of any Increase or Diminution in such Establishment of Officers and Servants, or in their respective Salaries and Emoluments, 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 preceding Year.

annexed, to  
Secretary of  
State.

VIII. 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 the said recited Act shall extend, shall transmit within Fourteen Days after the Commencement of such Sessions, to One of His Majesty's Secretaries of State, a true and correct Statement of the Establishment of Officers and Servants employed in every Prison within the Jurisdiction of the Justices assembled at such Sessions, specifying the Number and Description of such Officers and Servants, the Salaries and Emoluments of each, by whom such Officers and Servants are respectively appointed; and the said Statements 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 Statement of any Increase or Diminution in every such Establishment of Officers and Servants, or in their respective Salaries or Emoluments, as have been made since the preceding *Michaelmas* Quarter Sessions.

Statement of  
Establishment  
of Officers and  
Servants, show-  
ing the Increase  
or Diminution,  
to be trans-  
mitted to Secre-  
tary of State.

IX. And be it further enacted, That so much of the said recited Act as relates to the Cities of *Canterbury*, *Lichfield* and *Lincoln*, shall be and the same is hereby repealed.

4 G. 4. c. 64.  
repealed as to  
*Canterbury*, &c.

X. And Whereas in some other Counties and Places to which the said recited Act extends, by reason of the small Number of Prisoners usually confined therein, it may not be necessary to provide the whole Number of Wards and airing Grounds thereby required, but it is necessary to provide that in all Prisons some certain Means of Classification should be secured; Be it further enacted, That in every Prison to which the said recited Act extends, except *Canterbury*, *Lichfield* and *Lincoln*, Provision shall be made for the following Classification, at the least:

Classification  
of Prisoners.

In all such Gaols, the Male and Female Prisoners shall be confined in separate Wards or Parts of the Gaol. The Male Prisoners shall be divided into Five Classes: First, Debtors and Persons committed for Contempt of Court on Civil Process: Second and Third, Prisoners convicted, who may be put into either of these Classes, as to the Visiting Magistrates may seem

meet, Reference being had to the Character and Conduct of the Prisoners, and the Nature of their Offence: Fourth and Fifth, Prisoners committed for Trial, who may also be put into either of these Two Classes, as to the Visiting Magistrates may seem meet, Reference being had in like Manner to the Character and Conduct of the Prisoners, and the Nature of their Offence.

The Female Prisoners shall be divided at least into Three Classes: First, Debtors and Persons committed for Contempt of Court on Civil Process: Second, Prisoners convicted: Third, Prisoners committed for Trial.

In all such Houses of Correction, the Male and Female Prisoners shall also be confined in separate Wards or Parts of the House. The Male Prisoners shall be divided into Five Classes: First and Second, Prisoners convicted, who may be put into either of such Classes, as to the Visiting Magistrates may seem meet, Regard being had to the Character and Conduct of the Prisoners, and the Nature of their Offence: Third and Fourth, Prisoners committed for Trial, in all Houses of Correction where such Prisoners are received; such Prisoners may be put into either of these Classes, as to the Visiting Magistrates may seem meet, Regard being had, as already mentioned, to the Character and Conduct of the Prisoner, and the Nature of his Offence: Fifth, Vagrants.

In Places where the Gaol and House of Correction are united, the Male Prisoners shall be divided into Six Classes at least: First, Debtors and Prisoners committed for Contempt of Court on Civil Process: Second and Third, convicted Prisoners: Fourth and Fifth, those committed for Trial; such Prisoners to be assigned to either of these Classes of Prisoners convicted or committed respectively, as to the Visiting Magistrates shall seem meet, Regard being always had to the Character and Conduct of the Prisoners, and the Nature of their Offence: Sixth, Vagrants.

The Female Prisoners, in each of such Houses of Correction, shall be divided into Three Classes: First and Second, Prisoners convicted; the Prisoners to be put into either of such Classes, as to the Visiting Magistrates shall seem meet, Regard being had to their Character and Conduct, and the Nature of their Offence; Vagrants shall be assigned to one or the other of these Classes, as the Visiting Magistrates, in their Discretion, may see meet: Third, where Females are committed to any House of Correction before Trial they shall be kept in a Class by themselves.

‘ XL. And Whereas in some Counties of *Wales* it may be consistent with the due Classification of the Prisoners, to dispense with some of the Wards or airing Grounds required by the said recited Act and this Act;’ Be it therefore further enacted, That if the Court of Quarter Sessions of any County in *Wales* shall, during the present Year, present a Petition to the Lords of His Majesty’s Privy Council setting forth the whole Number of Prisoners imprisoned in the Common Gaol and House or Houses of Correction of such County, within the last Seven Years, with the Causes of their Imprisonment respectively, so as to exhibit in which of the Classes prescribed by the said recited Act, or this

Regulations  
herein mention-  
ed may be dis-  
pens’d with in  
Welsh Coun-  
ties.

this Act, each such Prisoner would have been included, and showing also the greatest Number of such Prisoners imprisoned in such Gaol and House or Houses of Correction, at any one Time in each of the said Seven Years ; and setting forth fully and particularly the then State of such Gaol and House or Houses of Correction, and an Estimate of the Expence which would be incurred by enlarging such Gaol, or such House of Correction to which the Petition shall apply, so as to admit of the whole Number of Wards and airing Grounds required by the said Act or this Act, and the Amount of the County Rate for each of the said Seven Years, and praying a Dispensation with some Part of the Wards or other Accommodations required by the said Act or this Act, which under the Circumstances of such County may to such Court appear unnecessary, it shall be lawful for the said Lords of the Privy Council to take such Petition into their Consideration, and, if they shall see fit, to make an Order thereon, directing in what Manner and to what Extent it shall be sufficient for such County to comply with the Provisions of the said Act and this Act, and making such Regulations touching the same as to them shall seem meet ; and such County duly complying with such Order, shall not be liable to be indicted, or otherwise impeached, for not further conforming itself to the Regulations of the said Act and this Act, in regard to the Extent of its Prisons, or the Wards into which they are divided, or the Accommodation to be found therein ; any Thing in the said recited Act or this Act to the contrary notwithstanding.

XII. And be it further enacted, That any Person confined in any Prison to which the said recited Act extends, for Nonpayment of any Penalties incurred under the Revenue Laws, may be assigned to such Class of convicted Prisoners for whom a separate Ward is therein provided, as the Visiting Magistrates in their Discretion may think fit, Regard being had to the Character of the Prisoner, and his or her Conduct while in Prison ; and the Reasons for assigning such Prisoner to any particular Class of Convicts shall be reported by the Visiting Magistrates to the Quarter Sessions.

Proviso respecting Prisoners for Breach of Revenue Laws.

XIII. And be it further enacted, That where, in any Prison, there shall be only One Prisoner belonging to any Class in the said Act or herein specified, such Prisoner may be assigned, with his or her own Consent, to any other Class of Prisoners of the same Sex, which the Visiting Magistrates in their Discretion shall think fit.

To prevent solitary Confinement.

XIV. And Whereas by the said recited Act it is required, that when the Gaol and House of Correction are inclosed within the same Boundary Wall, it shall be ascertained and declared what Part or Parts shall be considered as the Gaol, and what as the House of Correction ; Be it further enacted, That notwithstanding any Thing in the said Act contained, it may be lawful for the Justices, in their General or Quarter Sessions, to declare in any such Case that such Parts of the Buildings as shall be appropriated for the Chapel, and for the Sick Wards or Infirmarys, shall be common both to the Gaol and to the House of Correction, and that in that Case a double Set of Wards shall not be necessary.

Where Gaol and House of Correction are contiguous, Chapel and Infirmary may be common to both.

XV. And be it further enacted, That nothing in the said recited

Proviso as to Liability of

Cities, as to  
Description of  
Prisoners, and  
Contribution  
towards Ex-  
pences.

recited Act or in this Act contained shall oblige any City, Town, Borough, Port or Liberty to provide in its Gaol or House of Correction Accommodation for any Class of Prisoners who could not be lawfully committed to such Prison before the passing of the said recited Act; and that nothing in the said recited Act or this Act contained shall alter or affect the Liability of any Bodies Politic or Corporate, or of the Inhabitants of any Parish, Township or Place, or of any Individuals bound by Statute, Tenure, Custom, Prescription or Usage, to repair or to contribute towards the Repair of any Prison, or to maintain or contribute towards the Maintenance of the Prisoners confined in any Prison, or to pay or contribute towards the Payment of any Expences whatever connected with any Prison, but that all such Parties shall remain liable to all such Charges as if the said recited Act and this Act had not been made.

4 G. 4. c. 64.  
§ 37.

No Prisoner  
employed on  
Tread Wheel  
before Con-  
viction.

‘ XVI. And Whereas by the said recited Act it was made law-  
ful for One or more Visiting Justice or Justices of any Prison  
to which the same extended, to authorize, by an Order in  
Writing, the Employment of Prisoners committed for Trial, with  
their own Consent, in any such Work as therein specified; Be it hereby enacted and declared, That such Consent of every such Prisoner shall be freely given, and shall not be extorted or obtained by Deprivation or Threat of Deprivation of any Prison or other Allowance; and that no Prisoner before Conviction shall, under any Pretence, be employed on the Tread Wheel, either with or without his Consent.

As to Prisoners  
being allowed  
Food without  
being obliged  
to work.

‘ XVII. And Whereas it has been doubted whether Prisoners committed to Prison for Trial, who are unable to maintain themselves otherwise than by being employed in some Kind of Work or Labour in Prison, are entitled to receive any Prison Allowance of Food without being required so to employ themselves; Be it hereby enacted and declared, That such Prisoners shall be allowed such Food as may be sufficient for the Support of Health, without being obliged to perform any Kind of Work or Labour as the Condition of such Allowance; and that any Wages or Portion of the same, which may become due to such Prisoners from the Keeper of any Prison, in consequence of any Order made by any Visiting Justice or Justices of such Prison, for the Employment of such Prisoners with their own Consent, shall be paid to them as directed by such Order, in addition to the Food so allowed, and without any Diminution of such Allowance by reason of such Payment.

Regulating  
Notices when  
Commonable  
Lands are re-  
quired for a  
Prison.

‘ XVIII. And Whereas it may be found expedient in some Places, for the Purpose of building, enlarging or rendering more commodious the Gaol or House of Correction, to fix upon Lands or Tenements over which Rights of Common exist; and in such Case great Difficulties may arise in purchasing and obtaining a Conveyance of such Commonable Lands or Tenements under the general Powers of the said recited Act; Be it therefore enacted, That for the Purpose of the said recited Act and of this Act, and of any Local Act relative to any such Gaol or House of Correction, the Churchwardens for the Time being of the Parish wherein any such Commonable Lands or Tenements shall be situate, shall be considered as the Persons solely and absolutely entitled to the Rights of Common of Pa-  
ture,



ture, or other Commonable Rights to which any such Lands or Tenements shall be subject; and that the Monies for which any such Commonable Rights shall be purchased, shall be paid to such Churchwardens, whose Receipts shall be an effectual Discharge for the same; and the same Monies shall be applied by such Churchwardens to such general and public Purposes within the Parish where the Lands or Tenements so purchased shall be situate, as a Vestry of such Parish, to be convened by such Churchwardens, shall direct.

XIX. And be it further enacted, That for the Purpose of receiving the Notice required by the said recited Act to be given to Persons interested in Houses, Buildings, Lands, Tenements, Hereditaments, Easements or Privileges contiguous to any Gaol, or House of Correction, and deemed necessary for the Purposes of enlarging the same, or rendering it more commodious, the Occupier of such Houses, Buildings, Lands, Tenements, Hereditaments, Easements or Privileges, shall be deemed the Person interested therein; and that every such Occupier, upon receiving any such Notice, shall forthwith transmit or deliver the same to any other Person interested, under whom he may hold the Houses, Buildings, Lands, Tenements, Hereditaments, Easements or Privileges so deemed necessary.

XX. And Whereas by the said recited Act, and by another Act passed in the present Session of Parliament, intituled *An Act to facilitate, in those Counties which are divided into Ridings or Divisions, the Execution of an Act of the last Session of Parliament, for consolidating and amending the Laws relating to the building, repairing and regulating of certain Gaols and Houses of Correction in England and Wales; the Justices of the Peace in Quarter Sessions assembled have, in certain Cases, Authority to borrow on Mortgage of the Rate of the County, Riding, Division, District, City, Town or Place, Money for the Purpose of building, rebuilding, repairing or enlarging the Gaol or House of Correction, and to charge with the said Rate with such Sum as shall ensure the Payment of the whole Sum borrowed, with Interest, within Fourteen Years: And Whereas, for the Purpose of facilitating the Reduction of the Rate of Interest, it may be expedient that the County, Riding, Division, District, City, Town or Place should have Power to borrow in like Manner, on Mortgage of its Rate, a further Sum for the Purpose of paying off the Principal Sum so borrowed and secured as aforesaid; Be it further enacted, That whenever it shall appear to the Justices assembled at any General or Quarter Sessions to be holden for any County, Riding, Division, District, City, Town or Place, having contracted a Debt under the said recited Acts, that Advantage may arise from paying off the same and borrowing at a lower Rate of Interest, it shall be lawful for the Justices so assembled to borrow on Mortgage of such Rate by Instrument in the Form directed by the said first recited Act, any Sum or Sums of Money not exceeding in the Whole the Principal Sum of Money that may then be outstanding on the Securities so theretofore granted, and therewith to discharge the Whole or any Part of the Money for which such Securities shall have been given: Provided always, that it shall not be lawful to use or apply any Portion of the Money to be borrowed under this Pro-*

Notices to be delivered to Occupier, who is to be deemed the Person interested.

Justices enabled to borrow Money on Mortgage of Rate to pay off Securities. 4 G. 4. c. 64. § 54. 5 G. 4. c. 12.

vision, for any Purpose other than the Payment and Discharge of the Whole or Part of the Principal Sum then due on the Securities granted under the said recited Acts: Provided also, that the Money to be borrowed under this Provision shall be borrowed on such Terms and under such Conditions as shall in no way interfere with or prevent the full Payment and Discharge of the Money borrowed under the Provisions of the said recited Acts, and so that the Rate to be raised in such County, Riding, Division, District, City, Town or Place shall, within Fourteen Years from the Time when the Money was originally borrowed under the Provisions of the said recited Acts, be discharged and released from all Securities so made as aforesaid.

5 G.4. c.12.  
§ 8.

One Arbitrator  
competent.

‘ XXI. And Whereas by the said recited Act of the present Session of Parliament, Provision is made for settling by Arbitration Disputes between Ridings and Divisions, as to the Portions in which they shall contribute to the Expence of the County Gaol; but by reason of some verbal Inaccuracies in the said Provision, there may be some Difficulty in acting thereon; Be it therefore further enacted and declared, That the Clerk of the Peace may be authorized to apply to the Justices of Assize for the Nomination of an Arbitrator, under the said last recited Act, by an Order of the Court or Quarter or General Sessions of the Riding or Division, and that One Arbitrator shall be competent to exercise all the Powers and Authorities given to the Arbitrator or Arbitrators by the same Act; and that such Arbitrator shall assess the Costs of the Arbitration, and direct by whom and out of what Fund the same shall be paid.

Discharged  
Prisoners to be  
afforded Means  
of returning to  
their Place of  
Settlement.

‘ XXII. And Whereas it is desirable that more effectual Means should be afforded, whereby Prisoners discharged from Prison should be enabled to return to their Place of Settlement; Be it therefore enacted, That when any Prisoner discharged from Prison shall be desirous of being supplied with the Means of so returning, it shall and may be lawful for any Two Visiting Justices of such Prison, upon Application from such Prisoner, to take the Examination in Writing upon Oath of such Prisoner, as to his or her last legal Place of Settlement; and upon such Examination, and such other Evidence as the said Visiting Justices may be able to procure, it shall be lawful for the said Visiting Justices, if they shall so think fit, to afford to such Prisoner the Means of returning to his or her Place of last legal Settlement, in the Manner hereinafter directed.

Engraved or  
printed Forms  
of Passes to be  
provided for.  
Use of Visiting  
Justices.

XXIII. And be it further enacted, That it shall be lawful for the Justices of the Peace of each and every County, Riding or Division, in *England*, in their General or Quarter Sessions assembled, to cause engraved Copper Plates or printed Forms of Passes to be provided, according to the Form in Schedule (B.) annexed to this Act, bearing His Majesty's Arms, and sealed with the County Seal, or with a Seal to be specially provided for that Purpose; and the said Justices may cause the same to be issued to the Keepers of the several Prisons within their respective Counties, Ridings or Divisions, for the Use of the Visiting Justices of each such Prison, whenever any Prisoner or Prisoners discharged from or about to be discharged from such Prison shall apply to be furnished with the same; and the said Visiting Justices shall, if after a due Consideration of the Circumstances they shall

shall deem it expedient, fill up the Blanks in every such Pass, and certify the same, and make out a Route in the proper Column for the Purpose, of each such Prisoner, and for the Child or Children, if any, of each such Prisoner, specifying the Place to which such Prisoner and such Child or Children is or are going, and the Time to which the said Pass is (except in Cases of Sickness or unavoidable Accident) limited, in order that such Prisoner may receive such Allowances as are authorized by this Act, not exceeding One Penny Halfpenny *per* Mile for such Prisoner, and One Penny *per* Mile for each Child, which from being in a State of Nurture or without other Protection may have been confined in Prison with such Prisoner.

Allowance to travelling Prisoners.

XXIV. And be it further enacted, That upon the Production of such Pass to any Overseer of the Poor of any Place through which such discharged Prisoner shall proceed, according to the Route specified in such Pass, he shall, out of any Money in his Hands applicable to the Relief of the Poor, pay such discharged Prisoner an Allowance not exceeding the Rate *per* Mile specified in such Pass as aforesaid, for the Number of Miles to the next City, Town or Place to which he or she may be going, and he shall indorse on such Pass the Money so paid, and take a Receipt for the same from the discharged Prisoner, signed with his or her Hand or Mark.

Overseers of Poor to pay a certain Allowance to Prisoners on producing their Pass.

XXV. And be it further enacted, That the said Sums so advanced by any Overseer shall, upon Production and Delivery of such Receipt to the Treasurer of the County, Riding or Division in which the Parish or Place of such Overseer†, be repaid to such Overseer, for the Use of the Fund for the Relief of the Poor of such Parish or Place, by the said Treasurer.

County Treasurer to repay Overseer Money advanced.

† *Sic.*

XXVI. And be it further enacted, That every such discharged Prisoner shall, at the last Place of his or her receiving any Allowance under this Act, deliver up such Pass to the Overseer of the Poor advancing such Allowance, who shall transmit the same to the Keeper of the Prison from which such Prisoner shall have been discharged; and if there be indorsed upon such Pass, or upon the Cover thereof, the Words "Pass of a discharged Prisoner," and the said Pass be sent without a Cover, or in a Cover open at the Sides, and without any Paper or Thing inclosed therein, and without any Writing other than the Matter of such Pass and than the Superscription upon the same, or upon the Cover thereof, such Pass shall be charged with the usual Rate of Postage at the Post Office of the Town or Place from which it shall be so sent, but the Amount of the said Postage shall be remitted and returned to the Keeper of such Prison on his producing such Pass to the Postmaster of the Town or Place to which such Pass shall be sent as aforesaid; provided that such Keeper shall have first signed the Declaration contained in the Schedule to this Act annexed, and that such Declaration shall have been attested by One of the Visiting Justices of such Prison, in the Manner prescribed in the said Schedule.

Discharged Prisoner to deliver up his Pass at the last Place of receiving Allowance.

XXVII. 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*, nor to the Prison of *Marshalsea* or Palace Courts, nor to the General Penitentiary at *Milbank*, nor to the General Penitentiary at *Gloucester*.

Proviso for certain Prisons, &c.

SCHE-

SCHEDULES <sup>to</sup>

## 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.	Male.
<p><i>Note.</i>—The Total of the Columns 4, 5, and 6; Column No. 8.; and the Aggregate of Columns</p>																			
19.— Whether Common Gaol, 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 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.— Attendance of the Surgeon, and whether separate Buildings or Apartments are provided for the Sick ?																			
29.— Reasons for Non-employment of Prisoners, with Reference to Column 15.																			
30.— Reasons for Punishments, by Solitary Confinement, by Whipping or Irons.																			
31.— { 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 ?																			
32.— General Observations.																			



## SCHEDULE (B.)

## The King's Arms.

*Certificate, Route and Description of discharged Prisoners,  
under the 5th George IV.*

## CERTIFICATE.

WHEREAS by the Act of Parliament of the Fifth George Fourth, Cap. , Prisoners discharged from Prison may, upon Application to the Visiting Justices of such Prison, become entitled to certain Allowances from the Overseers of the Poor of any Place through which they may pass on their Way to the Places of their Settlement, under Authority of a Route and Certificate of Two such Visiting Magistrates: And Whereas

corresponding in Appearance and the Account he [or she] gives of himself [or herself] to the Description after mentioned, has come before us, Two of the Visiting Justices of the County Gaol [or House of Correction] at

and is deemed by us to be a fit Object to receive the regulated Allowances under the said Act; this is to certify the same, and to require the Overseers of the Poor of the Places mentioned in the Route, to issue to the said discharged Prisoner the Allowance specified in the said Route, as required by the said Act of Parliament: Provided that the discharged Prisoner produces the said Route himself [or herself] and that the Description corresponds with his [or her] Appearance, and agrees with the Account he [or she] gives of himself [or herself] and the Number of Children he [or she] has with him [or her].  
Given under our Hands and Seals, this  
of

{ Seal and Signature  
of the  
Magistrate.  
Days from

This Pass to be in force for  
the Date hereof.

*N.B.*— To prevent Frauds, all Parish Officers are not to give the Allowances granted by the aforesaid Act under the Authority of any other Form of Pass than this, which is prescribed in the Schedule of the Act of Parliament aforesaid.



*Memorandum for the Guidance of the Overseers of the Poor, Treasurers of Counties, and Keepers of Prisons.*

Each Overseer is to take a Receipt from the discharged Prisoner, signed with his (or her) Name or Mark, and he is to be reimbursed the Money paid, by the Treasurer of the County in which he serves the Office of Overseer, on giving him a Receipt for the same, together with the discharged Prisoner's Receipt. The Overseer who makes the last Advance to send the discharged Prisoner to his Place of Residence, is to send the Certificate, Route and Pass to the Keeper of the Prison from which the Prisoner was discharged; and the said Keeper shall make and sign a Declaration in the Form herein next after annexed; which said Declaration shall be attested by One Visiting Justice of the said Prison.

*Declaration of the Keeper of the Prison.*

I Keeper of the County Gaol [or Keeper of the House of Correction or Prison] at in the County of do declare that this Pass hath come to me without Cover [or in a Cover open at the Sides], and without any Paper or Thing inclosed therein, and without any Writing other than the Matter of such Pass, and than the Superscription upon the same or upon the Cover thereof.

(Signed)

A. B.

I One of the Visiting Justices of the said Prison do attest, that after due Examination I do believe the aforesaid Declaration to be true.

Dated this

Day of

C. D.

C A P. LXXXVI.

An Act for granting certain Powers and Authorities to a Company to be incorporated by Charter, to be called "The Australian Agricultural Company," for the Cultivation and Improvement of Waste Lands in the Colony of New South Wales, and for other Purposes relating thereto. [21st June 1824.]

WHEREAS there are in the Colony of New South Wales divers Waste Lands, which might be cultivated to Advantage, if sufficient Capital were raised and advanced for that Purpose: And Whereas there are in the said Colony a large Number of Convicts, who are at present maintained at the Public Expence, but who might be advantageously employed in the Cultivation of such Waste Lands as aforesaid, and thereby a considerable annual Saving would accrue to the Public: And Whereas divers Persons are willing to contribute and raise, by Subscription among themselves, such a Capital Sum as will be necessary for bringing into Cultivation such of the said Waste Lands as His Majesty may be pleased to grant to them, and for the Employment thereon of a large Number of Convicts: And Whereas the beneficial Objects aforesaid



‘ aforesaid cannot be effectually attained, unless His Majesty should be pleased by His Charter to constitute and declare the Persons aforesaid One Body Politic and Corporate; and in the Event of such a Charter being granted, it will be necessary, with a View to the beneficial Objects aforesaid, to vest in the said Company such Powers and Authorities as cannot be granted without the Aid of Parliament:’ May it therefore please Your Majesty that it may be enacted; and be it enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in case His Majesty shall, within Three Years after the passing of this Act, be pleased, by Charter under the Great Seal of Great Britain, to declare and grant that such and so many Persons as shall be named therein, and all and every such other Person or Persons as from time to time shall be duly admitted Members into their Corporation, shall be a Body Politic and Corporate, by the Name of “The Australian Agricultural Company,” and to declare that the said Corporation so to be made and created shall be established, for the Purpose of cultivating Waste Lands in the said Colony of New South Wales, then and in that Case it shall and may be lawful for the said Corporation to hold to them and their Successors, such Lands, Tenements and Hereditaments, within the said Colony of New South Wales, as shall or may be granted by His Majesty to them and their Successors within the said Colony, or as shall be contracted for and purchased or acquired by them therein, and to hold, alienate, sell and dispose of all such Lands, Tenements and Hereditaments upon, under and subject to such Conditions, Provisions, Limitations and Restrictions as His Majesty by such His Charter may impose, direct or prescribe.

II. And be it further enacted, That it shall and may be lawful for the said Company from time to time to appoint any Person or Persons to act as and be the Agent or Agents, Attorney or Attornies of the said Company, in the said Colony of New South Wales and its Dependencies, and such Appointment from time to time to revoke and recall, as Occasion may require; and the said Company shall be and are hereby authorized to sue and be sued, plead and be impleaded at Bar or in Equity, within the said Colony, by and in the Name of such Agent or Agents, Attorney or Attornies as aforesaid: Provided always, that every such Appointment of such Agent or Agents, or Attorney or Attornies as aforesaid, be made by the said Company under their Common Seal, and that the same be duly recorded and enrolled in the Supreme Court of New South Wales, established under and by virtue of an Act passed in the Fourth Year of the Reign of His present Majesty, intituled *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.*

III. And be it further enacted, That a Copy of His Majesty’s Charter of Incorporation, being duly verified on Oath before One

When His Majesty by Charter shall declare The Australian Company a Corporation, it shall be lawful to hold and acquire Lands within the Colony of New South Wales.

The Company to appoint Agents and Attornies in New South Wales.

4 G. 4. c. 96.

Charter of Incorporation, verified on

Oath transmitted to New South Wales, and enrolled.

of the Masters in Ordinary of the High Court of Chancery at *Westminster*, shall be transmitted to the said Colony, and enrolled in the said Supreme Court of *New South Wales*; and such Enrolment shall within the said Colony be and be deemed and taken to be good and sufficient Evidence of the Contents of such Charter of Incorporation, to all Intents and Purposes.

Artificers and Labourers empowered to contract with the Company.

IV. And be it further enacted, That it shall be lawful for any Artificer, Handicraftsman, Clerk, Mechanic, Gardener, Servant in Husbandry or other Labourer, not being under the Age of Eighteen Years, to contract with the said Company to serve the said Company in the said Colony or the Dependencies thereof, in such and the same Manner and Form, and upon, under and subject to all such and the same Conditions and Regulations as are sanctioned and prescribed in and by the said Act passed in the Fourth Year of His Majesty's Reign, in respect to Contracts entered into for the like Purposes with any private Persons or Person; and all such Artificers and other Persons or Person as aforesaid, entering into any such Contract as aforesaid with the said Company, shall be subject and liable to be proceeded against in such and the same Manner as is provided in like Cases in and by the said Act; and in case of any such Artificers or other Persons as aforesaid being employed, retained, harboured or concealed by any Persons or Person in the said Colony, it shall be lawful for the said Company to bring and maintain such and the like Actions against the Persons or Person so employing, retaining, harbouring or concealing them or him, as may be brought and maintained in such and the like Cases under and by virtue of the said Act.

Capital or Joint Stock of One Million to be raised in Shares of 100*l.* each.

V. And be it further enacted, That the Capital or Joint Stock of the said Company, to be used and applied in establishing and carrying on the Undertaking, and for the Purposes aforesaid, shall be the Sum of One million Pounds Sterling, to be raised in Shares of One hundred Pounds each; and that the Shares in the said Undertaking, and in the Profits and Advantages thereof, shall be and be deemed Personal Estate, and as such Personal Estate shall be transmissible accordingly.

Three fourths of Capital First raised.

VI. Provided always, and it is hereby enacted, That the said Company shall not be authorized to exercise any of the Powers granted under this Act, until such Time as Three fourth Parts of the said Capital shall have been subscribed for.

Company not to borrow Money.

VII. Provided always, and be it further enacted, That the said Company shall not borrow or take up by way of Loan any Sum or Sums of Money whatsoever, other than by a Subscription of Shares in the Manner and to the Extent hereinbefore directed.

Subscribers to share in the Stock in proportion to their Subscriptions.

VIII. And be it further enacted, That all and every Person or Persons by or from whom any Subscription shall be made or accepted or any Payment made, pursuant to the Orders of any General Meeting or Meetings to be held by the said Company for that Purpose, for or towards the raising of the said Capital Sum of One million Pounds as aforesaid, his, her or their Executors, Administrators and Assigns respectively, no such Subscription being less than One hundred Pounds, shall have and be entitled to a Share of and in the said Capital or Joint Stock of the said Company, in Proportion to the Monies which he, she or they shall

shall have so contributed towards making up the same, and shall have and be entitled to a proportionable Share of the Profits and Advantages attending the Capital Stock of the said Company, and shall be admitted to be a Proprietor or Proprietors of and in the same.

IX. And be it further enacted, That the said Company, or the Directors to be appointed by virtue of this Act, shall cause the Names and Designations of the several Persons who have subscribed for or may at any Time hereafter be entitled to a Share or Shares in the said Company, with the Number of such Share or Shares, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book or Books to be kept by their Clerk; and after such Entry, a Certificate under the Common Seal of the said Company, and countersigned by the Clerk, shall be delivered to every Proprietor upon Demand, specifying the Share or Shares to which he or she is entitled in the said Company; and such Certificate shall be admitted in all Courts whatsoever as Evidence of the Title of such Proprietor, his or her Executors, Administrators and Assigns, to the Share or Shares therein specified; but the Want of such Certificate shall not hinder or prevent the Owner of any of the said Shares from selling or disposing thereof.

X. And be it further enacted, That the several Persons who have subscribed for and towards the said Capital, or who shall at any Time hereafter have or hold any Share or Shares in the same, shall and they are hereby required to pay the Sum or Sums of Money by them respectively subscribed, or such Parts or Proportions thereof as shall from time to time be called for pursuant to or by virtue of the Powers and Directions of this Act, at such Times and Places, to such Person or Persons, and in such Manner as shall be ordered and directed by the Directors for the Time being hereinafter mentioned; and in case any Person or Persons shall neglect or refuse to pay any such Sums of Money at such Times and in such Manner as shall be ordered and directed by the Directors as aforesaid, it shall be lawful for the said Company to sue for and recover the same, together with lawful Interest from such appointed Time of Payment, from such Person or Persons, or in Cases where Two or more Persons shall have jointly subscribed for or be jointly possessed of any One or more Share or Shares in the said Company, then from all, any or either of such Persons.

XI. And be it further enacted, That whenever Two or more Persons shall be jointly possessed of or entitled to any Share or Shares in the said Company, the Person whose Name shall stand first in the Books of the said Company as Proprietor of such Share or Shares shall, for all the Purposes of the said Company and of this Act, be deemed and taken to be the Owner or Proprietor of such Share or Shares; and all Notices required to be given to the Owner or Proprietor of any Share or Shares in the said Company shall and may be given to or served upon such Person whose Name shall so stand first in the Books of the said Company, and such Service upon such Person shall be deemed and taken to be a Service upon all the Owners or Proprietors of such Share or Shares for all the Purposes for which such Service

Names of Proprietors to be entered, and Certificate of their Shares delivered to them.

To compel Payment of Subscriptions.

Company may sue.

The Person whose Name stands first for divided Shares to be deemed Owner, and entitled to vote.

is intended to be made upon the Owner or Proprietor of such Share or Shares; and all such Owners or Proprietors shall be entitled to give their Vote or Votes in respect thereof by the Person whose Name shall stand first in the Books of the said Company as Proprietor of such Share or Shares, and his Vote shall on all Occasions be deemed and allowed to be the Vote for or in respect of the whole Property in such Share or Shares, without Proof of the Concurrence of the other Proprietor or Proprietors of such Share or Shares.

Shares may be transferred.

XII. And be it further enacted, That it shall be lawful for the several Proprietors of the said Company, their Executors, Administrators, Successors and Assigns to sell and transfer any Share or Shares of which they shall respectively be possessed: and every such Transfer shall or may be in the Form and to the Effect following; (that is to say,)

Form of Transfer.

‘ I [or we] of , in consideration of paid to me [or us] by of , do hereby bargain, sell, assign and transfer unto the said the Sum of Capital Stock of and in the Undertaking called “The Australian Agricultural Company,” being Share [or Shares], Number [or Numbers] in the said Undertaking; to hold to the said Executors, Administrators and Assigns, subject to the same Rules, Orders and Regulations, and on the same Conditions that I [or we] held the same immediately before the Execution hereof: And I [or we] the said do hereby agree to accept and take the said Share [or Shares], subject to the same Rules, Orders, Restrictions and Conditions. As witness our Hands and Seals this Day of in the Year of our Lord

Transfer produced to Clerk of the Company and registered.

And every such Transfer shall be produced to the Clerk of the said Company, and shall be registered by him in the Books of the said Company, and the Registry thereof shall specify the Dates, Names of the Parties and the Number of Shares transferred; and a Copy of such Register, signed by the said Clerk or other Officer of the said Company duly authorized thereto, shall be sufficient Evidence of every such Transfer, and be admitted and received as such; and until such Transfer shall be registered in the Books of the said Company as aforesaid, no Purchaser or Purchasers of any Share or Shares, his, her or their Executors, Administrators, Successors or Assigns, shall receive any Interest or Dividends for or in respect of such Share or Shares so purchased, nor be entitled to vote at any Meeting or Meetings as Proprietor or Proprietors of the said Company, in respect of such Share or Shares, until the Expiration of Six Calendar Months after such Transfer shall have been registered.

No Dividend to be received till Transfer registered.

No Share to be sold after a Call is made and due till the Money is paid.

XIII. Provided always, and be it further enacted, That after any Call for Money shall have been made and become due and payable by virtue of this Act, no Person or Persons shall sell or transfer any Share or Shares which he, she or they shall possess in the said Company, until the Money so called for or in respect of

of his, her or their Share or Shares intended to be sold shall be paid; and until such Money so called for shall be paid, any such Sale or Transfer of any Share or Shares shall be void; and all and every Person and Persons making Default therein shall be subject and liable to forfeit such his, her or their Share or Shares in the said Company, to and for the general Benefit of the said Company, unless he, she or they shall at the Time of such Sale or Transfer pay to the Treasurer of the said Company the full Sum of Money called for upon every Share so to be sold or transferred; such Forfeiture nevertheless to be first notified and declared in Manner directed by this Act with respect to the Forfeiture of Shares for not answering the Calls to be made thereon as aforesaid.

Penalty.

XIV. And be it further enacted, That when any Person or Persons shall claim any Part or Share in the said Capital or Joint Stock of the said Company, or the Profits thereof, in right of Marriage, an Affidavit, containing a Copy of the Register of such Marriage, or the Purport of such Register, shall be made and sworn to by some credible Person before One of His Majesty's Justices of the Peace, and in the said Colony of *New South Wales* before a Judge of some Court of Record, or Two of His Majesty's Justices of the Peace for the said Colony or some District thereof, and shall be delivered to and left with the Clerk for the Time being of the said Company, who shall preserve the same, and make an Entry thereof in the Book or Books which shall be kept by the said Clerk for the Entry of Transfers and Sales of Shares in the said Undertaking, before such Person or Persons shall be entitled to sell and assign such Share or Shares, or to claim Payment of any Dividend or Dividends in respect thereof; and when any Person or Persons shall claim any Part or Share in the Capital or Joint Stock of the said Company, or the Profits thereof, under or by virtue of any Will or Bequest, or in a Course of Administration, the Probate Copy of the Will, or the Letters of Administration in case the Proprietor shall have died Intestate, shall be produced and shown to the said Clerk, who shall make an Entry of such Will, or of so much thereof as shall relate to the Disposition of the Share or Shares of the Testator, or of the Letters of Administration in case the Proprietor shall have died Intestate, before any Person or Persons shall be entitled to sell and assign such Share or Shares, or to claim Payment of any Dividend or Dividends in respect thereof: Provided nevertheless, that no Bequest or Clause in any such Will contained shall bind or affect the said Company with Notice of any Trust or Disposition of any Share or Shares in the Capital or Joint Stock of the said Company, or the Gains and Profits thereof; but the Registry of every such Share or Shares shall be in the Name or Names of the Executor or Executors, who shall prove the Will of such Testator, or the Administrator or Administrators of his Effects, whose Receipt or Receipts to the said Company for the Gains and Profits thereof, and to any Purchaser or Purchasers for the Amount of the Purchase Money paid upon the Sale and Conveyance of such Share or Shares, shall be good and effectual, and shall bind the Cestuique Trusts, and all other

Where Rights accrue by Marriage, Affidavit, containing Copy of Register, to be made.

Where by Death, Probate of Will or Letters of Administration to be produced.

Persons claiming in Trust or otherwise, under such Testator ; any Rule of Law or Equity to the contrary notwithstanding.

‘ XV. And Whereas in Cases where the Holder or Proprietor of One or more Share or Shares in the said Company shall die, become insolvent or bankrupt, or go or be resident out of the Kingdom, or shall transfer his or her Right and Interest to some other Person or Persons, and no Register shall have been made of the Transfer thereof with the Clerk to the said Company, it may not be in the Power of the said Company to know who is or are the Proprietor or Proprietors of such Share or Shares, in order to give him, her or them, his, her or their Executors, Administrators, Successors and Assigns, Notice or Notices of Calls to be made on such Share or Shares, and to maintain any Action or Actions against him, her or them, his, her or their Executors, Administrators, Successors and Assigns for the Recovery of the same, or for the Purpose of safely paying to him, her or them, his, her or their Executors, Administrators, Successors and Assigns, the Interest or Dividends to which he, she or they may be entitled; Be it therefore further enacted, That in all the Cases aforesaid, where the Right and Property in One or more Share or Shares in the said Company shall pass from the original Subscriber or Subscribers, or any Proprietor or Proprietors thereof, to any other Person or Persons by any other legal Means than by a Transfer or Conveyance thereof, in the Form and Manner hereinbefore specified, an Affidavit shall be made and sworn to by Two or more credible Persons, before One of His Majesty’s Justices of the Peace, and in the said Colony of *New South Wales* before a Judge of some Court of Record, or Two of His Majesty’s Justices of the Peace for the said Colony, stating the Manner in which such Share or Shares hath or have passed to such other Person or Persons, his, her or their Executors, Administrators, Successors and Assigns, and such Affidavit shall be delivered to and left with the Clerk for the Time being of the said Company, to the Intent that he may enter and register the Name or Names of every such other Proprietor or Proprietors in the Register Book or List of Subscribers and Proprietors of the said Company to be kept in the Office of the said Company; and until such Time as such Affidavit shall have been so delivered and left with the said Clerk as aforesaid, no such Person or Persons shall be entitled to sell and assign such Share or Shares, or to claim Payment of any Dividend or Dividends in respect thereof.

For ascertain-  
ing the Pro-  
prietorship of  
Shares in cer-  
tain Cases.

Directors may  
make Calls on  
Subscribers.

XVI. And be it further enacted, That the Directors hereinafter mentioned, or the Directors for the Time being, shall have full Power to make such Call or Calls for Money from the several Subscribers and Proprietors of the said Company, their respective Executors, Administrators, Successors and Assigns, not exceeding in the Whole the Sum of One hundred Pounds on each of the Shares in the said Company held by him, her or them respectively, as the said Directors shall from time to time find wanting and necessary for the Purposes of the said Company, so that no One such Call do exceed the Sum of Ten Pounds Sterling for or in respect of any One Share of One hundred Pounds, and so that no Call or Calls be made but at the Distance of Three  
Months

Months at least from another; and the Sum or several Sums of Money so to be called for shall be paid to or for the Treasurer or Treasurers of the said Company for the Time being; and the said several Sums of Money so called for shall be paid at such Time and Place as shall be appointed by the said Directors, of which Time and Place Twenty Days previous Notice at least shall be given in the *London Gazette*, and in Two or more of the daily *London Newspapers*, as the said Directors shall direct.

XVII. And be it further enacted, That if any Subscriber or any Proprietor or Proprietors of any Share or Shares in the said Company, his, her or their Executors, Administrators, Successors or Assigns, shall neglect or refuse to pay his, her or their Part or Portion of the Money to be called for by the Directors as aforesaid, during the Space of Three Calendar Months next after the Time appointed for Payment thereof, together with lawful Interest from the appointed Time of Payment, then and in every such Case such Person or Persons so neglecting or refusing shall absolutely forfeit all his, her or their Share or Shares in the said Company and Capital Stock, and all Profits and Advantages thereof, and all Money theretofore advanced by him, her or them on account thereof, to and for the Use and Benefit of the said Company; and all Shares which shall or may be so forfeited shall or may at any Time or Times thereafter be sold at a public Sale, for the most Money that can be gotten for the same, and the Produce thereof shall go to and make Part of the Capital or Joint Stock of the said Company; but no Advantage shall be taken of such Forfeiture of any Share or Shares until after Thirty Days Notice shall have been given by the said Directors, under the Hand of the Clerk of the said Company, to the Owner or Owners thereof, by Notice in Writing left at his, her or their usual or last Place of Abode, nor unless the same shall be declared to be forfeited at some General or Special Meeting of the said Proprietors which shall be held not earlier than Three Calendar Months next after the said Forfeiture shall happen; and that every such Forfeiture so to be declared shall be an absolute Indemnification and Discharge to and for the Proprietor and Proprietors, or his, her or their Executors, Administrators, Successors and Assigns so forfeiting, against all Actions, Suits and Prosecutions for any Breach of Contract or other Agreement between such Proprietor or Proprietors, his, her or their Executors, Administrators, Successors and Assigns, and the said Company, with regard to the future carrying on and Management of the said Company.

XVIII. And be it further enacted, That there shall be Twenty six of the said Proprietors, qualified in the Manner, and to be nominated and appointed as hereinafter is mentioned, who shall be and be called The Governor, Deputy Governor and Directors of the said Company; and there shall be Four other of the said Proprietors, qualified and to be nominated and appointed as hereinafter is mentioned, who shall be and be called The Auditors and Examiners of the Accounts of the said Company; and there shall be One other Person to be nominated and appointed as hereinafter is mentioned, who shall be and be called The Clerk of the said Company.

In Default of Payment of Calls, Shares to be forfeited;

but Notice to be given.

Indemnity to Proprietor for forfeiting.

Officers appointed to conduct the Affairs of the Company.

Qualification of  
Governor, &c.

XIX. And be it further enacted, That no Owner or Proprietor of Shares in the said Company shall be qualified to be elected, and to sit and act as Governor, Deputy Governor, Director or Auditor of the said Company, unless he shall at the Day of the Election *bonâ fide* hold and possess, and continue to hold and be possessed of Fifty Shares, at the least, of the Capital or Joint Stock of the said Company.

General Meet-  
ings to be held  
in every Year.

XX. And be it further enacted, That there shall be held in each Year One General Meeting of the said Company (a); that is to say, on the Third *Tuesday* in the Month of *January* in each Year, or within Fourteen Days next after; of which Meeting Fourteen Days Notice at the least shall be given by Advertisement in Two or more of the Public Daily Newspapers published in the City of *London* or County of *Middlesex*; and the

First Meeting.

First General Meeting to be held by virtue of this Act shall be holden on the Third *Tuesday* in the Month of *January* One thousand eight hundred and twenty five; and at such General Meeting, and at every Special General Meeting to be held in pursuance of, and to be called in the Manner prescribed in this Act, the Governor or Deputy Governor, or One of the Directors of the said Company, to be chosen at such Meeting or Meetings respectively, or, in the Absence of all the Directors, any One Proprietor, to be chosen at such Meeting or Meetings respectively, shall be the Chairman of such Meeting or Meetings respectively; and all such Meetings may be adjourned from Time to Time, and from Place to Place, as shall be found expedient; and the Subscribers and Proprietors, or any Nine or more of them present at such General Meeting, or at any other Special Meeting to be called for that Purpose, of which Fourteen Days Notice shall be given, specifying the Purpose for which such General Meeting is called, or at any Adjournment thereof, shall have Power as herein is mentioned, to elect Persons qualified according to this Act, to be the Governor, Deputy Governor and Directors, and Auditors and Examiners of the Accounts of the said Company, and to serve in the Place of such Person or Persons whose respective Office or Offices shall have become vacant by Death, Resignation or Want of Qualification, or otherwise; and all Questions at any General or other Meeting of the said Company shall be decided by a Majority of Votes of the Proprietors present, according to their respective Shares;

Who to be  
Chairman.

Notice of  
Special Meet-  
ing.

Qualification of  
Voters.

each Proprietor being entitled to a Vote or Votes according to and in the Proportion following; that is to say, for Ten Shares and less than Thirty Shares, One Vote; for Thirty Shares and less than Sixty Shares, Two Votes; for Sixty Shares and less than Ninety Shares, Three Votes; for Ninety Shares and upwards, Four Votes, and not more: Provided always, that no Person shall be entitled to vote at any General or Special General Meeting of the said Company, which shall happen at any Time or Times after the Expiration of Six Calendar Months next after the First General Meeting of the said Company, or at any Adjournment thereof, in respect of any Share or Shares which he or she may possess in the said Company, unless such Person and Persons respectively shall have

Proprio.

(a) [See Sect. 31. 36, 37. 39, 40. post.]



actually and *bonâ fide* held and possessed such Share or Shares for the full Space of Six Calendar Months next before such General Meeting, or Special General Meeting as aforesaid, and unless such Person shall have fully paid and satisfied all Arrears of Money which shall or may have become due and payable in pursuance of any Call or Calls made by the said Directors, for and in respect of any such Share or Shares; nor shall any Person vote at any of the Meetings of the said Company, upon any Question or Questions relating to the Concerns of the said Undertaking, in which such Person or Persons shall be individually interested, otherwise than as any other Subscriber or Subscribers, Proprietor or Proprietors, to or of the said Company; and the Chairman for the Time being of such Meeting shall be entitled to vote; and in case the Number of Votes, including the said Chairman's Vote, shall be equal, he shall also have an additional or casting Vote.

Persons not to vote when interested.

XXI. And be it further enacted, That *John Smith Esquire* shall be and he is hereby constituted and appointed the First Governor, and *William Manning Esquire* shall be and he is hereby constituted and appointed the First Deputy Governor, and the Honourable *Henry Grey Bennet*, the Honourable *John Thornton Leslie Melville*, *Sir Robert Townsend Farquhar Baronet*, *David Barclay*, *James Brogden*, *George Brown*, *John William Buckle*, *Robert Campbell*, *William Crawford*, *Timothy Abraham Curtis*, *Richard Hart Davis*, *Joseph Hume*, *Simon Halliday*, *George Gerard de Hochepeid Larpent*, *John Loch*, *John Mac Arthur*, *Donald Maclean*, *Stewart Marjoribanks*, *George Warde Norman*, *Henry Porcher*, *Richard Mee Raikes*, *John Baker Richards*, *John Goldsborough Ravenshaw*, and *Thomas Tooke*, Esquires, shall be and they are hereby constituted and appointed the First Directors of the Affairs of the said Company.

Appointment of Governor, Deputy Governor and Directors.

XXII. And be it further enacted, That the several Persons hereby nominated, constituted and appointed the Governor, Deputy Governor and Directors of the said Company, shall continue in Office, and be respectively the Governor, Deputy Governor and Directors for the Term of Five Years, from the Third *Tuesday* in the Month of *January* One thousand eight hundred and twenty five, and until others or another shall be appointed in their or any or either of their Stead, in pursuance of this Act; and at the Expiration of the said Term, and also at the Expiration of every succeeding Period of Four Years, Two other Persons shall be elected and appointed, out of the Proprietors of Shares in the said Undertaking, to be the Governor and Deputy Governor of the said Company, who shall continue in their respective Offices for the Space of Four Years, to be computed from the Day of Election, and until others or another shall be duly elected into their or any or either of their Places.

Governors and Directors to serve Five Years.

Future Elections.

XXIII. And be it further enacted, That on the Third *Tuesday* in the Month of *January* One thousand eight hundred and thirty, Six of the said Directors, to be determined by Lot amongst themselves, shall go out of the said Office of Director; and on the Third *Tuesday* in the Month of *January* One thousand eight hundred and thirty one, Six others of the said Directors, to be determined by Lot amongst the first appointed Directors then

Future Regulation as to the Term for which Directors shall serve.

remaining in Office, shall go out of the said Office of Director; and on the Third *Tuesday* in the Month of *January* One thousand eight hundred and thirty two, Six others of the said Directors, to be determined by Lot amongst the first appointed Directors then remaining in Office, shall go out of the said Office of Director; and on the Third *Tuesday* in the Month of *January* One thousand eight hundred and thirty three, the remaining Six of the said first appointed Directors shall go out of the Office of Director.

Election of  
Directors.

XXIV. And be it further enacted, That at the General Meeting which shall be holden on the Third *Tuesday* in the Month of *January* One thousand eight hundred and thirty, or within Fourteen Days thereafter, and at the like General Meeting in every succeeding Year, there shall be an Election of Six Proprietors, qualified respectively in Manner hereinbefore mentioned, who shall thenceforth be Six of the Directors of the Affairs of the said Company for Four Years, to be computed from the Day of Election, and until others or another shall be duly elected into their or any or either of their Places.

Appointment  
of Auditors.

XXV. And be it further enacted, That *Cornelius Buller, William Haldimand, George Hathorn* and *William Ward*, Esquires, shall be and they are hereby constituted and appointed the First Auditors and Examiners of the Accounts of the said Company.

Auditors to  
serve Four  
Years.

XXVI. And be it further enacted, That the several Persons hereby nominated, constituted and appointed the Auditors and Examiners of the Accounts of the said Company, shall continue in Office, and be respectively Auditors and Examiners for the Term of Four Years from the Third *Tuesday* in the Month of *January* One thousand eight hundred and twenty five, and until others or another shall be appointed in their or any or either of their Stead, in pursuance of this Act; and at the Expiration of the said Term, and also at the Expiration of every succeeding Year, Four other Persons shall be elected and appointed out of the Proprietors of Shares in the said Undertaking, to be the Auditors and Examiners of the Accounts of the said Company, who shall continue in their respective Offices for the Space of One Year, to be computed from the Day of Election, and until others or another shall be duly elected into their or any or either of their Places.

Officers may  
be re-elected.

XXVII. Provided always, and be it further enacted, That nothing in this Act contained shall be taken or be construed to prevent any Governor, Deputy Governor, Director or Auditor and Examiner who shall go out of Office on the Days aforesaid, or on any annual Day of Election thereafter, if qualified as aforesaid, from being eligible to be immediately re-elected to the said Offices, or either of them.

Contracts made  
by or on Behalf  
of Governors,  
or Directors,  
or Auditors, to  
be void.

XXVIII. Provided always, and be it further enacted, That all and every Contract or Contracts made or entered into by or on Behalf of any Governor, Deputy Governor, Director or Auditor or Examiner of Accounts of the said Company, or in which any such Governor, Deputy Governor, Director or Auditor shall be either directly or indirectly interested or concerned, for doing or causing to be done any Work for or on Behalf of the said Company, or for supplying any of the Articles or Materials or Things

o or for the Use of the said Company, shall be absolutely null and void, to all Intents and Purposes whatsoever; and every such Governor, Deputy Governor, Director and Auditor and Examiner of Accounts who shall enter into any such Contract or Contracts as aforesaid, shall *ipso facto* cease to be such Governor, Deputy Governor, Director or Auditor and Examiner, as the Case may be, and a new Election of some other Proprietor duly qualified shall take place in the Manner herein mentioned; and every such Person shall also, for every such Offence, forfeit and pay the Sum of Five 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 Three Calendar Months next after the Offence committed, in which Action or Suit respectively no Protection, Essoign or Wager at Law, or more than One Imparlance shall be allowed.

XXIX. Provided always, and be it further enacted, That so often as it shall happen that any Governor, Deputy Governor, Director or Auditor and Examiner of Accounts of the said Company shall die, resign or become disqualified to continue in or hold the said Offices, or any or either of them, a Special General Meeting of the Proprietors shall be convened by the Directors of the said Company for the Time being, for the Purpose of electing some One or more Proprietor or Proprietors, qualified as aforesaid, to fill such Vacancy or Vacancies, and exercise the said Office or Offices, or either of them respectively, for such Time and Times, and with the like Powers and Authorities, as the Person or Persons so dying, having resigned or become disqualified would have done respectively, if no such Vacancy as aforesaid had occurred.

XXX. And be it further enacted, That the Directors for the Time being shall have the Custody of the Common Seal of the said Company, and shall have full Power and Authority to use the same for the Affairs and Concerns of the said Company, and shall have full Power and Authority to meet and adjourn from Time to Time and from Place to Place, and also to direct, manage and transact the Affairs and Business of the said Company, as well in issuing, receiving, laying out and disposing of all Sum and Sums of Money to be issued or received, laid out or disposed of for the Purposes of the said Company, as in contracting for and purchasing Messuages, Lands, Tenements and Hereditaments, situate in the said Colony of *New South Wales* and its Dependancies, and Materials, Goods and Chattels for the Use of the said Company; and in ordering, directing and employing the Clerk, Agents, Officers, Servants, Apprentices, Labourers and Workmen, and each and every of them; and selling and disposing of all or any Messuages, Lands, Tenements and Hereditaments situate in the said Colony, and all Materials, Goods, Chattels and Articles belonging to the said Company; and in making, enforcing and carrying into Effect all Contracts and Bargains touching or in any wise concerning the same; subject to such Orders, Bye Laws, Rules and Regulations, as shall at any Time be duly made by the said Company in Restraint, Controul or Regulation of the Powers and Authorities by this Act granted.

New Election, and Penalty. 500*l*.

Limitation of Action.

In case of Death, Resignation or Want of Qualifications of Governors, Directors or Auditors, others to be elected.

General Powers of the Directors.

Subject to Bye Laws.

XXXI. And

Powers of Directors as to calling Special General Meetings.

XXXI. And be it further enacted, That the said Directors shall and may at any Time or Times, and for such Purpose or Purposes as they may think proper, have Power to call a Special General Meeting or Meetings of the said Company, of which Notice shall be given by Advertisement in Two or more of the public Daily Newspapers published in the City of London or County of Middlesex, Fourteen Days at the least previous to such Meeting. [See further Sect. 20. ante, and Sect. 36, 37, 39, 40. post.]

Regulations for Monthly Meetings of Governor, &c.

XXXII. And be it further enacted, That the said Governor, Deputy Governor and Directors shall meet together at the Office of the said Company One Day in every Month at the least, and at such other Times as they shall think proper; and any Two or more of the said Directors may at any Time call a Meeting of the said Directors by Notice in Writing, to be sent to each of the said Directors respectively; but no Business shall be transacted at any such Meeting unless Five at the least of the said Directors shall be present; and all Questions, Matters and Things which shall be proposed, discussed or considered by them, shall be decided and determined by the Majority in Number then present; and in case of an equal Division, the Director for the Time being in the Chair shall have an additional or casting Vote besides his own personal Vote; and if on the Day appointed for any such Meeting a sufficient Number of Directors shall not attend, then and in every such Case the said Meeting shall be adjourned to the next Day by the Director or Directors then present, or if none be present, by the Clerk to the said Company, or such other Person as shall attend in his Place; and the Proceedings of every Meeting of Directors shall be entered in a Book, to be kept by the Clerk for that Purpose, and shall be signed by the Director who shall be in the Chair.

Power to Directors to appoint Bankers, Treasurers, Collectors, &c.

XXXIII. And be it further enacted, That it shall and may be lawful to and for the said Governor, Deputy Governor and Directors, and they are hereby authorized and required, from time to time, to nominate and appoint One or more Banker or Bankers, Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors of all and singular the Sum and Sums of Money payable or to become due or payable under or by virtue of this Act, and also a fit and proper Person, who shall be and be called The Clerk of the said Company, and such other Officers and Servants, except as aforesaid, as the said Directors shall think proper and expedient for the Purposes of this Act; and also from time to time to discharge and dismiss or suspend any such Clerk, Receivers, Collectors or other Officers or Servants, and to appoint others in their Stead, as there shall be Occasion; and that every such Clerk, Receiver, Collector or other Officer, who shall at any Time quit or be dismissed from the Service of the said Company, and the respective Executors or Administrators of those who may happen to die, shall immediately thereupon produce and deliver up to the said Directors, or to such Person or Persons as they shall direct, all Books, Accounts, Writings and Papers whatsoever, which shall be in the Custody or Power of such Clerk, Receiver, Collector or other Officer, his or their Executors or Administrators respectively, in any wise relating to the said Company.

Executors of deceased Officers to deliver up Books, Accounts, &c.

XXXIV. Pro-

XXXIV. Provided always, and be it enacted, That it shall not be lawful for the said Company to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or any Person in the Service or Employ of any such Clerk, to be the Treasurer for the Purposes of this Act; or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or any Person in the Service or Employ of any such Treasurer, to be the Clerk of the said Company; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or in the Service or Employ of any such Clerk, shall act as Treasurer, or being the Partner of any such Treasurer, or in the Service or Employ of any such Treasurer, shall act as Clerk in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Five hundred Pounds, to any Person or Persons who shall sue for the same, to be sued for and recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit or Information, wherein no Essoign, Protection, Wager of Law or more than One Impar lance shall be allowed.

Clerk and Treasurer not to be the same Person.

Acting in both Capacities.

Penalty 500l.

XXXV. And be it further enacted, That the Orders and Proceedings of every General or Special General Meeting of the said Company, and of the Governor, Deputy Governor, and Directors of the said Company, shall be entered by the Clerk of the said Company, or such other Person as shall attend in his Place, in a Book or Books to be kept for that Purpose; and such Orders and Proceedings so entered, and signed by the Governor, Deputy Governor or such One of the Directors or Proprietors of the said Company, who shall be in the Chair at each respective Meeting, shall be deemed and taken to be original Orders and Proceedings, and shall be allowed to be read in Evidence in all Courts and Places whatsoever, and by and before all Judges, Justices and others.

Proceedings to be entered.

XXXVI. And be it further enacted, That no Business shall be transacted at any Special General Meeting, besides the Business for which it shall have been called; and no other Business shall be transacted at any adjourned Special General Meeting than the Business left unfinished at the Meeting from which such Adjournment took place; and if at any Special or General Meeting Ten Proprietors at the least shall not assemble and proceed to Business in One Hour from the Time appointed for such Meeting, or if that Number be not present when the Whole or any Part of the Business to be transacted shall be decided upon, the Meeting shall adjourn to the same Day in the following Week, or to some other Day to be appointed by the Governor, Deputy Governor and Directors, of which Adjournment or Adjournments Notice shall be given to the several Proprietors of the said Company: Provided always, that the several Notices to be given to the Proprietors of the said Company, of any Adjournment or Adjournments of a General or Special General Meeting respectively, shall be given in the Manner directed by this Act for Notices of any Special General Meeting of the said Company. [See Sect. 31. ante, and 37. 39. and 40. post.]

Business at Special General Meetings and General Meetings.

XXXVII. And

Meetings to  
declare Divi-  
dends.

XXXVII. And be it further enacted, That at the said General Meeting, or some Adjournment thereof, to be holden in every Year, a Dividend or Dividends shall be made out of the clear Residue, (after deducting therefrom, provided the Governor, Deputy Governor and Directors shall so think fit, any Sum not exceeding Ten *per Cent.* as herein is mentioned, of the Profits or Advantages of the said Company,) unless such General Meeting shall declare otherwise; and such Dividend or Dividends shall be at and after the Rate of so much in the Hundred upon all and every the Sum and Sums of Money paid to the said Company by the Members thereof, their Executors, Administrators, Successors or Assigns, as such Meeting or Meetings shall think fit to appoint and determine: Provided always, that no Dividend shall be paid in respect of any Share or Shares, after any Call for Money in respect of such Share or Shares shall have become due and payable, until such Money be paid: Provided also, that no Dividend shall be made whereby the Capital of the said Company shall be in any Degree reduced or impaired; and the Governor, Deputy Governor and Directors, who shall make any such Dividends, shall be personally responsible to the Proprietors, and also the Creditors of the said Company, for any Injury that may arise therefrom: Provided also, that no Dividend shall be declared, made or paid for † Twenty four Calendar Months after the passing of this Act. [See Sect. 20. and 36. *ante*, and 39, 40. *post.*]

No Dividend  
for 24 Months.  
† *Sic.*

Books to be  
balanced  
Yearly.

XXXVIII. And be it further enacted, That the said Governor, Deputy Governor and Directors shall have Power and Authority, and they are hereby required, to cause to be balanced the Books of the said Company on the Thirty first Day of *December* in each Year, (the First Balance to be made on the Thirty first Day of *December* next after the passing of this Act,) or at such other Period of each Year as any General Annual Meeting may from time to time appoint; and the same being so balanced shall be examined and signed by Two or more of the Auditors and Examiners, and approved by the said Governor, Deputy Governor and Directors; and an Abstract of the said Balance, showing the State of the Debts and Credits of the said Company, shall be signed by Two or more of the Auditors and Examiners, and shall be produced at the General Meeting of the said Company, to be held upon the Third *Tuesday* in the Month of *January* in every Year, or within Fourteen Days thereafter; so that any of the Proprietors attending the said Meeting may have an Opportunity of inspecting the same.

General Meet-  
ings to make  
Bye Laws.

XXXIX. And be it further enacted, That the said Company shall have full Power and Authority from time to time, at any of their General Meetings, or Special General Meetings called for that Purpose as aforesaid, to make such Rules, Orders and Bye Laws as to them shall seem meet and proper for the good Government of the said Company, and for regulating the Proceedings of the said Governor, Deputy Governor and Directors, and the Duties and Conduct of the Clerk, and all Officers, Attornies, Agents, Apprentices, Labourers, Workmen and Servants to be employed in and about the Affairs and Business of the said Company, as well in the said Colony of *New South Wales* as in the United Kingdom aforesaid, and for the Superintendance,  
Regulation

Regulation and Management of the said Company in all respects whatsoever; and from time to time to alter or repeal such Rules, Orders and Bye Laws, or any of them, and to make others, and to impose and inflict such reasonable Fines and Forfeitures upon all such Person or Persons offending against such Rules, Orders and Bye Laws, or any of them, not exceeding the Sum of Two hundred Pounds for any One Offence, as to the said Company at a General Meeting or Special General Meeting shall seem meet and expedient; and all Rules, Orders and Bye Laws so made as aforesaid, being reduced into Writing, and the Common Seal of the said Company thereto affixed, countersigned by the Clerk to the said Company, shall be binding upon all such Persons, and shall be sufficient Authority in any Court of Law or Equity, as well in the said Colony of *New South Wales* as in the United Kingdom aforesaid, to justify all Persons who shall act under the same: Provided always, that such Rules, Orders and Bye Laws be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or to any of the express Directions or Provisions of this Act: Provided also, that Copies thereof shall be fixed and continued in the Office of the said Company; and all such Rules, Orders and Bye Laws shall be subject to Appeal in Manner by this Act directed; any Law, Usage or Custom to the contrary in any wise notwithstanding. [See Sect. 20. 31. 36. and 37. ante, and Sect. 40. post.]

And inflict Penalties not exceeding 200*l.* for One Offence.

Provido.

**XL.** And be it further enacted, That if at any Time any Nine or more of the Subscribers or Proprietors of the said Company, who shall together be Holders of Ninety Shares at the least, shall deem it necessary or expedient to call a Special General Meeting of the Subscribers or Proprietors at large, for the Purpose of taking their Opinion and Determination upon any Matter or Thing relating to the said Company, and shall sign a Requisition in Writing to the said Governor, Deputy Governor and Directors for that Purpose, which shall specify the Object of such Meeting, and shall deliver or cause the same to be delivered to the Clerk to the said Company, it shall be lawful for the said Governor, Deputy Governor and Directors, and they are hereby required to call a Special General Meeting of the Subscribers and Proprietors at large; and in case the said Governor, Deputy Governor and Directors shall refuse or neglect, for the Space of Thirty Days, to comply with such Requisition, then and in such Case it shall be lawful for the Subscribers or Proprietors who shall have signed the same to call a Special General Meeting of the said Subscribers and Proprietors at large, by Advertisement in the *London Gazette*, and in Four or more of the Newspapers published in the City of *London* or County of *Middlesex*, specifying the Place within the Cities of *London* or *Westminster* where and the Time when such Meeting is to be held (the Time not being less than Fourteen Days after such Notice), and the Reason for and Intention of calling such Special Meeting; and the Subscribers and Proprietors are hereby authorized to meet pursuant to such Notice, and take into Consideration the Matter or Matters to be submitted to them by the Persons calling such Special Meeting, and specified in such Notice; and the Decision, Determination and Order of the Subscribers and Proprietors present

Power for Proprietors to call Special General Meetings in certain Cases herein mentioned.

present at such Meeting, or the Majority of them, according to the Number of Votes they shall have a Right to give respecting such Matter or Matters, shall be as valid to all Intents and Purposes as if the same had been made at any General Meeting of the said Company as aforesaid: Provided always, that Ten Proprietors at the least shall be present at such Meeting as hereinbefore is mentioned. [See Sect. 31. 36. 39. ante.]

Governor, &c.  
may provide a  
Fund to answer  
Contingencies.

XLl. And be it further enacted, That it shall and may be lawful to and for the said Governor, Deputy Governor and Directors for the Time being, and they are hereby empowered, provided they shall so think fit, at or previous to each and every General Meeting to be held pursuant to this Act for the Purpose of considering of or for making or declaring a Dividend or Dividends out of the clear Profits of the said Undertaking, to deduct and set apart any Sum not exceeding One tenth Part of the said clear Profits and Produce of the said Undertaking; and the said Directors shall in such Case forthwith lay out and invest, in the Name of the said Company, such One tenth Part of the said clear Profits and Produce from time to time, as and when the same shall be so deducted and set apart as aforesaid, in such One or more of the Public Parliamentary Funds or Stocks of Great Britain as the said Governor, Deputy Governor and Directors shall in their Discretion deem expedient, until the Monies so set apart and funded as aforesaid shall amount to the Sum of Twenty thousand Pounds; and also from time to time and all Times hereafter, so often as the same Fund or Sum of Twenty thousand Pounds shall be reduced by the Payment of or for any extraordinary Contingencies, to deduct and set apart, at any future or subsequent General Meeting or Meetings, the like One tenth Part of the said clear Profits and Produce, until the same Fund shall be restored and again amount to the said Sum of Twenty thousand Pounds, and so on from time to time and at all Times hereafter, and so often as the same shall be reduced in Manner aforesaid; and that the Dividends and Interest to become and be due and payable in respect of the said Funds or Stock so set apart and funded as aforesaid, and each and every of them respectively, shall fall into and become a Part of the said Profits and Produce of the said Undertaking, periodically to become and be divisible as herein mentioned: Provided always, that the said Governor, Deputy Governor and Directors for the Time being of the said Company shall have full Power and Authority from time to time, when and so often as they shall deem it expedient, to vary or transpose the Funds or Stock, or any of them, or any Part thereof, in which the said Monies or Funds shall from time to time be invested, and also shall and may sell and dispose of all or any Part or Parts of the said Funds or Stock, and convert the same into Money, for the Purpose of answering every or any extraordinary Contingency or Contingencies as and when the same or any Part thereof shall by the said Directors be deemed necessary; any Thing herein contained to the contrary thereof in any wise notwithstanding.

Treasurer not  
to issue Money  
without an

XLII. And be it further enacted, That the Banker or Bankers, Treasurer or Treasurers, to be appointed by the said Company, shall not issue any Sum or Sums of Money on account of the said



said Company, without an Order or Orders in Writing, signed by Three or more of the said Governor, Deputy Governor and Directors; and that the Receipts of the said Banker or Bankers, for all Monies payable to him or them on account of the said Company, shall be effectual Discharges for the same.

Order, signed  
by Governor  
and Directors.

XLIII. And be it further enacted, That all Offences whatsoever, which by virtue or under the Authority of this Act, or by or under any Bye Law, Rule, Order or Regulation to be made in pursuance or by the Authority of this Act are or shall be subject to or punishable with any pecuniary Penalties, Fines or Forfeitures, for the Recovery of which no express Provision is hereinbefore made, shall and may in every Case be heard, adjudged and determined by or before Two or more Justices of the Peace in and for the County or Place, or in and for the said Colony, or any District thereof where the Offence shall be committed in a summary Way, upon Information or Complaint made and exhibited in Writing (and which shall in every Case be made and exhibited within Six Calendar Months at farthest next after the committing of such Offences respectively, and not afterwards); and upon any such Information or Complaint as aforesaid, the said Justices shall examine into the Matter thereof, and if upon the Confession of the Party or Parties accused, or on the Oath of any One or more credible Witness or Witnesses, the Party or Parties accused shall be convicted of having committed such Offence or Offences, then and in every such Case the Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures hereby made payable in respect of such Offence or Offences, together with the Costs of Conviction, to be ascertained by such Justices, shall be forthwith paid by the Party or Parties so convicted as aforesaid; and in case such Party or Parties so convicted shall refuse or neglect to pay the same forthwith, then (except in Cases otherwise provided by this Act) the same shall and may, by Warrant or Warrants under the Hand and Seal or Hands and Seals of such Justices (which they are hereby empowered and required to grant), be levied and recovered, together with the Costs of Conviction and Recovery thereof, to be ascertained by such Justices, by Distress and Sale of the Goods and Chattels of such Offender or Offenders, rendering the Overplus of the Money arising by such Sale, if any, to the Party or Parties whose Goods and Chattels shall be distrained; one Moiety of which Penalties, not herein directed to be otherwise applied, shall be paid to the Informer, and the other Moiety shall be paid to the Overseers of the Poor of the Parish where the Offence shall be committed, for the Benefit of the Poor of the said Parish, and in the said Colony to any public Charitable Institution to be named by the said Justices; and it shall and may be lawful for the said 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 Justices, for his, her or their Appearance before the said 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 Fourteen Days from the Time

Recovery of  
Penalties.

Limitation of  
Action.

Costs of Con-  
viction.

Distress.

Application of  
Penalties.

of

of taking any such Security, and which Security the said Justices 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, Fine or Fines, Forfeiture or Forfeitures, and such Costs as aforesaid, and the same shall not be forthwith paid, then it shall be lawful for the said Justices, and they are hereby required and empowered, by Warrant or Warrants under their Hands and Seals, to commit such Offender or Offenders to Prison, 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, Fine or Fines, Forfeiture or Forfeitures, and all other Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justices, or shall otherwise be discharged by due Course of Law.

Conviction of  
Offenders  
against this Act.

Form of Con-  
viction.

XLIV. And for the more easy Conviction of Offenders, be it further enacted, That every Conviction under this Act shall be in the Form and to the Effect following; *videlicet*,

‘ to wit. } BE it remembered, That on the  
Day of  
‘ in the Year of our Lord is [or  
‘ are] convicted before us of His  
‘ Majesty’s Justices of the Peace for  
‘ by virtue of an Act of Parliament, passed in the Fifth Year of  
‘ the Reign of King George the Fourth, intituled [here insert the  
‘ Title of this Act] of having [specifying Offence, and the Time  
‘ and Place when and where the same was committed, as the Case  
‘ may be] contrary to the said Act; and for which Offence we  
‘ do adjudge the said to have forfeited  
‘ the Sum of Given under  
‘ our Hands and Seals the Day and Year first above written.’

Appeal to  
Quarter Ses-  
sions.

XLV. And be it further enacted, That if any Person or Persons thinking himself, herself or themselves aggrieved by any Order, Judgment or Determination relating to any Matter or Thing in this Act mentioned or contained, or by any Order, Judgment or Determination made or given in pursuance of any Rule, Order or Bye Law, may, within Three, Calendar Months next after such Order, Judgment or Determination shall have been made or given (first giving Ten Days Notice of Appeal to the Person or Persons appealed against), complain to the Justices of the Peace at the General Quarter Sessions to be held in and for the City, County or District, as well in the said Colony as in the United Kingdom aforesaid, in which the Cause of Appeal shall arise, who shall in a summary Way either hear and determine the said Complaint at such General Quarter Sessions, or if they think proper may adjourn the Hearing thereof to the next General Quarter Sessions of the Peace to be held for such City, County or District; and the said Justices may if they see cause mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Order, Judgment or Determination; but no Proceeding to be had and taken in pursuance of this Act shall be quashed or vacated for

Proceedings  
not quashed

for want of Form, or be removed by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at Westminster or elsewhere, any Law, Statute or Usage to the contrary notwithstanding; and the said Justices may award and order to the Party for whom such Appeal shall be determined such Costs as they shall judge reasonable and proper; and all Determinations of the said Justices shall be final, binding and conclusive upon all Parties, to all Intents and Purposes whatsoever.

for want of  
Form.  
No Certiorari.

XLVI. And be it further enacted, That if any Person or Persons shall be summoned as a Witness or Witnesses to give Evidence before any Justice or Justices of the Peace, touching any Matter contained in any Information or Complaint for any Offence against this Act, either on the Behalf of the Prosecutor or on Behalf of the Person or Persons accused, and shall refuse or neglect to appear from time to time at the Time and Place to be for that Purpose appointed, after having been paid or tendered a reasonable Sum for his, her or their Costs and Expences, without a reasonable Excuse for his, her or their Refusal or Neglect of appearing, or appearing shall refuse to be examined upon Oath, or in case of a Quaker or Quakers on solemn Affirmation, (which Oath or Affirmation such Justice or Justices is and are hereby authorized and required to administer), and to give Evidence before such Justice or Justices of the Peace, then and in every such Case every such Person shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

For compelling  
Attendance of  
Witnesses, and  
respecting Ser-  
vice of Notices.

XLVII. And be it further enacted, That in all Cases where it may be requisite or necessary for any Person or Persons, Party or Parties, to serve any Notice or Notices upon the said Company, or any Writ or Writs, or other legal Proceedings, the Service upon any Director of the said Company, or left at his last or usual Place of Abode, or on the Clerk of the said Company, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Company.

Penalty.

What deemed  
Service of  
Notices, &c.  
on Company.

XLVIII. And be it further enacted, That if any Witness or Witnesses who shall be examined by or before any Justice of the Peace, or otherwise under this Act, upon Oath, or in case of a Quaker or Quakers on solemn Affirmation, shall wilfully and corruptly give false Evidence, and shall be thereof convicted, he, she or they so giving false Evidence shall be subject to the same Punishment as if he, she or they had been convicted of the Crime of wilful and corrupt Perjury.

Persons giving  
false Evidence  
Perjury.

XLIX. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall extend to and be in force in the said Colony of *New South Wales* and its Dependencies, and shall be judicially taken Notice of as such by all Judges, Justices and others in the United Kingdom aforesaid, and in the said Colony and its Dependencies, without being specially pleaded.

Public Act.

## C A P. LXXXVII.

An Act to authorize the Proprietors of Entailed Estates in Scotland to grant Provisions to the Wives or Husbands and Children of such Proprietors. [21st June 1824.]

Act of the Parliament of Scotland, 1685, c. 22.

10 G. 3. c. 51.  
§ 9.

Provision to be granted to a Wife.

WHEREAS by an Act of the Parliament of Scotland, made in the Year One thousand six hundred and eighty five, intituled *Act concerning Tailzies*, it is statued and declared, that it shall be lawful to His Majesty's Subjects to tailzie their Lands and Estates with such Provisions and Conditions as they shall think fit, and to affect the said Tailzies with irritant and resolute Clauses, which Tailzies, when completed and recorded in Manner by the said Act directed, are declared to be real and effectual against Creditors, Comprisers, Adjudgers and other singular Successors whomsoever: And Whereas by an Act of Parliament passed in the Tenth Year of the Reign of His late Majesty King George the Third, intituled *An Act to encourage the Improvement of Lands, Tenements and Hereditaments, in that Part of Great Britain called Scotland, held under Settlement of strict Entail*, the Proprietors of Entailed Estates in Scotland were empowered to burden their Estates and the subsequent Heirs of Entail, for the Improvement of their Entailed Estates, in Manner specified in that Act; And Whereas sundry Entails of Lands and Estates in Scotland contain no Powers in regard to the granting of Provisions to the Wives or Husbands and Children of the Proprietors thereof; and in many other Entails, by reason of the Change in the Value of Money, the improved Value of Lands and Estates in Scotland, and other Causes, the Powers of granting Provisions to the Wives or Husbands and Children of the Proprietors of such Entailed Estates have become entirely inadequate for those Purposes; and it has become expedient that the Powers of granting such Provisions should be conferred or enlarged, as the Case may be, under certain Regulations and Conditions, in all Entails already made or hereafter to be made: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King, most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to every Heir of Entail in Possession of an Entailed Estate under any Entail already made or hereafter to be made, in that Part of Great Britain called Scotland, under the Limitations and Conditions after mentioned, to provide and infest his Wife in a Liferent Provision out of his Entailed Lands and Estates by way of Annuity; provided always that such Annuity shall not exceed One third Part of the free yearly Rent of the said Lands and Estates, where the same shall be let, or of the free yearly Value thereof where the same shall not be let, after deducting the public Burdens, Liferent Provisions, the yearly Interest of Debts and Provisions, including the Interest of Provisions to Children hereinafter specified, and the yearly Amount of other Burdens of what Nature soever affecting and burdening the said Lands and Estates or the yearly Rents or Proceeds

Proceeds thereof, and diminishing the clear yearly Rent or Value thereof to such Heir of Entail in Possession, all as the same may happen to be at the Death of the Grantor.

II. And be it further enacted, That it shall and may be lawful to every Heir Female in Possession of such Entailed Estate as aforesaid, to provide and infest her Husband in a Liferent Provision out of her Entailed Lands and Estates by way of Annuity; provided always, that such Annuity shall not in any Case exceed One Half of the free yearly Rent or free yearly Value as aforesaid of the Whole of the said Lands and Estates, after all Deductions to be made from the same in Manner before mentioned; but in case the said Lands and Estates shall already be burthened with a prior existing Annuity, granted to a Wife or Husband under the Authority of this Act, the Annuity to be granted to a Husband in Manner before mentioned shall not exceed One third Part of the said yearly Rent or yearly Value to be taken as aforesaid.

Provision to be granted to a Husband.

III. Provided always, and be it enacted, That where Two Liferents to Wives or Husbands, granted under the Powers hereinbefore contained, shall be subsisting at any One Time upon an Entailed Estate, it shall not be competent to grant a Third Liferent to take Effect till One of the former subsisting Liferents shall cease or expire; but the Power of granting a Liferent may be exercised so as to increase a former Liferent, or grant a new Liferent to the Extent hereinbefore authorized to be granted upon the ceasing or Expiration of any former or subsisting Liferent, although the same may not take place in the Lifetime of the Person granting such prospective or increased Liferent.

Only Two Liferent Provisions to be subsisting at one Time.

IV. And be it further enacted, That it shall and may be lawful to the Heir of Entail in Possession of any such Entailed Estate as aforesaid, to grant Bonds of Provision or Obligations, binding the succeeding Heirs of Entail in Payment, out of the Rents or Proceeds of the same, to the lawful Child or lawful Children of the Person granting such Bonds or Obligations, who shall not succeed to such Entailed Estate, of such Sum or Sums of Money, bearing Interest from the Grantor's Death, as to him or her shall seem fit: Provided always, that the Amount of such Provision shall in no case exceed the Proportions following of the free yearly Rents or free yearly Value of the Whole of the said Entailed Lands and Estates, after deducting the public Burdens, Liferent Provisions, including those to Wives or Husbands authorized to be granted by this Act, the yearly Interest of Debts and Provisions, and the yearly Amount of other Burdens of what Nature soever, affecting or burdening the said Lands and Estates, or the yearly Rents or Proceeds thereof, and diminishing the clear yearly Rent or yearly Value thereof as aforesaid to the Heir of Entail in Possession; (that is to say), for One Child, One Year's free Rent or Value; for Two Children, Two Years' free Rent or Value; and for Three or more Children, Three Years' free Rent or Value in the Whole: Provided always, that such Provision shall, except in the Case of the Settlement thereof by a Marriage Contract as hereinafter mentioned, be valid and effectual only to such Child or Children as shall be alive at the Death of the Grantor, or to the Child or Children of which the Wife of the

Provision in certain Cases to Children.

Grantor shall be then pregnant; and upon any such Child succeeding to the Entailed Estate, the Provision granted to him or her, in so far as not previously paid, shall be extinguished for ever, and shall never be set up as a Debt against any succeeding Heir.

Provision settled in Consideration of Marriage, Death of Children before Grantor.

V. Provided always, and be it further enacted, That if any Child to whom any such Provision as aforesaid may be granted shall marry, and that such Provision, or any Part thereof, shall, with the Consent of the Grantor of the same, be settled in Consideration of the Marriage of such Child, and such Child so marrying shall die before the Grantor of such Provision, then and in all such Cases the Provision, or any Part thereof, so settled in Consideration of such Marriage, shall remain and be effectual, as if such Child had survived the Grantor.

Where Provisions to Children granted to full Extent, no further Provisions granted till former diminished, &c.

VI. Provided always, and be it enacted and declared, That where the Powers hereinbefore contained of granting Provisions to a Child or Children shall have been exercised by One or more Heir or Heirs in Possession of any such Entailed Lands and Estates as aforesaid, to the full Extent of Three Years' free Rent or Value of the Entailed Estate as aforesaid, it shall not be in the Power of any Heir, in Possession of the same Lands and Estates, to grant further Provisions to his or her Child or Children, till some Part of the Provisions granted to the Extent of Three Years' free Rent or Value as aforesaid shall have been paid or extinguished; but upon the Payment or Extinction thereof, or of any Part thereof, it shall be in the Power of such Heir in Possession to grant Provisions to his or her Child or Children, to the Extent of the Provisions so paid or extinguished as aforesaid; and the Heir in Possession of any such Entailed Lands and Estates as aforesaid being always hereby empowered to grant Provisions to his or her Child or Children, to such Extent of the Power of granting Provisions to a Child or Children hereinbefore contained, as may be open or unexercised for the Time, so that the Provisions to be granted do not in any Case exceed the Proportions aforesaid of One Year's free Rent or Value for One Child, of Two Years' free Rent or Value for Two Children, and of Three Years' free Rent or Value for Three or more Children: And provided always, that such Provision shall (except in the Case of the Settlement thereof by a Marriage Contract as hereinbefore mentioned,) be valid and effectual only to such Child or Children as shall be alive at the Death of the Grantor, or to the Child or Children of which the Wife of the Grantor shall be then pregnant; and that upon any such Child succeeding to the Entailed Estate, the Provision granted to him or her, in so far as not previously paid, shall be extinguished for ever, and shall never be set up as a Debt against any succeeding Heir.

Excess in Provisions granted to be regulated

VII. Provided always, and be it enacted, That in every Case in which the Provision granted to a Wife or Husband or to a Child or Children, under the Authority of this Act, shall exceed such Proportions of the Rent or Value of any Entailed Estate as hereinbefore mentioned, such Provision shall not be deemed to be null and void, but the same shall be voidable at the Instance of the Heir of Entail next in the Order of Succession or of any other Heir of Entail, to such Extent as such Provision shall exceed

ceed those herein authorized in each respective Case to be granted, but no further; and the Court of Session in either Division thereof is hereby authorized and required to make the necessary Order to that Effect, on advising a Petition to be presented to that Court by the Heir of Entail next in the Order of such Session†, or any other Heir of Entail.

by Court of Session.

† Sic.

VIII. Provided always, and be it further enacted and declared, That no Securities or Provisions to be granted under the Authority of this Act to a Wife or Husband or to a Child or Children of the Proprietors of any such Entailed Lands and Estates as aforesaid, shall affect or be made by any Process of Law whatsoever to affect the Fee of the same Lands and Estates, but such Securities and Provisions shall only affect the yearly Rents or Proceeds of the said Lands and Estates.

No Security or Provision to affect the Fee.

IX. And be it enacted, That after the Expiration of One Year from the Death of the Grantor of such Provisions to Children as aforesaid, it shall and may be lawful for the Person or Persons having Right to the same, to require the Heir succeeding to the Estate to make Payment of the said Provisions, with the legal Interest thereof, from the Term at which the Right of such succeeding Heir to the Rents of the Estate did commence, after receiving a proper Discharge thereof, or Assignment to the same; and if the Money shall not be paid within Three Months after Requisition of Payment shall be made as aforesaid, it shall then be lawful for the Person or Persons having Right to any such Provision to institute an Action in the Court of Session against the Heir then in Possession, for compelling him or her to pay the Money and Interest thereof; and on obtaining a Decree, the Person or Persons in whose Favour Decree shall be made, shall be at liberty to use every Kind of Diligence or Execution authorized by the Law of *Scotland*, in recovering the Payment of Debts, except Adjudication, against the Entailed Estate.

After Death of Grantor of Provisions to Children, Heir succeeding to Estate to make Payment thereof, with Interest.

X. And be it enacted, That in case any Heir in Possession of an Entailed Estate shall be sued for Payment of the Provisions granted under the Authority of this Act to the Child or Children of any former Heir or Heirs, he or she shall be discharged in all Cases from such Suit, upon assigning or effectually conveying to a Trustee to be named by the Court of Session, One third Part of the clear Rents or Proceeds of the Entailed Estate, payable to such Heir in Possession during his or her Life or until the Provisions aforesaid shall be paid off; and the Rents so assigned and conveyed shall be applied in Payment of the Whole subsisting Provisions to a Child or Children, granted under the Authority of this Act.

Heir sued for Provisions to Children to be discharged on conveying One Third of clear Rents.

XI. And be it further enacted and declared, That for and notwithstanding of any Clause prohibitory, irritant or resolute, Proviso, Matter or Thing in any Deed of Entail contained to the contrary, no Proprietor of any Entailed Estate in *Scotland* shall be held to have committed any Contravention, or to have incurred any Irritancy or Forfeiture, for or by reason of such Proprietor having granted any of the Provisions upon or out of an Entailed Estate hereinbefore authorized to be granted.

Granting Provisions not to infer Contravention, &c.

XII. And be it further enacted, That nothing herein contained shall be held or construed to diminish or abridge the Powers of

Act not to diminish more extensive Powers.

the Heir in Possession of any such Entailed Estate in Scotland as aforesaid, in regard to the granting of Provisions to his or her Wife or Husband or to his or her Child or Children, if empowered by the Deed of Entail under which he or she shall hold such Entailed Estate, to grant Provisions to a larger Extent than those hereinbefore specified; but it shall not be lawful in any case to grant any such Provision as is hereinbefore authorized to be granted in addition to any Provision authorized to be granted to a Wife or Husband or to a Child or Children, under any Deed of Entail, so as to exceed in the Whole the Proportions of the yearly Rent or yearly Value of any Entailed Estate hereinbefore mentioned and authorized to be granted for making such Provisions as aforesaid.

The Heir in Possession not to be deprived of more than Two third Parts of the clear annual Income.

XIII. And be it enacted and declared, That the Powers given and granted by this Act, and by the said recited Act of the Tenth Year of the Reign of His said late Majesty, shall in no case be exercised to such an Extent as to deprive the Heir in Possession of any Entailed Lands and Estates in Scotland of more than Two Third Parts of the free yearly Rent or free yearly Proceeds of the same; and the Court of Session, in either Division thereof, is hereby authorized and required in each respective Case to give all necessary Orders for relieving the Heir in Possession from the Payment of more than such Two third Parts of the said free yearly Rent or yearly Proceeds as aforesaid, by authorizing such Heir to retain any Excess beyond the same, from the Security or Provision, or Securities or Provisions on such Entailed Lands and Estates which shall be least entitled by the Law of Scotland to legal Preference.

### C A P. LXXXVIII.

An Act to authorize the *East India Company* to trade direct from *China* to the *British Colonies* and *Plantations* in *America*. [21st June 1824.]

‘ WHEREAS it is expedient that the United Company of  
 ‘ Merchants of *England* trading to the *East Indies* on their  
 ‘ own Account, or by Persons to be licensed by them, should be  
 ‘ authorized by Law to export direct from *China* to the *British*  
 ‘ Colonies and *Plantations* in *America*, Tea and other Merchandise: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, it shall and may be lawful for the said United Company, and also for any other of His Majesty’s Subjects with the Special Leave and Licence of the said United Company in Writing, or a Special Leave and Licence in Writing under their Authority for that Purpose, to export in Ships navigated according to Law, from any Port or Ports within the Dominion of the Emperor of *China*, any Tea, or other Goods, Wares or Merchandise, the Produce or Manufacture of any Country within the Limits of the said Company’s Charter, and to carry and import the

East India Company, or Persons licensed by them, may trade direct between *China* and *British Colonies* in *West Indies*.



the same direct into any of the *British* Colonies or Plantations in *America*; any Law, Statute, Charter or Usage to the contrary notwithstanding.

## C A P. LXXXIX.

An Act for the Relief, in certain Cases, of the Incumbents of Ecclesiastical Livings or Benefices mortgaged for building, rebuilding, repairing or purchasing Houses and other necessary Buildings and Tenements for such Benefices.

[21st June 1824.]

‘ **W**HEREAS under and by virtue of an Act of Parliament  
 ‘ made in the Seventeenth Year of the Reign of His Majesty King George the Third, intituled *An Act to promote the Residence of the Parochial Clergy, by making Provision for the more speedy and effectual building, rebuilding, repairing or purchasing Houses and other necessary Buildings and Tenements for the Use of their Benefices*; and an other Act made in the Twenty first Year of His said Majesty’s Reign, to explain and amend the said Act; many Mortgages of Ecclesiastical Livings and Benefices have been made, and are still remaining in force, as Securities for Monies borrowed for building, rebuilding, repairing or purchasing Houses and other necessary Buildings and Tenements for such Benefices; and in most Cases the Sums of Money borrowed on such Mortgages have been to the full Amount authorized by the said Acts, that is to say, Two Years’ Net Income and Produce of the said respective Livings or Benefices, estimated at or previous to the Execution of such several Mortgages in the Manner by the said Acts directed; and the Incumbents of the said respective Livings or Benefices are liable, according to the Directions of the said Acts, to pay Five Pounds *per Centum per Annum* of the Principal Monies so borrowed; or in case such Incumbents shall not reside Twenty Weeks in each Year upon such Livings or Benefices, then instead of Five Pounds *per Cent.* to pay Ten Pounds *per Annum per Centum* of the said Principal Monies, over and above the Interest arising upon such Mortgages, until the whole Principal Monies and Interest shall be fully paid and discharged: And Whereas great Reduction has taken place in the Income and Produce of many Livings or Benefices mortgaged by virtue of the said Acts since the respective Mortgages thereof were made, whereby it happens that the Yearly Payments in Discharge of the Monies borrowed on such Mortgages, which the Incumbents of the said Livings or Benefices are liable to pay, amount to a larger Proportion of the present Income and Produce thereof than it was contemplated or intended that they should be liable to pay according to the Directions of the said Acts; and it is just and expedient that such Provision be made for the Relief of Incumbents of Livings or Benefices already mortgaged by virtue of the said Acts as hereinafter is expressed: Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parli-

17 G.3. c.53.

21 G.3. c.66.

Incumbents of mortgaged Livings for Amount of Two Years' Income may lay before Ordinary Account of Value of such Livings, Enquiry to be made of Truth thereof.

Mortgagees empowered to agree to make Yearly Payments in Discharge of Mortgage at 5 per Cent. or 10 per Cent., according to Directions of recited Acts.

† *Sic.*

Agreements to be in Form prescribed by Schedule.

ment assembled, and by the Authority of the same, That it shall and may be lawful for the Incumbent of every Living or Benefice mortgaged before the passing of this Act, under or by virtue of the said former Acts, for the Amount of Two Years' Net Income and Produce thereof, to lay before the Ordinary of such Living or Benefice a just and particular Account in Writing, signed by such Incumbent, and verified upon his Oath, taken before some Justice of the Peace or Master in Chancery, Ordinary or Extraordinary, (which Oath every Justice of the Peace and every Master in Chancery is hereby empowered to administer), of the Income or Produce of such Living or Benefice at the Time of stating such Account thereof, and of all Rents, Stipends, Taxes and other Outgoings therefrom, excepting only the Salary to the Assistant Curate, where such a Curate is necessary; and it shall and may be lawful for the Ordinary thereupon to cause an Enquiry to be made by the Archdeacon, Chancellor of the Diocese, or other proper Persons resident within or near the Limits of such Living or Benefice, of the Truth of the said Account, and the Result of the said Enquiry to be certified by such Archdeacon, Chancellor or other Persons; and the Incumbent of such Living or Benefice, and the Mortgagee or Mortgagees thereof, may and they are hereby empowered, with the Consent of the Ordinary and Patron of such Living or Benefice, to agree that the Yearly Payments in Discharge of the Principal Money secured by the Mortgage of such Living or Benefice, and to become due after such Agreement, shall be made at the Rate of Five Pounds *per Cent.*† or Ten Pounds *per Centum per Annum*, as the Case may require, according to the Directions of the said former Acts and this Act, of the Sum which Two Years' Net Income and Produce of the said Living or Benefice shall appear to amount unto according to the Account thereof laid before and the Certificate returned to the Ordinary as herein mentioned; and every such Agreement shall be valid and effectual; and the Mortgage made of every such Living or Benefice shall be and remain in force as a Security for the Yearly Payments thereby agreed to be made, as well as for Payment of the Interest arising on such Mortgage, and with all the Powers and Remedies for enforcing the same given by the said former Acts, until the Money borrowed and all Interest for the same, and also all Costs and Charges which shall be occasioned by the Nonpayment thereof, shall be fully paid and discharged, in like Manner as if such Yearly Payments had been expressly mentioned in and secured by the said Mortgage, the Expiration of the Term of Years granted by the said Mortgage or any other Cause or Matter whatsoever notwithstanding.

II. And be it further enacted, That every Agreement which shall be entered into by virtue of this Act shall be in Writing, in the Form in the Schedule to this Act set forth, or to that Effect, under the Hands of the Ordinary, Patron, Incumbent and Mortgagee or Mortgagees of the Living or Benefice to which the same shall relate, or the Common Seal of such of them as shall be a Body Corporate Aggregate; and in case the Patronage of any such Living or Benefice shall be in the Crown, or the Patron of any such Living or Benefice shall happen to be a Minor, Idiot, Lunatic or Feme Covert, such Agreement shall be signed by such

such Persons as by the said former Acts are empowered in the like Case to consent to the Proceedings thereby authorized; and in case any such Agreement shall relate to any Chapelry or perpetual Cure, the Incumbent whereof shall be nominated by the Rector or Vicar of the Parish, in every such Case such Rector or Vicar shall be required to be a Party to the Agreement so to be made, together with the Patron of the Rectory or Vicarage.

III. And be it further enacted, That it shall and may be lawful for the Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy, to make and enter into such Agreements as hereinbefore are authorized, with respect to all or any of the Mortgages made to the said Governors by virtue of the said former Acts, if it shall appear to the said Governors to be fit and proper so to do; and it shall and may also be lawful for all Colleges and Halls within the Universities of Oxford and Cambridge, and for all other Corporate Bodies possessed of the Patronage of any Ecclesiastical Livings or Benefices, to make and enter into such Agreements as hereinbefore are authorized with respect to all or any of the Mortgages made to them respectively, for any Sums of Money advanced under the Powers of the said former Acts, if it shall appear to them respectively fit and proper so to do.

Governors of Queen Anne's Bounty may enter into Agreements with respect to Mortgages as to Colleges and Halls of the Universities, &c.

IV. And be it further enacted, That a Copy of every Agreement made by virtue of this Act shall be registered in the Office of the Registrar of the Bishop, or other Ordinary of the Living or Benefice to which such Agreement shall relate, after having been first examined by him; and such Registrar shall register such Copy, and make and sign a Certificate on the original Agreement, that a Copy thereof is so registered, and shall be entitled to demand and receive the Sum of Five Shillings and no more for such Register; and every such Copy shall be inspected upon all necessary Occasions, the Person who requires such Inspection paying to the said Registrar the Sum of One Shilling for the same; and the registered Copy of such Agreement, or a Copy hereof certified under the Hand of the Registrar to be correct, shall be allowed as legal Evidence in case any such Agreement shall happen to be lost or destroyed.

Agreements to be registered.

Fee to Registrar.

Copy Evidence.

V. And be it further enacted, That no Affidavit, Certificate, Agreement, Instrument or Proceeding made, had or done, under the Authority or Directions of this Act, shall be charged or chargeable with any Stamp Duty.

No Stamp Duty.

VI. And be it further enacted, That in case any Incumbent of any Living or Benefice mortgaged or to be mortgaged by virtue of the said former Acts, who shall not reside Twenty Weeks in any Year upon such Living or Benefice, shall have been non-resident in the same Year by Licence of the Bishop of the Diocese within which such Living or Benefice shall be locally situate, granted by reason or on account of any actual Illness or Infirmary of Mind or Body of such Incumbent, or of his Wife or Child, making Part of and residing with him as Part of his Family, such Incumbent shall for every Year in which he shall be non-resident by such Licence, pay to the Mortgagee or Mortgagees of his Living or Benefice the like Sum as he would have

Non-residents by Licence liable to pay Mortgages in Manner herein mentioned.

have been liable to pay by virtue of the said former Acts, or any Agreement made under the Powers of this Act, in case he had resided Twenty Weeks in the same Year upon his said Living or Benefice, and no other or greater Sum; provided that every such Incumbent at the Time of making such Payment, or some Person on his Behalf, shall deliver to the Mortgagee or Mortgagees a Certificate under the Hand of such Bishop, that such Incumbent was non-resident, in the Year for which such Payment shall be made, by the Licence of the said Bishop, granted for some or one of the Causes hereinbefore mentioned, to be specified in the said Certificate.

Governors of  
Queen Anne's  
Bounty may  
reduce Rate of  
Interest of  
Mortgages.

VII. And be it further enacted, That it shall and may be lawful to and for the said Governors of the Bounty of Queen Anne, for the Augmentation of the Maintenance of the Poor Clergy, at any Time or Times after the passing of this Act, to reduce the Rate of the Interest secured to them by any Mortgage or Mortgages heretofore made to them under the Authority of the said former Acts, and thereafter to become due to such Rate or Rates as to them shall appear just and reasonable.

### The SCHEDULE to which the Act refers.

#### FORM OF AGREEMENT.

WHEREAS in the Year the Rev. A.  
B. Clerk, Rector [Vicar or Curate] of the Parish Church  
 [or Curacy or Chapelry] of in the County of  
 and the Diocese of the Bishop of  
 and under the Jurisdiction of the said Bishop, [or such other  
*Ecclesiastical Person or Corporation as shall be Ordinary*], as  
 Ordinary, by virtue and pursuant to the Directions of an Act of  
 Parliament passed in the Seventeenth Year of the Reign of His  
 Majesty King George the Third, intituled *An Act to promote the*  
*Residence of the Parochial Clergy, by making Provision for the*  
*more speedy and effectual building, rebuilding, repairing or pur-*  
*chasing Houses and other necessary Buildings and Tenements for*  
*the Use of their Benefices*, obtained the Consent of the said  
 Ordinary, and of the Patron of the said Church [or Curacy or  
 Chapelry], to borrow and take up at Interest, on Mortgage of  
 the Glebe, Tithes and Emoluments of the said Living, the Sum  
 of Pounds, being the Amount of Two  
 Years' Net Income and Produce of the said Living, as then esti-  
 mated and proved in the Manner by the said Act directed; and  
 the said Sum of Pounds was advanced  
 by C. D. and a Mortgage of the Glebe, Tithes and Emoluments  
 of the said Living, by Indenture bearing Date the  
 Day of was duly made and executed to him for  
 securing the Repayment thereof, with Interest at the Rate of  
Pounds per Centum per Annum,  
 by Yearly Payments, according to the Directions of the said Act,  
 and of another Act passed in the Twenty first Year of His said  
 Majesty's Reign, to explain and amend the same: And Whereas  
 the several Yearly Payments which have become due upon the  
 said Mortgage, up to and including the Day  
 of last, together with all Interest since  
upon

on the said Mortgage to that Time, have been discharged, and there now remains due on the Security of the said Mortgage, the principal Sum of

Pounds, with Interest thereon,  
on the said Day of

[If the Incumbent entering into the Agreement is a Successor of him who made the Mortgage, or the Mortgagee is Representative or Assignee of him to whom the Mortgage was made, the Facts are to be hereafter recited in proper Recitals, and the proper Parties are to be named in the subsequent Parts of the Agreement instead of the Parties to the Mortgage]: And Whereas the said A. B., pursuant to the directions of an Act passed in Fifth Year of the Reign of His Majesty King George the Fourth, intituled [set forth the Title of the Act], has laid before the Ordinary of the said Living a just and particular Account in Writing, signed by him, and verified by the said last mentioned Act is required, of the present Income or Produce of the said Living, and of the Outgoings therefrom: and the said Ordinary has caused Enquiry to be made of the Truth of the said Account, and the Result of the said Enquiry to be certified to him as by the said Act required; and according to the said Account and the Certificate returned to the said Ordinary, the Net Income and Produce of the said Living appears now to amount to the Sum of

Pounds, and therefore Two Years' Net Income and Produce thereof will amount to the Sum of

and no more: And Whereas the said C. D. is willing to accept such reduced Yearly Payments in Discharge of the Principal Money remaining due on the said Mortgage, as by the said last mentioned Act authorized and hereinafter mentioned: Now it is hereby agreed by and between the said A. B. and C. D. with the Consent of the said Ordinary and of

the Patron [or Patrons] of the said Church,  
or of the Rector or Vicar of  
the Parish Church of who is entitled  
to the Nomination of the Curate of the said Curacy or Chapelry  
of and the  
Patron of the said Parish Church, [or if any other Person or Persons shall according to the Act be required to act for the Patron, such Person or Persons shall be named with a proper description,] testified by the said Ordinary and Patron signing his Agreement; [or if either of them shall be a Body Corporate aggregate, then by the said Ordinary (or Patron) signing, and the said Patrons (or Ordinary) causing their Common Seal to be affixed to this Agreement;] and by virtue of the Powers of the said last mentioned Act of Parliament, that the Yearly Payments in Discharge of the said Sum of

Pounds remaining due on the said Mortgage as aforesaid, shall be made at the Rate of Five Pounds per Cent. or Ten Pounds per Cent. as the Case may require, according to the Directions of the said several Acts of Parliament, of the said Sum of

Pounds, the Amount of Two Years' Net Income and Produce of the said Living, according to the late Account and Certificate hereinbefore mentioned; and the said Mortgage of the said Living is, pursuant to and by virtue of the said last mentioned Act, to be and remain in force

as

as a Security for the Yearly Payments hereby agreed to be made, as well as for Payment of the Interest arising on the said Mortgage, and with all the Powers and Remedies for enforcing the same given by the said first mentioned Act, until the Money borrowed on the said Mortgage, and all Interest for the same, and also all Costs and Charges which shall be occasioned by the Nonpayment thereof, shall be fully paid and discharged. Dated the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year One thousand eight hundred \_\_\_\_\_

## C A P. XC.

An Act to amend an Act for building additional Places of Worship in the Highlands and Islands of *Scotland*.

[21st June 1824.]

4 G. 4. c. 79.

Repealed, except as relates to the Appointment of Commissioners, and Officers by them appointed.

Treasury may issue 50,000*l.* for the Purposes of this Act.

Accounts of Expenditure rendered to Exchequer in *Scotland*.

Commissioners upon Application may make Provision for Residences of Ministers.

‘ WHEREAS an Act was passed in the last Session of Parliament, intituled *An Act for building additional Places of Worship in the Highlands and Islands of Scotland*, which requires to be altered and amended in some respects; and it is expedient that the said recited Act, and such Alterations and Amendments, should be consolidated in One Act: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act shall be and the same is hereby repealed, save and except so much thereof as relates to the Appointment of Commissioners for the Execution thereof, and their Appointment of a Secretary and Clerk, Surveyors and other fit Persons for the due Execution of the said Act: Provided nevertheless, that all Acts, Matters and Things already done or directed to be done under and by virtue of the said recited Act, shall remain in force and effect, notwithstanding this Repeal thereof; and this Act shall come in place of the said recited Act for the Purposes thereof.

II. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty’s Treasury of the United Kingdom of *Great Britain and Ireland*, to issue out of the Consolidated Fund of the United Kingdom, the Sum of Fifty thousand Pounds to the Commissioners appointed by virtue of the said recited Act, or any Three or more of them; such Sum of Fifty thousand Pounds to be applied by the said Commissioners for the Purposes of this Act, and in the meantime to be invested by them in Exchequer Bills, or otherwise, as they may think fit; and the said Commissioners shall render Accounts of the Expenditure thereof to the Barons of the Exchequer in *Scotland*, at such Times and in such Manner as they shall think fit to order and direct.

III. And be it further enacted, That it shall and may be lawful for the said Commissioners to erect or set apart *Buildings for additional Places of Worship*, to make fit and suitable Provision for the Residence of the Minister officiating at such Places of Worship, and to exercise the other Powers for the Accomplishment

ment of the Purposes of this Act, within such Parish or Parishes in the Highlands or Islands of *Scotland* from which Application shall be made to the said Commissioners by any Heritor or Heritors possessed of Land to the Amount of One hundred Pounds *Scots* of valued Rent in any Parish or Parishes in the Highlands or Islands of *Scotland* where an additional Place of Worship is by him or them desired to be erected or set apart.

IV. And be it further enacted, That in all Cases where any such additional Places of Worship, 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 whether the Heritor, or any Two of the Heritors making such Application, is or are willing to undertake for the Repair of such additional Place of Worship to the Extent hereinafter limited; and in what Manner Ground for the Site 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 (of 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 the Sum proposed to be paid for the Ground, and the immediate Possession thereof, shall be specified in the said Application; and if it shall be proposed that any Building already erected shall be appropriated and fitted up as an additional Place of Worship 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 sold to the Commissioners; and in this last Case, the proposed Price shall be specified in the said Application.

Application to specify Particulars as to Ground, &c.

V. And be it further enacted, That upon receiving any such Application the said Commissioners shall direct Notice thereof to be given to the Incumbent or Incumbents of the Parish or Parishes from whence such Application shall come, who shall cause such Notice to be read from the Precentor's Desk or Desks, after the Morning Service, on the first *Sunday* after the same shall be received by him or them, and who shall also cause a Copy thereof to be affixed on the Door or Doors of the Parish Church or Churches.

Notice to be given of Applications.

VI. And be it further enacted, That from and after the Expiration of a certain Time to be specified in such Notice, it shall and may be lawful for the said Commissioners, after having inquired into the Circumstances of the Case, to settle and determine whether an additional Place or Places of Religious Worship should be provided in such Parish or Parishes; and if the said Commissioners shall determine that an additional Place or Places of Worship ought to be provided for the Parish or Parishes from which such Application shall have been made, then the said Commissioners are hereby empowered and directed to require the Heritor or Heritors making such Application to settle and agree with the Presbytery of the Bounds, so as to define and set apart a certain District within such Parish or Parishes for Behoof of which District such additional Place of

Circumstances to be inquired into;

if Commissioners determine upon an additional Place of Worship, Heritors and Presbytery to define District.

Worship

If Heritors and Presbytery cannot agree, Matter referred to Sheriff Depute.

Commissioners to determine Situation and Size of Building.

District may be altered.

Commissioners empowered to accept Ground for a Glebe.

Heirs of Entail empowered to grant Land, &c. for the Purposes of this Act.

Form of Conveyance.

Worship is to be erected or provided, and to which the Labours of the Minister, to be appointed as hereinafter directed to officiate at such additional Place of Worship, shall be confined: and if such Heritor or Heritors and Presbytery cannot agree, then they shall and they are hereby required to state the Matter to the Sheriff Depute of the County, who is hereby required to hear the Parties, or to receive a written Statement from them (if they think proper to make a written Statement), and to make a Report thereupon to the said Commissioners, who are hereby authorized upon receiving such Report to require further Information, if they think it necessary, and thereafter, or upon such Report, finally to determine and set apart such District: Provided nevertheless, that it shall be lawful for the Commissioners, before any such District is defined and set apart as aforesaid, 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 additional Place of Religious Worship in full Communion with the established Church of *Scotland*, 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 proper should be afforded to the Minister thereafter appointed pursuant to this Act to officiate at such additional Place of Worship; and the said Commissioners are hereby further authorized to proceed in the erecting or purchasing and fitting up the said Building or Buildings, as the Case may require, before any such District is defined and set apart as aforesaid.

VII. Provided always, and be it enacted, That upon the Representation of the Presbytery of the Bounds within which any such District shall be situate, it shall and may be lawful for the said Commissioners at any Time thereafter to alter such District, and to define and set apart a new District for any such additional Place of Worship.

VIII. And be it further enacted, That it shall and may be lawful for the said Commissioners to accept from any Heritor or Heritors, in any Parish in which such an additional Place of Worship shall be erected or provided, a Portion of Ground in Name of Glebe, and also to accept any Grant or Privilege of grassing in the Summer.

IX. And be it further enacted, That it shall and may be lawful for any Heir of Entail in *Scotland*, Trustee, Tutor and Curator of Minors, and every Person lawfully empowered to act for Persons under any legal Disability or Incapacity, with or without valuable Consideration, to give and grant, heritably and irredeemably, or in Lease, to the said Commissioners, such Land or Heritage belonging to them or under their Management, as may be necessary for all or any of the Purposes before specified; and such Heir of Entail shall not thereby be subject to nor incur any Forfeiture or Irritancy under any Deed of Entail, by virtue of which he or she may hold the said Land or Heritage.

X. And be it further enacted, That all Conveyances or Assurances which shall be made of any Lands and Heritages for the Purposes



Purposes of this Act, shall be made according to the following Form, or as near thereto as the Circumstances of the Case will admit :

‘ I [or we] of  
do hereby grant, dispo<sup>n</sup>e and convey to the Com-  
missioners acting in the Execution of an Act passed in the  
Fifth Year of the Reign of His Majesty King *George the Fourth*,  
intituled [*here set forth the Title of this Act*], [*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 or Persons as they shall appoint,  
to be devoted for ever to the Purposes specified in and by  
virtue of and according to the true Intent and Meaning of the  
said Act passed in the Fifth 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 Descriptions*  
*of Witnesses, 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 par-  
ticular Register of Sasines, and shall thereupon be valid and  
effectual in Law to all Intents and Purposes, and shall be a com-  
plete 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, or of any Lease to be granted under the Powers con-  
tained in this Act, any Law to the contrary notwithstanding.

XI. And be it further enacted, That the Size and Description,  
of the Building for any such Place of Religious Worship, and of  
a Dwelling House for the Minister, with Offices as aforesaid, and  
the Manner in which the same shall be executed and completed or  
purchased and fitted up, shall be ascertained and settled by the  
said Commissioners acting in the Execution of this Act, together  
with the Expence thereof and of inclosing 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.

XII. Provided always, and be it further enacted, That after  
the Erection or Purchase of any such Place of Worship, Building  
or Premises, shall have been completed by the said Commis-  
sioners, the same is hereby and shall for ever continue to be ap-  
propriated for the Purposes of this Act.

XIII. And be it further enacted, That the said Commis-  
sioners acting in the Execution of this Act, upon being satisfied  
in respect of the Completion of any additional Place of Worship,  
and of a Dwelling House and Appurtenances for the Minister,  
shall ascertain and fix the Stipend which shall be paid and pay-  
able to the Minister to be nominated and appointed to officiate at  
any such Place of Worship, from the Term of *Whitsunday* or  
*Michaelmas* immediately preceding the Date of his Admission  
thereunto by the Presbytery of the Bounds, and which Stipend  
shall

Conveyances to  
be registered.

No Stamp  
Duty.

Size and De-  
scription of  
Building to be  
settled by the  
Commissioners.

Church when  
completed ap-  
propriated for  
the Purposes  
of Act.

Amount of  
Minister's  
Stipend, in-  
cluding Com-  
munion Ele-  
ments, not to  
exceed 120*l.*  
per Annum.

shall not exceed the Sum of One hundred and twenty Pounds per Annum in any Case (including the Sum necessary for Communion Elements, which shall be provided by and at the Expence of the said Minister), which Stipend, on the Issue thereof in Manner hereinafter mentioned, shall not be subject to any Exchequer Fees, Stamp Duties or other Deductions whatsoever; and the said Commissioners shall certify the Amount of the same under their Hands to the said Barons of the Exchequer in *Scotland*; whereupon and thereafter the said Barons shall issue their Precepts for the Payment of such Stipend Half yearly, at such Two Terms in the Year during the Incumbency of the Person entitled to the same, and in such Manner as hereinafter is mentioned.

Completion of Church to be certified, and Amount of Stipend paid to Minister.

50 G.3. c.84.

Presentation of Ministers to be in His Majesty.

XIV. And be it further enacted, That the said Commissioners shall certify to His Majesty's Secretary of State for the Home Département the Completion of such additional Place of Worship and Premises as the Case may be, and the Amount of the Stipend to be paid and payable to the Minister officiating thereat, which shall be paid to such Minister by the Receiver General of *Scotland*, out of any Public Money for the Time in his Hands, at such Terms in the Year, and in such Manner as the Augmentation of Stipends made by virtue of an Act passed in the Fiftieth Year of the Reign of His late Majesty *George* the Third, intituled *An Act for augmenting Parochial Stipends in certain Cases in Scotland*, is by that Act directed to be paid; 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, by the Death, Resignation, Deprivation or Removal of the Incumbent to another Living, to nominate and appoint a fit Person to be the Minister of such Place of Worship, within Six Calendar Months after the Date of such Intimation to His Majesty's Secretary of State, or after the Date of the said Vacancy, to whom the aforesaid Stipend shall be paid and payable in the Manner hereinbefore directed; and if no such Minister shall be nominated or appointed by His Majesty, within the Space of Six Calendar Months, it shall in that Event be lawful for the Presbytery of the Bounds within which such Place of Worship is situated, according to the Law of *Scotland* in like Cases, *jure devoluto*, to nominate and appoint a fit Person to be Minister of the said Place of Worship, who shall be authorized, on his Admission to the said Place of Worship, to discharge all the Duties required of the Minister thereof, and shall thereupon become empowered and enabled to receive all the Emoluments belonging to his Situation as Minister aforesaid, in the same Manner and to the same Effect, and with the same Right and Title, as if he had been nominated by His Majesty.

Presentation to be laid before Presbytery for Admission of Nominee.

XV. And be it further enacted, That such Nomination shall be laid before the Presbytery within whose Bounds the said Place of Worship shall be situated, along with a Letter of Acceptance by the Person so nominated, his Licence and Testimonials, and a Certificate of his Qualification to Government, if such Person shall not have been previously ordained, and if previously ordained, an Extract of such previous Ordination; and thereupon the Person so nominated, if found on Trial to be qualified, shall be admitted to be Minister of the said Place of  
Worship

Worship by the said Presbytery of the Bounds, according to the Law and Practice and the accustomed Forms of the Church of Scotland; and when the Person so nominated shall be admitted and ordained as aforesaid, he shall be thereby entitled and bound to discharge, within the District for the behoof of which the said Place of Worship shall have been erected or provided, all the Duties of a Minister of the Church of Scotland, save and except the Right and Duty of Church Discipline, and shall be in all respects subject to the Discipline and Government of the Church of Scotland by Presbyteries, Provincial Synods and General Assemblies, as by Law unalterably established.

XVI. And be it further enacted, That it shall and may be lawful for the Minister and Kirk Session of the Parish or Parishes to which the District attached to any such Place of Worship belongs, to make such Provision for the Attendance of Members of the said Kirk Session or Kirk Sessions (being Inhabitants of the District attached to the additional Place of Worship), to officiate as Elders at the said Place of Worship, as to them shall seem necessary and expedient, and as is customary by the Practice and Forms of the Church of Scotland for the Attendance of Elders at Parish Churches; and that the Minister of the District, together with these Elders, shall give Direction in all Things relative to the additional Church of the District.

Provision for Elders to additional Places of Worship.

XVII. And be it further enacted, That the Minister and Elders officiating at such Place of Worship shall be and they are hereby enabled and required to make weekly and other Collections for the Poor of the District, to be assigned to such additional Place of Worship, and to receive and apply voluntary Donations or charitable Contributions in the same Manner, and to the same Extent, and for the same Uses and Purposes, within the District, but subject to the same Rules and Regulations as is now competent to the Ministers and Kirk Sessions of Parish Churches, and subject also to the Controul and Direction of the Kirk Session and Heritors of the Parish or Parishes to which the said District belongs: Provided always, that the Poor within the said District, in the event of the said Collection or voluntary Contributions being insufficient for their Relief, shall retain their Claim (as it may now exist by Law for Relief) upon the Parish or Parishes to which they may belong; and with and under this express Provision and Declaration, and it is hereby expressly provided and declared, that the Minister and Elders of the said additional Place of Worship shall be bound and obliged, as they are hereby expressly directed and required, to keep a regular Record of their Receipts and Disbursements, and to produce the same to the Kirk Session or Kirk Sessions and Heritors of the Parish or Parishes in which the said District shall be situated, and to the Presbytery of the Bounds, as often as they shall be required so to do.

Provision for Collections for Poor at Doors of additional Places of Worship, &c.

If Collections insufficient, Poor to retain their Claim on Parishes.

Ministers, &c. to keep Accounts, and produce when required.

XVIII. And Whereas it is necessary that effectual Provision should be made for the Repair of the said additional Places of Worship, and Dwelling Houses and Premises thereto attached, after they shall have been built or provided; Be it further enacted, That with respect to every such additional Place of Worship, the Heritor or any Two of Heritors applying for the same

Provision for Repair of additional Churches, &c.

and of Dwelling Houses of Ministers.

Limiting Expence of Repairs by Heritors.

Application of Pew Rents.

Limiting the Expence to the Minister.

Regulations for letting of Pews.

same, his or their Heirs and Successors in the Lands situated within the District for which such additional Place of Worship shall be set apart, to be specified and described for that Purpose, shall by such Application be and become bound to keep and maintain such additional Place of Worship in good and sufficient Repair to the Extent hereinafter limited; (that is to say): Provided always, that the Pew Rents of such additional Place of Worship shall be applied towards the Repair of such additional Place of Worship, and also of the Dwelling House and Offices of the Minister, in the first Instance, under the Directions of the Surveyor appointed by the Commissioners, and in Default of his giving such Directions during One whole Year, then under the Directions of the Heritor or Heritors undertaking for the Repair of such additional Place of Worship, of the Minister, and of the officiating Elders, who are also empowered hereby to give Direction for small Repairs at any Time when requisite; and provided further, that after the Application of the Pew Rents, the Expence to be defrayed by the said Heritor or Heritors so applying, his or their Heirs and Successors as aforesaid, shall not in any one Year exceed the Sum of One *per Centum* upon the Amount of the Money originally expended in building or purchasing and completing such additional Place of Worship, (or in case of Gift of any Building for that Purpose, in like Manner not exceeding One *per Centum* upon the original Value of the same, as estimated by the Surveyor of the Commissioners,) to which Extent and no further the said Heritor or Heritors shall be compellable to repair the same, in such Manner as Heritors are compellable by Law to repair Parish Churches in *Scotland*; and with respect to the Dwelling House and Offices of the Minister officiating at any such additional Place of Worship, the same shall be kept and maintained in good and sufficient Repair by such Minister for the Time being: Provided always, that the Pew Rents of such additional Place of Worship shall be set apart and applied as well to the Repair of such Dwelling House and Offices as to the Repair of such additional Place of Worship, in the first Instance, in Proportion to the first Cost or Value of such Place of Worship and of such Dwelling House respectively, and in Manner as aforesaid; and provided further, that the Expence to be defrayed by the said Minister for the Time being shall not in any one Year exceed the Sum of Two *per Centum* upon the estimated original Value of the same, or upon the Amount of the Money expended in building and completing such Dwelling House and Offices.

XIX. And be it further enacted, That the Manner of letting Pews in the additional Places of Worship shall be settled as agreed upon by and between the Heritor or Heritors who undertake for the Repair of the additional Places of Worship as aforesaid, and the Minister for the Time being: Provided always, that in no Case whatever shall the Pew Rent exceed the Sum of Two Shillings and Sixpence *per Annum* for each Sitting; and if they cannot agree, then they shall and they are hereby required to state the Matter to the Sheriff Depute of the County, who is hereby required to hear the Parties, or to receive a written Statement from them, (if they think proper to make a written Statement), and to make a Report thereupon to the said Commissioners.

sioners, who are hereby authorized upon receiving such Report to require farther Information, if they think it necessary, and thereafter, or upon such Report, finally to settle the Manner of letting the Pews thereof: Provided always, that One sufficient Pew shall be set apart and appropriated Rent free for the Accommodation of the Family of the Heritor who undertakes wholly or principally for the Repair of the additional Place of Worship as aforesaid, and another Pew in like Manner for the Accommodation of the Family of the Minister officiating in the District, and another Pew for the officiating Elders: And provided also, that not less than One third Part of the said Place of Worship shall be set apart as free Seats, for all Persons frequenting the same, unless the Commissioners shall upon some special Representation see fit to direct otherwise.

Pews set apart.

Free Seats.

XX. And Whereas it may reasonably be expected that the Expence of upholding the additional Place of Worship and the Dwelling House of the Ministers will be of small Amount during several Years after the Erection or Acquisition thereof, by the Commissioners, whereby the Pew Rent may probably accumulate in the Hands of the Minister and officiating Elders, to whom in all Cases the same shall be payable; Be it therefore enacted, That when and so soon as a Balance of Twenty Pounds Sterling and upwards shall appear to have accumulated upon Receipt of the Half yearly Pew Rent due at *Martinmas* in every Year, it shall be lawful for the Minister and officiating Elders, and they are hereby directed and required, to pay the same into the Bank of *Scotland*, or some Branch Bank thereof, or some other chartered Bank, in the Name of Two of themselves hereunto appointed from time to time, as may be deemed requisite and proper by the Majority of them.

Pew Rent Accumulation to be paid into the Bank.

XXI. And be it further enacted, That the Money so paid into Bank may be drawn out and expended for the Purpose of upholding in due Repair or improving the Fabric of the additional Place of Worship, or Dwelling House of the Minister, (in Proportion to the First Cost or Value of such Place of Worship or Dwelling House respectively), and for no other Purpose whatsoever.

Money to be drawn out to keep the Church in Repair.

XXII. And be it further enacted, That all Pew Rents shall be payable in advance; (that is to say), One Year's Rent shall be paid on Admission to the Pew or Seat, if such Admission shall take place at *Whitsunday* or *Martinmas*, or if at any intermediate period, then for the Proportion of the Half Year to *Whitsunday* or *Martinmas*, together with a Half Year's Rent over and above such Proportion, and thereafter Half yearly Payments shall be made in advance, commencing on the *Whitsunday* or *Martinmas* immediately following the Admission to such Pew or Seat; and every such Pew or Seat shall be forfeited and become vacant by the Discontinuance of any such Payment in advance for Two following Half Years.

Pew Rent Payments regulated.

XXIII. And be it further enacted, That the Rights and Interests of the respective Ministers who may be appointed to officiate at the Places of Worship erected or set apart under the Authority of this Act shall, in case of their Decease, Removal or Resignation, cease and determine, and shall be regulated at the same

Rights and Interests of Ministers of Churches under this Act regulated as those of Parochial Clergy.

Terms of *Whitsunday* or *Michaelmas*, and in the same Manner as the Rights and Interests of the Parochial Clergy of *Scotland* in their Parochial Stipends cease and determine, and are regulated by the Law of *Scotland*; and that in like Manner the Rights and Interests of their Successors appointed to officiate at such Places of Worship shall commence and vest at the Terms of *Whitsunday* or *Michaelmas* immediately preceding their Admission to their respective Places of Worship, in like Manner as the Rights and Interests of the Parochial Clergy of *Scotland* in their Stipends do commence and vest by the Law of *Scotland*.

Rights of Executors, &c. of Ministers also so regulated.

XXIV. And be it further enacted, That the Widow or nearest of Kin of the Minister appointed to officiate at such Place of Worship shall be entitled to draw One Half yearly Moiety of the Stipend payable under the Authority of this Act in the Name of *Ann*, over and above the Proportion of Stipend or Allowance that may have been due to the Minister deceasing, in the same Manner as is directed by the Law of *Scotland* with respect to the Parochial Stipends of the Clergy of *Scotland*, and Payment of the said Moiety in the Name of *Ann* shall be made in the Manner above directed for the Payment of Stipend for the Ministers officiating at such Places of Worship to those having Right thereto by the Law of *Scotland*, upon their Receipt, without the Necessity of Confirmation or other Title to be made up in their Behalf.

Other Rights and Interests of Ministers how regulated.

XXV. And be it further enacted, That all Questions which may arise in Courts of Law respecting the Rights of the Ministers appointed to officiate at such Places of Worship, or regarding their civil and patrimonial Interests in their respective Situations, and all Questions which may arise respecting the Administration of the weekly or other Collections made at such Places of Worship, shall be judged of and determined respectively according to the Law of *Scotland* respecting the Rights and Interests of Parochial Clergy, and respecting the Administration and Distribution of the Collections made at Parish Churches, in so far as may be consistent with the Provisions of this Act; and regard being always had to the Consideration, that the District set apart for the Duties of such Minister, appointed as aforesaid, is not disjoined from the Parish or Parishes to which it belongs, or erected into a separate Parish; and that the Elders officiating at such Place of Worship do not, along with such Ministers, form any separate and distinct Kirk Session, and cannot derive any Authority as such from the Provisions of this Act, but are merely Members of the Kirk Session or Kirk Sessions of the respective Parish or Parishes in which the District has been set apart, and have no Authority or Jurisdiction except such as by Law belongs to them as Members of such Kirk Session or Kirk Sessions, and acting as Members of Meetings of the same.

Proviso for Discipline and Government of the Church.

XXVI. And be it further enacted, That nothing contained in this Act shall interfere with or be construed to interfere with the Discipline and Government of the Church of *Scotland*, by Kirk Sessions, Presbyteries, Provincial Synods and General Assemblies as by Law unalterably established; and the Ministers appointed to officiate at the Places of Worship erected or set apart under the Authority of this Act shall be in all respects subject to the Eccle-

Ecclesiastical Superintendance and Government of the Church of Scotland, according to the Laws of that Church.

XXVII. Provided always, and be it further enacted, That the Number of additional Places of Worship to be established under the Provisions of this Act shall not at any Time exceed Forty.

Number of Churches under this Act.

XXVIII. And Whereas in some Parts of the Highlands and in some of the Islands of Scotland there are Places of Religious Worship to which a Minister may occasionally resort for the Purpose of performing Divine Service, to some of which Places of Worship it may be expedient that a Minister should be appointed, for whom a Dwelling House with a Garden should be provided, and a Stipend should be settled in the Manner directed by this Act; Be it therefore enacted, That in Addition to the Number of Forty Additional Places of Worship that may be established under this Act, it shall and may be lawful for the said Commissioners to put in sufficient Repair any Number not exceeding Ten of such Places of Religious Worship, to which a Minister may occasionally resort for the Purpose of performing Divine Service, and to provide a Dwelling House with a Garden, and to settle a Stipend for the Minister to be appointed to any such Place of Worship in the Manner directed by this Act; and the same Course shall be followed in the Case of any such additional Place of Worship and Dwelling House, and the Minister thereof, as is directed by this Act to be followed in the Case of any other additional Place of Worship, Dwelling or Minister established by virtue thereof.

Provision with reference to particular Places of Worship.

XXIX. And be it further enacted, That it shall and may be lawful for the said Commissioners, in Execution of this Act, to consider any extra-parochial Place in the Highlands or Islands of Scotland as a Parish, and they are hereby authorized to proceed accordingly; and in case of the Absence of any Heritor or Heritors from the Realm, they are hereby empowered to entertain any Application of his accredited Agent or Factor for his Behoof, in all Matters relative to the Execution of this Act.

Extra-parochia Places deemed Parishes.

XXX. 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 Three 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, and such Monies may and shall be issued out of any Part of the Public Monies remaining in His Majesty's Exchequer at Westminster; 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 Account than before the said Commissioners of the Treasury; 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

Treasury to issue Money for defraying the Expences incurred in Execution of this Act.

Commissioners  
to report to  
Parliament.

shall be laid before both Houses of Parliament once in every Year; and the said Commissioners acting in the Execution of this Act shall also 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.

C A P. XCI.

An Act to consolidate and amend the Laws for enforcing the Residence of Spiritual Persons on their Benefices; to restrain Spiritual Persons from carrying on Trade or Merchandize; and for the Support and Maintenance of Stipendiary Curates, in Ireland. [21st June 1824.]

36 H. 6. c. 1.  
(1.)

10 & 11 C. 1.  
c. 2. (1.)

6 G. 1. c. 13.  
(1.)

1 G. 2. c. 92.  
(1.)

40 G. 3. c. 27.  
(1.)

48 G. 3. c. 66.

‘ **W**HEREAS several Acts were passed in the Parliament of Ireland, that is to say; one Act in the Thirty sixth Year of the Reign of His Majesty King *Henry* the Sixth, intituled *An Act that beneficed Persons shall keep Residence*; one other Act in the Tenth and Eleventh Years of the Reign of His Majesty King *Charles* the First, intituled *An Act to enable Restitutions of Impropriations and Tithes, and other Rights Ecclesiastical, to the Clergy, with a Restraint of aliening the same, and Directions for Presentation to the Churches*; one other Act in the Sixth Year of the Reign of His late Majesty King *George* the First, intituled *An Act for the better Maintenance of Curates within the Church of Ireland*; one other Act in the First Year of the Reign of His Majesty King *George* the Second, for explaining and amending the said Act of the Sixth Year of King *George* the First, for the better Maintenance of Curates within the Church of Ireland; and one other Act in the Fortieth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the further Support and Maintenance of Curates within the Church of Ireland*: And Whereas an Act was passed in the Parliament of the United Kingdom of *Great Britain and Ireland*, in the Forty eighth Year of the Reign of His said late Majesty, intituled *An Act for enforcing the Residence of Spiritual Persons on their Benefices in Ireland*: And Whereas Doubts have arisen upon the Construction of some of the Provisions of the said Acts, and it is therefore necessary that such Provisions of the said Acts should be explained, and other Provisions made, and that the several Laws for enforcing of Residence, and the Maintenance of Stipendiary Curates in *Ireland*, should be amended; and that Spiritual Persons in *Ireland* should in certain Cases be restrained from buying and selling: 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 recited Act passed in the Reign of His Majesty King *Henry* the Sixth, and so much of the said recited Act of His Majesty King *Charles* the First, as relates to Gifts, Grants, Alienations, Forfeitures, Charges and Incumbrances imposed, laid or suffered by any Minister or other Beneficer

Recited Acts  
of 36 H. 6.

10 & 11 C. 1. as  
to Alienation,  
&c. by the  
Clergy;



Beneficer therein mentioned, or by any Parson, Vicar or other Beneficer having Cure of Souls, and to Residence of Spiritual Persons on their Benefices; and also so much of the said recited Acts of the Parliament of *Ireland*, made in the Sixth Year of King *George* the First, and in the First Year of King *George* the Second, and in the Fortieth Year of King *George* the Third, as relates to the Maintenance of Curates within the Church of *Ireland*, and making Provisions for appointing Stipends for such Curates; and the whole of the said recited Act passed in the Forty eighth Year of the Reign of King *George* the Third shall be and the same are respectively hereby repealed.

6 G. 1., 1 G. 2., and 40 G. 3. as to Maintenance of Curates;

48 G. 3. c. 66. repealed.

II. And be it further enacted, That no Spiritual Person having or holding any Dignity, Prebend, Canonry, Benefice, Stipendiary, Perpetual or Improprate Curacy or Lectureship, shall, by himself, or by any other for him or to his Use, act as Treasurer of any County, or engage in or carry on any Trade or Dealing for Gain or Profit, or be an Agent or Factor for any Estate, or deal in any Goods, Wares or Merchandize, by buying and selling for Lucre, Gain or Profit in any Market, Fair or other Place, upon Pain of forfeiting the Value of the Goods, Wares and Merchandizes by him or by any to his Use, bargained and bought to sell again, contrary to the Provisions of this Act; and that every Bargain and Contract so made by him or by any to his Use, in any such Trade or Dealing or Agency, contrary to this Act, shall be utterly void and of none Effect; and the One Half of every such Forfeiture shall go to His Majesty, and the other Half to him that will sue for the same.

No Spiritual Person beneficed, or performing Ecclesiastical Duty, to engage in Trade, or buy to sell again for Profit or Gain.

III. And be it further enacted, That nothing in this Act contained, in relation to being engaged in Trade or Dealing, or buying or selling, shall extend or be construed to extend to, or to subject to any Penalty or Forfeiture any Spiritual Person for keeping a School or Seminary, or acting as a Schoolmaster or Tutor or Instructor, or being in any Manner concerned or engaged in giving Instruction or Education for Profit or Reward, or for buying or selling, or doing any other Act, Matter or Thing in the Conduct of or carrying on, or in relation to the Management of any such School, Seminary or Employment; or to any Spiritual Person whatever for the buying of any Goods, Wares or Merchandizes, or Articles or Things of any Description, which shall, without Fraud or Covin, be bought to the Intent and Purpose, at the buying thereof, to be used and employed by the Spiritual Person buying the same for his Family or in his Household; and after the buying of any such Goods, Wares or Merchandizes, or Articles or Things, the selling the same again or any Parts thereof which such Person may not want or choose to keep, although the same shall be sold at any advanced Price beyond that which may have been given for the same, or for any buying or selling again for any Lucre, Gain or Profit of any Matter of Cattle or Corn, or other Matters or Things whatever, necessary, proper or convenient to be bought, sold, kept or maintained by any Spiritual Person, or any other Person for him or to his Use for the Occupation, Manuring, Improving, Pasturage or Profit of any Glebe, Demesne, Farms, Lands, Tenements or Hereditaments which may be lawfully held and occupied, possessed

Proviso for Spiritual Persons keeping Schools, or as Tutors, &c. in respect of any Thing done in such Employment, or for the Use of the Family, or occupying any Glebe, &c.

but not for  
selling Cattle, &  
&c. in Markets  
&c. in Person.

Nonresidence  
without Licence  
exceeding  
Three and not  
exceeding Six  
Months.

Penalty.

exceeding Six  
and not exceed-  
ing Eight  
Months for the  
whole Year.

Penalty.

Where no  
House belong-  
ing to the Be-  
nefice, &c.  
Residence with-  
in the Limits  
of Parish, &c.  
deemed legal  
Residence.

Houses pur-  
chased by Trust-  
ees of First  
Fruits deemed  
Residences.

and enjoyed by such Spiritual Person, or any other for him or to his Use: Provided always, that nothing herein contained shall extend or be construed to extend to authorize any such Spiritual Person to sell any Cattle or Corn or other Matters or Things as aforesaid in Person in any Market, Fair or Place of public Sale.

IV. And be it further enacted, That from and after the passing of this Act, every Spiritual Person holding any Benefice who shall, without any such Licence or Exemption as is in this Act allowed for that Purpose, wilfully absent himself therefrom for any Period exceeding the Space of Three Months together, or to be accounted at several Times in any one Year, and make his Residence and Abiding at any other Place or Places, except at some other Benefice, Donative, Perpetual Curacy or Parochial Chapelry, of which he may be possessed, shall, when such Absence shall exceed such Period as aforesaid, and not exceed Six Months, forfeit and pay One Third of the annual Value (deducting therefrom all Outgoings, except any Stipend paid to any Curate), of the Benefice, Donative, Perpetual Curacy or Parochial Chapelry from which he shall so absent himself as aforesaid; and when such Absence shall exceed Six Months, and not exceed Eight Months, One Half of such annual Value; and when such Absence shall exceed Eight Months, Two Thirds of such annual Value; and when such Absence shall have been for the Whole of the Year, Three Fourths of such annual Value; to be recovered by Action of Debt, Bill, Plaint or Information in any of His Majesty's Courts of Record at *Dublin*, wherein no *Escoign*, Privilege, Protection or Wager of Law, or more than One *Imparlane*, shall be allowed; and the Whole of every such Penalty or Forfeiture shall go and be paid to the Person or Persons who shall inform and sue for the same, together with such Costs of Suit as shall be allowed, according to the Practice of the Court in which such Action shall be brought.

V. And be it further enacted, That every Spiritual Person having any Benefice, and who shall not have any House of Residence thereon, and who shall have resided Nine Months in the Year within the Limits of his Benefice, or within the Limits of the City, Town, Place or Parish in which his Benefice may be situated, provided such last mentioned Residence be within the Distance of Two Miles from the Church or Chapel of his Benefice, shall not be liable to any Penalties on account of Nonresidence, nor be obliged to take out any Licence in respect thereof, but that the same shall be deemed a legal Residence to all the Intents and Purposes of this Act; and in all Returns made by the Bishops, Persons so residing shall be returned as resident.

VI. And Whereas the Trustees and Commissioners of the First Fruits of Ecclesiastical Benefices in *Ireland* may have in some Instances purchased and may hereafter purchase Houses not situate within the Parishes for which they are purchased, but so contiguous as to be sufficiently convenient and suitable for the Residence of the officiating Ministers thereof; Be it therefore enacted, That such Houses, having been previously approved by the Bishop, by Writing under his Hand and Seal, and duly registered in the Registry of the Diocese, shall be deemed

Houses

Houses of Residence appertaining to such Benefices, to all Intents and Purposes whatsoever.

VII. And be it further enacted, That in all Cases of Rectories having Vicarages endowed, the Residence of the Vicar in the Rectory House shall be deemed a legal Residence to all Intents and Purposes whatever; provided that the Vicarage House be kept in proper Repair, to the Satisfaction of the Bishop.

Rectories having Vicarages endowed, Residence of Vicar deemed legal.

VIII. And be it further enacted, That it shall be lawful for the Bishop, in every Case in which there shall not be a House of Residence belonging to any Benefice within his Diocese, to allow and adjudge any fit House within the Limits of such Benefice and belonging thereto, or any fit House belonging thereto not within the Limits, but so contiguous as to be sufficiently convenient for the Purpose, to be the House of Residence thereof; and such Allowance and Adjudication in Writing under the Hand and Seal of such Bishop shall thereupon be registered in the Registry of the Diocese from time to time; and such House shall thenceforth be deemed the House of Residence for the Time being to all Intents and Purposes whatsoever.

Power in Bishop to allow House belonging to Preference, as House of Residence.

IX. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to or in any Manner to affect any Person holding any of the Offices or Situations hereafter mentioned; that is to say, any Master or Preacher of any Hospital, or of any incorporated charitable Foundation in *Ireland*, during the Period for which he may be required to reside, by any Charter or Statute of any such Hospital or incorporated charitable Foundation, or by any other lawful Authority in the same, and shall actually reside and perform the Duties therein; or any Vicar General or principal Surrogate, or Official in any Ecclesiastical Court of any Diocese, whilst they are respectively residing in the Places where their respective Offices are exercised; or any Chaplain or Chaplains of the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, provided that every such Chaplain shall have a Certificate from such Lord Lieutenant or other Chief Governor or Governors, or his or their Chief Secretary, that he is Resident in *Dublin*, or near the Person of such Lord Lieutenant or other Chief Governor or Governors, and is occupied by the Duty of his Office as such Chaplain; or any Chaplain of any Archbishop or Bishop, or of any Peer of *Ireland*, during such Time as such Chaplain shall abide and dwell, and daily attend in the Performance of his Duty as Chaplain in the Household to which he shall belong within *Ireland*; or the Provost or any Fellow of or any Professor or public Officer in the College of the Holy and Undivided Trinity near *Dublin*, or the Professor of Astronomy at *Armagh*, during the Period for which any such Provost, Fellow, Professor or Officer may respectively be required to perform the Duties of any such Office, and shall actually perform the Duties of the same; or any Schoolmaster of any School founded and endowed by His Majesty or any of His Royal Predecessors, or any Diocesan Schoolmaster during such Time as such Schoolmaster shall actually reside at such School and perform the Duties of a Schoolmaster therein; or any Person who shall be specially

Proviso for Masters of Hospitals and Charities;

Vicars General, Surrogates or Official;

Certified Chaplains of Lord Lieutenant;

Chaplains of Archbishops, Bishops and Peers;

Provost, &c. of Trinity College; Schoolmasters of certain Schools;

Persons exempted by special Acts.

specially exempted from Residence under the Provisions of any Act or Acts of Parliament not repealed by this Act.

For Dignitaries residing at Cathedral Churches.

X. And be it further enacted, That it shall be lawful for any Spiritual Person being Dean, during such Time as he shall reside upon his Deanery, or holding any other Dignity, or being Prebendary or Canon in any Cathedral or Collegiate Church or Churches, who shall reside any Period not exceeding Four Months altogether within the Year upon such Dignity, Prebend or Canonry, to account such Residence as if he had legally resided on some Benefice, provided he keep a resident Curate on his Benefice: Provided always, that it shall be lawful for any Spiritual Person having or holding any Prebend, Canonry or Dignity in any Cathedral or Collegiate Church, in which the Year for the Purposes of Residence is accounted to commence at any other Period than the First Day of *January*, and who may keep the Periods of Residence required for Two successive Years at such Cathedral or Collegiate Church in Whole or in Part, between the First Day of *January* and the Thirty first Day of *December* in any one Year, to account such Residence, although exceeding Four Months in the Year, as reckoned from the First Day of *January* to the Thirty first Day of *December*, as if he had legally resided on some Benefice; any Thing in this Act contained to the contrary notwithstanding.

For Cases in which Residence at Cathedrals commences other than on the First of January.

Bishop may license for a longer Period of Nonresidence, if the Duties of a Cathedral require it.

XI. And be it further enacted, That it shall be lawful for the Bishop of the Diocese in which any Benefice shall be locally situate, to license any longer Period of Nonresidence upon any such Benefice of any Dean or Person holding any other Dignity in any Cathedral or Collegiate Church, or of any Prebendary or Canon in any Case in which it shall appear to such Bishop from his own Knowledge, if such Cathedral or Collegiate Church is locally situate within his own Diocese, or if not, by the Certificate of the Bishop of the Diocese in which the Cathedral or Collegiate Church shall be locally situate, to be required for the Performance of any Duties in any such Cathedral or Collegiate Church, provided that every such Spiritual Person shall during such Period reside on such Prebend, Canonry or Dignity.

Proviso for Prebendaries, &c. appointed before this Act.

XII. Provided always, and be it further enacted, That no Spiritual Person appointed to any Prebend, Canonry or Dignity in any Cathedral or Collegiate Church before the passing of this Act, shall be subject to any Penalty or Forfeiture for Nonresidence upon any Benefice during the Period of his actually residing upon such Prebend, Canonry or Dignity.

Persons having House of Residence on their Benefice to forfeit the Exemption, if House not kept in Repair.

XIII. And be it further enacted, That every Spiritual Person having any House of Residence upon his Benefice, who shall not reside thereon, shall, during such Period or Periods of Nonresidence, whether the same shall be for the Whole or Part of any Year, keep such House of Residence in good and sufficient Repair; and that every such Spiritual Person who shall not keep such House of Residence in Repair, and who shall not, upon Monition issued by the Bishop of the Diocese in which the same shall be locally situate, put the same in Repair, according to the Requisition of such Monition, within the Time specified therein, to the Satisfaction of the Bishop of the Diocese, and to be certified to the Bishop upon such Survey and Report as shall be

be required by the Bishop in that Behalf, shall be liable to all Penalties for Nonresidence, notwithstanding any Exemption or Licence during the Period of such House of Residence remaining out of Repair, and until the same shall have been put in good and sufficient Repair, to the Satisfaction of the Bishop of the Diocese.

XIV. And be it further enacted, That from and after the passing of this Act, it shall be lawful for any Bishop, upon Application made for that Purpose, by Petition in Writing by any Spiritual Person, or by any fit and proper Person, on Behalf of any Spiritual Person having or holding any Benefice locally situated within his Diocese, upon such Proofs as to any Facts stated in any such Petition, as any such Bishop may think necessary and shall require, by Affidavit made before any Ecclesiastical Judge or his Surrogate, or any Justice of the Peace or Magistrate, or any Master Extraordinary in Chancery (which Oath any such Ecclesiastical Judge or Surrogate, or Justice of the Peace or Magistrate, or Master Extraordinary in Chancery, is hereby authorized and required to administer), to grant, in such Cases as are in this Act enumerated, in which, upon due Consideration of all the Circumstances stated in any such Application, and verified to the Satisfaction of the Bishop as aforesaid, such Bishop shall in his Discretion think it fit to grant the same, a Licence in Writing under his Hand, expressing the Cause of granting the same to such Spiritual Person to reside out of the Parish, or out of the proper House of Residence of his Benefice, for the Purpose of exempting such Person from any pecuniary Penalty or Forfeiture in respect of any Nonresidence thereon; (that is to say), to any Spiritual Person who shall be prevented from residing in the proper House of Residence, or in the Parish, by any actual Illness or Infirmary of Body, of himself or of his Wife or Child, making part of and residing with him as part of his Family; and also to any Spiritual Person having or holding any Benefice whereupon or wherein there shall be no House of Residence, or where the House of Residence shall be unfit for the Residence of such Spiritual Person, such Unfitness not being occasioned by any Negligence, Default or other Misconduct of such Spiritual Person, and such Spiritual Person keeping such House of Residence in Repair to the Satisfaction of the Bishop; and also to any Spiritual Person having or holding any Benefice, and occupying, in the Parish of the same respectively, any Mansion or Messuage, to reside in such Mansion or Messuage, such Spiritual Person keeping the House of Residence and other Buildings belonging thereto in good and sufficient Repair and Condition, and producing to the Bishop Proof to his Satisfaction at the Time of granting and renewing any such Licence, of such good and sufficient State of Repair; and also to any Spiritual Person having or holding any Benefice of small Value, and serving as a licensed Stipendiary Curate elsewhere, and providing for the serving such his Benefice to the Satisfaction of such Bishop; and also to any Usher of any endowed School duly licensed by the Bishop, and actually employed in teaching therein, or to any Person holding any endowed Lectureship or endowed Chapelry, or endowed Preachership, and performing and executing the Duties thereof respectively, with the Licence

Bishop may grant Licences for Nonresidence in certain Cases herein enumerated.

Licence to be in Writing and under the hand of Bishop.

**Fee for Licences, 10s. over Stamp Duty.**

**Appeal to Archbishop.**

**Security for Payment of Expences.**

**In cases not enumerated, Bishops may grant Licences and assign Salaries to Curates employed.**

**Reasons for granting them to be transmitted to the Archbishop for Examination and Allowance.**

Licence of the Bishop in whose Diocese he shall so officiate: Provided always, that the Spiritual Person obtaining any such Licence shall pay to the Secretary or Officer of the Bishop, the Sum of Ten Shillings, exclusive of and over and above the Stamp Duty chargeable thereon, and no more: Provided also, that if any Spiritual Person applying to any such Bishop for any such Licence shall think himself aggrieved by the Refusal thereof, it shall be lawful for such Spiritual Person to appeal to the Archbishop of the Province, who shall forthwith, either by himself or some Commissioner or Commissioners appointed from among the other Bishops of his Province, under his Hand, make or cause to be made Inquiry into the same, and by Writing signed by himself confirm such Refusal, or grant a Licence under this Act, as shall seem just and proper: Provided always, that in every such Case the Spiritual Person so appealing shall give Security to the Bishop for the Payment of such reasonable Expences, occasioned by the Appeal, as the Archbishop or his Commissioner or Commissioners shall award.

XV. And be it further enacted, That it shall be lawful for any such Bishop as aforesaid, in any Cases not hereinbefore enumerated, in which, under all the Circumstances of any such Case, such Bishop shall think it expedient to grant to any Spiritual Person possessed of any Benefice, a Licence to reside out of the Parish, or out of the proper House of Residence, as the Case may be, or as the Case may appear to such Bishop to require, to assign in any Case in which a Stipendiary Curate may be employed to do the Duty of such Spiritual Person, such Salary as he shall judge fit to appoint, due respect being had to the Value of such Benefice, and to all other Circumstances of the Case; and it shall also be lawful for any Bishop, in case of the Absence from the Realm of any Spiritual Person, to grant any such Licence, without any Application made for that Purpose, and from time to time, in any such Case, to renew any such Licence, as he shall think fit, and in every such Case to appoint a Stipendiary Curate, in case no Curate duly licensed should be then employed in serving such Benefice, and to assign a Salary to such Curate; or if any Curate shall have been and be then so employed, to assign any additional Salary to such Curate, or to appoint an additional Curate, and in every and any of such Cases, to cause such Salaries to be paid by Sequestration of the Profits of the Benefice: Provided always, that in every such Case respectively, the Nature and special Circumstances thereof, and the Reasons that have induced to grant such Bishop such Licence as aforesaid, shall be forthwith transmitted to the Archbishop of the Province to which such Bishop shall belong, who shall forthwith, by himself, or by some Commissioner or Commissioners appointed for that Purpose from among the Bishops of such Province, by Writing under his Hand, which Commissioner or Commissioners is and are thereupon authorized to take upon himself or themselves the Execution of the said Commission, examine into such Case, and make such Inquiries as to any Particulars relating thereto, as such Archbishop or Commissioner or Commissioners so appointed as aforesaid may think necessary; and after such Inquiries made by himself, or where the same shall be made by such Commissioner

missioner or Commissioners, after a Return of the Substance thereof in Writing to such Archbishop, such Archbishop shall thereupon allow or disallow such Licence in the Whole or in Part, or make any Alteration therein as to the Period for which the same may have been granted or otherwise, and likewise as to the Stipend assigned to the Curate, as to such Archbishop shall seem fit; and no such Licence shall be good, valid or effectual under this Act, for any Purpose whatever, unless it shall have been so allowed and approved by such Archbishop, such Allowance thereof being signified by the signing thereof by such Archbishop: Provided always, that it shall not be necessary in such Licence to specify the Cause of granting the same.

Allowance to be signed by Archbishop.

XVI. And be it further enacted, That no Licence granted under this Act shall be made void by the Death or Removal of the Bishop granting the same, but the same shall be and remain good and valid, notwithstanding any such Death or Removal, unless the same shall be revoked by the next or any succeeding Bishop, as the Case may require.

In what case only Licences to be void.

XVII. And be it further enacted, That every Application made by or in Behalf of any Spiritual Person holding any Benefice, Donative, Perpetual or Improprate Curacy or Parochial Chapelry, to the Bishop of the Diocese, for any Licence for Nonresidence, shall be in Writing, and shall be signed by the Person making the same, and shall state whether such Spiritual Person intends to perform the Duty himself, and if he does, where and at what Distance he intends to reside, or if he intends to employ a Curate, the Application shall state what Salary he proposes to give to his Curate, and whether the Curate proposes to reside, or not to reside, in the Parish, and if the Curate intends to reside, then whether in the Parsonage House, and if he does not intend to reside in the Parish, then the Application shall state at what Distance therefrom, and at what Place such Curate intends to reside, and whether such Curate serves any other Parish as Curate or Incumbent, or has any Ecclesiastical Preferment, or holds any Donative, Perpetual Curacy or Parochial Chapelry, or officiates in any other Church or Chapel; and such Application shall also state the gross Annual Value of the Benefice in respect of which any Licence for Nonresidence shall be applied for; and it shall not be lawful for the Bishop to grant any such Licence, unless the Application shall contain a Statement of the several Particulars aforesaid; and all such Applications and Specifications shall be kept and filed by the Registrar of the Diocese in a separate Book, which shall be kept and preserved for that Purpose; and such Book shall not be open to public Inspection or disclosed or Copies thereof made, except with the Leave in Writing of the Bishop of the Diocese.

Applications for Licence to be in Writing, and to state certain Particulars herein mentioned.

Applications, &c. kept and filed by Registrar of Diocese.

XVIII. And be it further enacted, That during the Vacancy of any See, or the Absence of the Bishop of the Diocese from that Part of the United Kingdom called *Ireland*, the Power of granting Licences under this Act, subject to the Regulations therein contained, shall be exercised by the Vicar General of the Diocese, or in case such Circumstances shall arise as shall disable the Bishop from exercising in Person the Functions of his Office, it shall be exercised by such Person or Persons as is or are lawfully

By whom Licences may be granted while a See is vacant, or Bishop absent, &c.

fully empowered to exercise his general Jurisdiction in the Diocese.

Licences may be revoked.

XIX. And be it further enacted, That it shall be lawful for any Bishop, who shall have granted any Licence for Nonresidence as aforesaid, or for any Successor or Successors of any such Bishop, to revoke any such Licence in any Case in which it may appear to him or them proper and expedient to revoke the same: Provided that any Spiritual Person may appeal against any such Revocation by the Bishop, in like Manner as is hereinbefore directed in case of any Refusal of any Licence: Provided also, that it shall be lawful for any Archbishop to whom such Appeal shall be made to order and direct such reasonable Fees and Charges to be paid by any Spiritual Person appealing as aforesaid, in respect of any such Proceedings as aforesaid, as he shall in his Discretion think fit: Provided also, that no Licence for Nonresidence granted under this Act shall continue in force for more than Three Years from the granting thereof, or after the Thirty first Day of *December* in the Second Year after the Year in which such Licence is granted.

Fees may be ordered to be paid by Appellants.

Limiting the Time of Licences.

Copies of Licences or Revocations to be filed in Registry of Diocese, List kept for Inspection;

Copies transmitted to Churchwardens;

Registrar neglecting to enter Licence or Revocation, *St.* Penalty.

Copy publicly read at First Visitation.

A List of Licences allowed by the Archbishop, or granted in his own Diocese,

XX. And be it further enacted, That every Bishop who shall grant or revoke any Licence for Nonresidence under this Act, shall and he is hereby required, within One Month after the Grant or Revocation of such Licence, to cause a Copy of every such Licence or Revocation to be filed in the Registry of his Diocese, and an Alphabetical List of such Licences and Revocations shall be made out by the Registrar of such Diocese, and entered in a Book, and kept for the Inspection of all Persons, upon Payment of the Sum of Three Shillings and no more; and a Copy of every such Licence with respect to any Benefice shall be transmitted by the Spiritual Person to whom the Licence is granted, to the Churchwardens of the Parish, Township or Place to which the same relates, or to One of them, within One Month after the Grant of such Licence; and every Bishop revoking any Licence shall cause such Revocation to be transmitted to the Churchwardens of the Parish, Township or Place to which it relates, or to One of them, which Copies shall be by them deposited in the Parish Chest; and every Registrar who shall neglect to enter the same shall forfeit for every Neglect of entering any such Licence or Revocation in any such List the Sum of Five Pounds, to be recovered by and for the Use of any Person who shall sue for the same, in like Manner as any Penalty may be recovered under the Provisions of this Act; and a Copy of every such Licence or Revocation shall likewise be produced by the Churchwardens, and publicly read by the Registrar or other Officer at the Visitation of the Diocese or Ecclesiastical District within which the Benefice in respect whereof the Licence shall have been granted or Revocation made shall be locally situate, immediately next succeeding the Granting or Revocation thereof.

XXI. And be it further enacted, That every Archbishop who shall in his own Diocese grant any Licence, or who shall allow or approve, in Manner directed by this Act, any Licence or Licences in any Case or Cases not enumerated in this Act, shall annually, on or before the Thirty first Day of *January* in each Year,



Year, transmit to the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, a List of all such Licences so granted or allowed or approved respectively as aforesaid, in the Year ending on the last Day of *December* preceding such Thirty first Day of *January*, and shall in every such List specify the Reasons which shall have induced him to grant, allow or approve the said Licences, together with the Reasons transmitted to him by the Bishops for granting any such Licences in their respective Dioceses; and 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 there, by an Order made for that Purpose, to revoke and annul any such Licence, from such Time as shall be mentioned in such Order; and in case any such Order shall be so made, the same shall be transmitted to the Archbishop who shall have granted or allowed or approved such Licence, who shall thereupon cause a Copy of every such Order made in relation to any Licence so allowed or approved, to be transmitted to the Bishop of the Diocese in which such Licence shall have been granted; and such Bishop shall cause a Copy of the mandatory Part of the Order to be filed in the Registry of such Diocese, and a like Copy to be delivered to the Churchwardens of the Parish to which the same relates, in Manner hereinbefore directed as to Revocation of Licences under this Act; and every such Archbishop shall cause a Copy of the mandatory Part of every such Order made in relation to any such Licence as aforesaid, granted by him in his own Diocese, to be in like Manner filed in the Registry of his Diocese, and a like Copy also to be delivered to the Churchwarden of the Parish to which such Licence shall relate, in Manner before mentioned: Provided always, that after the Time from which such Licence shall have been so revoked by Order in Council, the same shall nevertheless, in all Questions that shall have arisen or may thereafter arise, touching the Nonresidence of the Spiritual Person to whom the same shall have been granted, between the Period at which the same was granted or allowed or approved, and the Time at which the same shall be so revoked, as aforesaid be deemed and taken to be and to have been valid and effectual to all Intents and Purposes of this Act.

XXII. And be it further enacted, That on or before the Twenty fifth Day of *March* in every Year, a Return or Returns shall be made to His Majesty in Council by every Bishop, of the Names of every Benefice within his Diocese or subject to his Jurisdiction by virtue of this Act, and the Names of the several Spiritual Persons holding the same respectively who shall have resided; and also the Names of the several Spiritual Persons respectively who shall not have resided thereon by reason of any Exemption under or by virtue of this Act, or by reason of any Licence granted by such Bishop, for any and what Cause enumerated by this Act; and also of all Spiritual Persons not having any such Exemption or Licence, who shall not have resided on their respective Benefices, so far as the Bishop is informed thereof; and also the Names of all Curates licensed to serve any Benefice on which the Incumbent is not resident, and whether the gross annual Value of such Benefice amounts to or exceeds Three hundred

to be annually transmitted to Lord Lieutenant, in Council, &c. who may revoke Licences, &c.

Licence, although revoked, deemed valid between Grant and Revocation.

On or before 25th March annually, Return made to His Majesty in Council of every Benefice, and whether it exceeds the Value of 300l. or not, with Names of Residents and Nonresidents, &c.

Nonresidents by Exemption without Licence shall Yearly notify to the Bishop of the Diocese within a certain Period.

hundred Pounds *per Annum* or not, the Amount of the Curate's Salary and the Place of his Residence; and every Spiritual Person who shall be nonresident in any Year subsequent to the passing of this Act, by reason of Residence on any other Benefice or of any Exemption under this Act, and to entitle him to which it is not necessary to obtain any Licence under this Act, shall within Six Weeks from and after the First Day of *January* in every following Year, notify the same in Writing under his Hand to the Bishop of the Diocese to whose Jurisdiction he is subject by this Act, or otherwise in respect of such Benefice, specifying the Nature of such Exemption, and whether the gross annual Value of the Benefice on which he is nonresident amounts to or exceeds Three hundred Pounds *per Annum* or not; and every Spiritual Person who shall have more than one Benefice, and who shall reside on one of them, or who shall reside during any Period of the Year on any Dignity, or in the Performance of the Duties of any Office in any Cathedral or Collegiate Church, or who shall be nonresident for any Period of the Year on account of any of the Causes of temporary Exemption specified in this Act, shall in like Manner and within the like Period in each Year notify the same.

Persons neglecting to notify Cause of Exemption, Penalty 20*l.* Sequestration.

XXIII. And be it further enacted, That every Spiritual Person who shall neglect to make such Notification as by this Act is directed, within such Period of Six Weeks as aforesaid, shall forfeit and pay for every such Offence the Sum of Twenty Pounds, to be levied by Order of the Bishop of the Diocese by Sequestration, if not otherwise paid, after Monition to pay the same out of the Profits of the Benefice in respect of which he shall neglect to make such Notification, by the Bishop of the Diocese to whom the Notification ought to be made, to be applied as such Bishop may direct, to useful and charitable Purposes: Provided always, that it shall be lawful for such Bishop to remit or order the Repayment of any Part of any such Penalty, in like Manner as is allowed by this Act in Cases of Noncompliance with an Order for Residence.

Power of Mitigation or remitting by Bishop.

Proviso for Censure for Nonresidence without Licence; no Censure for Nonresidence, nor Proceedings except at Suit of Bishop.

XXIV. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to exempt any Spiritual Person or Persons from any Canonical or Ecclesiastical Censures, or affect any Proceedings that shall hereafter be instituted in any Ecclesiastical Court, in order to cause the same to be inflicted, in relation to the Nonresidence of any Spiritual Person having or holding any Benefice who shall not have obtained a Licence according to the Provisions of this Act to be absent therefrom, nor have any other lawful Cause of Absence: Provided always, that no Proceeding be admitted in any Ecclesiastical Court against any Spiritual Person for Nonresidence, not exceeding Three Months in any One Year, at the Suit or Instance of any Person or Persons other than the Bishop only of the Diocese within which the Benefice in respect whereof such Nonresidence shall have taken place shall be locally situated; any Thing in any Law or Laws, or Ecclesiastical Canon or Canons, to the contrary thereof notwithstanding.

If any unlicensed Person

XXV. And be it further enacted, That in every Case in which it shall appear to any such Bishop as aforesaid, that any Spiritual Person

Person having or holding any Benefice, and not being licensed according to this Act to be absent therefrom, nor having any lawful Cause of Absence from the same, does not sufficiently reside on the same respectively, it shall be lawful for such Bishop to issue or cause to be issued a Monition to such Spiritual Person forthwith to proceed to and reside thereon, and perform the Duties thereof, and to make a Return to such Monition within a certain Number of Days after the issuing thereof, so as that in every such Case there shall be Thirty Days between the Times of delivering such Monition to such Spiritual Person, or leaving the same at his then usual or last Place of Abode, or if not there to be found, with the officiating Minister or One of the Churchwardens, and also a Copy thereof at the House of Residence (if any such there be) belonging to such Benefice, to which any such Spiritual Person shall be required by such Monition to proceed and reside thereon, and the Time specified in such Monition for the Return thereto; and a Copy of every such Monition shall, immediately on the issuing thereof, be filed in the Registry of such Bishop's Court, and shall be open for Inspection on the Payment of Three Shillings, and no more; and the Spiritual Person to whom any such Monition shall be sent under this Act, shall, within the Time specified for that Purpose, make a Return thereto into such Registry, to be there filed; and it shall be lawful for the Bishop to whom any such Return shall be made, to require such Return, or any Fact contained therein, to be verified by the Oath of such Spiritual Person or others, to be taken before some Surrogate, or Justice of the Peace, or Master Extraordinary in Chancery, which Oath any such Surrogate, or Justice of the Peace, or Master Extraordinary in Chancery, is hereby authorized and required to administer, on Application being made for that Purpose; and in every Case where no such Return shall be made, or where such Return shall not state such Reasons as shall be deemed satisfactory by such Bishop for the Nonresidence of the Spiritual Person to whom such Monition shall have been sent as aforesaid, or where the same or any of the Facts contained therein shall not be so verified as aforesaid, when the same shall have been required, then and in such Case it shall be lawful for such Bishop to issue an Order in Writing under his Hand and Seal, to require such Person to proceed to and reside as aforesaid, within Thirty Days after such Order in Writing or a Copy thereof shall have been delivered or left in like Manner as hereinbefore required as to Monitions; and in case of Noncompliance, it shall be lawful for such Bishop to sequester the Profits of such Benefice of such Spiritual Person as aforesaid, until such Order shall be complied with, or such sufficient Reasons for Nonresidence stated and proved as aforesaid, and to direct by any Order to be made for that Purpose under his Hand, and filed as aforesaid, the Application of such Profits, after deducting the necessary Expences of serving the Cure, either in the Whole or in such Proportion as he shall think fit, in the first Place, to the Payment of such reasonable Expences as shall have been incurred in relation to such Monition and Sequestration, and in the next Place, towards the Augmentation or Improvement of any such Benefice or House of Residence thereof, or any

5 Geo. IV. H h of

does not sufficiently reside, the Bishop may issue a Monition.

Copy to be registered.

Returns to be made to Monitions, which may be required to be upon Oath.

Where Return shall not be made, or shall not be satisfactory, Bishop may order Residence, and if disobeyed, may sequester the Profits of the Benefice, and direct an Application of the Profits as herein mentioned.

and may remit  
a Part of se-  
questered  
Profits.

Appeal against  
Sequestration  
may be made  
within One  
Month to the  
Archbishop.

Appellant to  
give Security  
for Payment  
of Expences.

Persons who  
shall return to  
Residence on  
Monition shall  
pay the Costs.

of the Buildings and Appurtenance thereof, or towards the Improvement of any of the Glebe or Demesne Lands thereof, or to order and direct the same or any Portion thereof to be paid to the Trustees and Commissioners of the First Fruits in Ireland for the Augmentation of the Maintenance of the poor Clergy, to be applied for the Purposes of such Augmentation as such Bishop shall, in his Discretion, under all Circumstances think fit and expedient; and it shall also be lawful for any such Bishop within Six Months after such Order for Sequestration, or within Six Months after any Money shall have been actually levied for such Sequestration, to remit to any such Spiritual Person any Part or Proportion of such sequestered Profits, or cause the same or any Part thereof that shall have been paid or directed to be paid to the said Trustees and Commissioners, to be repaid to such Spiritual Person, which Repayment the said Trustees and Commissioners are hereby authorized and required, upon an Order under the Hand of any such Bishop, to make out of any Money then in their Hands, or if no Money shall then be in their Hands, out of the next Money that shall come to their Hands, in any Case which by reason of the subsequent Obedience of any such Spiritual Person to any such Monition or Order, or the stating and proving such sufficient Reasons as aforesaid, such Bishop shall think the same proper: Provided always, that when any such Spiritual Person shall think himself aggrieved by reason of any such Sequestration issued by any Bishop, it shall be lawful for such Spiritual Person, within One Month after the making any Order for any such Sequestration as aforesaid, to appeal to the Archbishop of the Province to which such Bishop shall belong, who shall forthwith, either by himself or some Commissioner or Commissioners appointed from among the Bishops of his Province for that Purpose, under his Hand and Seal, make or cause to be made due Inquiry into the same, and make such Order therein or relating thereto, or to the Profits that shall be so sequestered as aforesaid, for the Return to such Spiritual Person of the same or any Part thereof, or otherwise, as shall, under all the Circumstances of the Case, appear to such Archbishop (after such Inquiry made by himself or by his Commissioner or Commissioners, and in the latter Case, after the Substance of such Inquiry shall have been returned in Writing to the said Archbishop) to be just and proper: Provided always, that the Party so appealing shall give Security to the Bishop for the Payment of such reasonable Expences occasioned by the Appeal, as the Archbishop or his Commissioner or Commissioners shall award: Provided also, that no such Order for any Sequestration shall be put in force during such Appeal as aforesaid, and until the same shall be determined.

XXVI. And be it further enacted, That every Spiritual Person to whom any such Monition or Order in Writing shall be sent as aforesaid under this Act, who shall be at the Time of the issuing thereof absent from Residence in or upon his Benefice, contrary to the Provisions of this Act, but who shall, in obedience to such Monition or Order, forthwith return to due Residence, and the Profits of whose Benefice shall, by reason of such Return, not be sequestered, shall nevertheless pay all Costs, Charges and Expences

xpences incurred by reason of the issuing and serving such Monition or Order, to be levied as any Coets may be levied upon any Spiritual Person by any Bishop under any of the Provisions of this Act.

XXVII. And to the Intent effectually to enforce *bonâ fide* Residence, according to the Intent and Meaning of such Monition or Order as aforesaid, Be it further enacted, That if any Spiritual Person, not licensed under this Act to be absent from his Benefice, nor having other lawful Cause of Absence from the same, do after any such Monition or Order as aforesaid, requiring his Residence, and before or after any such Sequestration as aforesaid, shall, in obedience to any such Monition or Order, have begun to reside upon his Benefice, shall afterwards, and before the Expiration of Six Months next after the Commencement of such Residence, without the Leave of such Bishop, wilfully, in the Judgment of such Bishop, absent himself from such Benefice, it shall be lawful for such Bishop, without issuing any other Monition, or making any other Order, again to sequester and apply the Profits of such Benefice as before directed by this Act, for the Purpose of enforcing the Residence of such Spiritual Person, according to the true Intent of the original Monition issued by such Bishop as aforesaid; and it shall be lawful for the Bishop so to proceed in like Cases from time to time, as often as occasion may require; provided that in each and every of such Cases, such Spiritual Person shall be entitled to appeal against such Sequestration, in such Manner and upon such Terms as hereinbefore is and are mentioned touching Appeals respecting Sequestration; but nevertheless the same shall be in force during each Appeal.

If any Person returning to Residence on Monition shall before Six Months thereafter absent himself, the Bishop may, without Monition, sequester the Profits of the Benefice.

XXVIII. And Whereas it is expedient that Bishops should be empowered summarily to punish past Nonresidence as well as to compel Residence in future; Be it therefore enacted, That in all Cases in which any Spiritual Person shall have become subject to any Penalty or Forfeiture for any Nonresidence, it shall be lawful for the Bishop within whose Diocese such Penalty or forfeiture shall have arisen, to proceed against such Spiritual Person for such past Nonresidence, and to levy the Penalties incurred thereby by Monition and Sequestration, and to direct the application thereof in like Manner, and subject to the same Regulations, and with like Powers of remitting or ordering the Remission of any Part of such Penalties, as is directed, or allowed in Cases of Noncompliance with any Order for Residence.

Bishops empowered to punish past Nonresidence.

XXIX. And be it further enacted, That in every Case in which any Archbishop or Bishop shall think proper under all Circumstances, after Proceeding by Monition for the Recovery of any Penalty under this Act, of more than One Third of the Value of any Benefice, for any Nonresidence exceeding Six Months in the Year, to remit the Whole or any Part of any such Penalty, such Archbishop shall forthwith transmit to the Lord Lieutenant or her Chief Governor or Governors, and to the Privy Council of Ireland, and such Bishop shall transmit to the Archbishop of the Province to which he belongs, a List of such Cases as have occurred in his or their respective Dioceses, specifying the Nature and Special Circumstances of each Case, and the Reasons

Penalties for the Recovery of which Monition has been issued, may be remitted by the Bishop, and special Returns made of the Reasons for such Remission.

for the said Remission, in the same Manner as is directed in relation to the Licences for Nonresidence granted in nonenumerated Cases; and it shall thereupon 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*, or for the said Archbishop, as the Case may be, to allow or disallow such Remission in Whole or in Part, in the same Manner as is provided in this Act with relation to the Allowance or Disallowance of Licences for Nonresidence: Provided always, that the Decision of the said Archbishop with respect to Cases transmitted to him from any such Bishop shall be final.

Decision  
Archbishop  
final.

If any Spiritual  
Person shall  
continue under  
Sequestration  
Two Years, or  
incur Three  
Sequestrations  
within that  
Period, the  
Benefice shall  
become void.

XXX. And be it further enacted, That if the Benefice of any Spiritual Person shall continue for the Space of Two Years under any Sequestration, and under the Provisions of this Act, for Disobedience to the Bishop's Monition requiring such Spiritual Person to reside on his Benefice, or shall under the Provisions of this Act incur Three such Sequestrations in the said Space of Two Years, the Spiritual Person not being relieved with respect to any of such Sequestrations upon Appeal, the Benefice in relation to Nonresidence upon which such Sequestration shall have been made, shall become *ipso facto* void, and the Bishop of the Diocese shall thereupon give Notice thereof to the Patron or Person entitled to present, who shall thereupon present or nominate some Clerk thereto, other than the Spiritual Person whose Benefice shall have so continued under such Sequestration, or who shall have incurred such Sequestrations as aforesaid, as if the same had been avoided by the Natural Death or Resignation of such Spiritual Person.

Contracts for  
letting Houses  
in which Resi-  
dence required,  
void.

XXXI. And be it further enacted, That all Contracts or Agreements made for the letting of the House of Residence, or the Buildings, Gardens, Orchards and Appurtenances necessary for the convenient Occupation of the same, belonging to any Benefice, to which House of Residence any Spiritual Person shall be required, by Order of the Bishop as aforesaid, to proceed and to reside therein or which shall be assigned or appointed as a Residence to any Curate by the Bishop, shall, upon a Copy of such Order, Assignment or Appointment being served upon the Occupier thereof, or left at the House, be null and void; and a Copy of every such Order, Assignment or Appointment, shall immediately on the issuing thereof be transmitted to One of the Churchwardens of the Parish, or such other Person as the Bishop shall think fit, and be by him forthwith served on the Occupier of such House of Residence, or left at the same; and any Person continuing to hold any such House of Residence, or any such Building, Garden, Orchard or Appurtenances after the Day on which the said Spiritual Person shall be directed by such Order to reside in such House of Residence, or which shall be specified in any such Assignment or Appointment; and after Service of such Copy as aforesaid, or the same being so left as aforesaid, shall forfeit the Sum of Forty Shillings for every Day he shall, without the Permission of the Bishop in Writing for that Purpose obtained, wilfully continue to hold any such House, Building, Garden, Orchard or Appurtenances, together with the Expenses of serving such Order, in case it shall have been deemed necessary

Any Person  
holding Posses-  
sion after the  
Day appointed  
for Residence  
shall be subject  
to Penalty.

sary specially to serve such Order, to be allowed by the Bishop issuing the Order, or making such Assignment or Appointment as aforesaid, and to be recovered and applied in like Manner as the Penalties for Nonresidence are directed to be recovered and applied by the Provisions of this Act; and it shall also be lawful for the Spiritual Person so directed to reside as aforesaid, or Curate to whom any such Residence is assigned, to apply to any Justice of the Peace or Magistrate of the County, Riding, Province, City or Place, for a Warrant for the taking Possession thereof, and the Justice of the Peace to whom any such Order or such Possession is produced, shall and he is hereby required hereupon to give a Warrant for such Possession, and Possession may thereupon be taken of such House under such Warrant, at any Time in the Day time, by entering the same by Force, if necessary, without any other Proceeding by Ejectment or otherwise; any Thing in any Act or Acts of Parliament or Law or Laws to the contrary notwithstanding.

Justice may grant Warrant to take Possession.

XXXII. Provided always, and be it further enacted, That no Spiritual Person shall be liable to any Penalties for not residing in any such House or † Residence during such Time as such Tenant shall continue to occupy such House of Residence, or other Buildings necessary to the Occupation of the same.

No Penalty while Tenant continues to occupy.

† Sic.

XXXIII. And be it further enacted, That from and after the passing of this Act, no Oath shall be required of or taken by any Vicar, in relation to Residence on his Vicarage; any Law, Custom, Constitution or Usage to the contrary thereof notwithstanding.

No Oath relating to Residence required of any Vicar.

XXXIV. And be it further enacted, That no Penalty or Forfeiture shall be recovered by any Proceeding or Action against any Spiritual Person, under the Provisions of this Act, other or further than those which such Spiritual Person may have incurred during the Year ending on the Thirty first Day of *December* immediately preceding the Commencement of such Proceeding or Action.

Penalties not recoverable for more than One Year.

XXXV. And be it further enacted, That every Penalty for Nonresidence under this Act, in respect of which no Proceeding shall have been had by Monition before the First Day of *April* next after the Year in which the same shall have been incurred, may be recovered by Action or Suit in the Manner by this Act directed.

How Penalties not levied under Monition recovered.

XXXVI. And be it further enacted, That no Action of Debt, Bill, Plaint or Information against any Spiritual Person, for the Recovery of any Penalties and Forfeitures under this Act, shall be commenced or filed in any of His Majesty's Courts of Record at *Dublin*, until the First Day of *May* after the Expiration of the Year in which the alleged Offence shall have taken place.

When Actions for Penalties to be commenced.

XXXVII. And be it further enacted, That for all the Purposes of this Act, the Year shall be deemed to commence on the First Day of *January*, and be reckoned therefrom to the Thirty first Day of *December*, both inclusive.

Commencement and Conclusion of Year.

XXXVIII. And be it further enacted, That for all the Purposes of this Act, the Months therein named shall be taken to be Calendar Months, except in any Case in which any Month or Months are

Calendar Months taken for Purposes of Act.

are to be made up of different Periods less than a Month, and in every such Case Thirty Days shall be deemed a Month.

XXXIX. And Whereas, notwithstanding the Regulations contained in this Act, Spiritual Persons may, through Inadvertence, and in many Cases from unavoidable Circumstances and Causes, become subject to Penalties and Forfeitures, and vexatious Prosecutions, unless Provision is made for the Prevention thereof; Be it therefore enacted, That from and after the passing of this Act no Writ shall be sued out against, nor any Copy of any Process at the Suit of any Informer be served upon any Spiritual Person, for any Penalty or Forfeiture incurred under any of the Provisions of this Act, until a Notice in Writing of such intended Writ or Process shall have been delivered to him, or left at the usual or last Place of his Abode, and also to the Bishop of the Diocese, by leaving the same at the Registry of his Diocese, by the Attorney or Agent for the Party who intends to sue or cause the same to be sued out or served, One Calendar Month at the least before the suing out or serving the same; in which Notice shall be clearly and explicitly contained the Cause of Action which such Party hath or claimeth to have, and the Penalty or Penalties for which such Person intends to sue, and on the Back of which Notices respectively shall be endorsed the Name of such Attorney or Agent, together with the Place of his Abode; and no such Notice shall be given before the First Day of *April* in the Year next after any such Penalty or Penalties shall have been incurred.

No Action to be commenced for any Penalty until after One Calendar Month's Notice given to the Defendant and Bishop of Diocese.

When Notice to be given.

Plaintiff not to recover without Proof of Notice.

No Evidence but such as contained in Notice.

Spiritual Person may pay Money into Court, before Issue joined.

Court in which any Action shall be depending may require Diocesan to certify the reputed annual Value of Benefices, &c. without Prejudice to Evidence of actual Value.

† *Sic.*

XL. And be it further enacted, That no Plaintiff shall recover any Verdict against any Spiritual Person for any Penalty or Forfeiture under the Provisions of this Act, unless it is proved upon the Trial of such Action that such Notices were respectively given as aforesaid, but in Default thereof such Spiritual Person shall recover a Verdict with Double Costs.

XLI. And be it further enacted, That no Evidence shall be permitted to be given by the Plaintiff on the Trial of any such Action as aforesaid of any Cause of Action, except such as is contained in the Notices hereby directed to be given.

XLII. And be it further enacted, That it shall be lawful for any Spiritual Person against whom any Action shall be brought for any Penalty or Forfeiture under the Provisions of this Act, by Leave of the Court in which such Actions shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he shall see fit, whereupon such Proceedings, Orders and Judgments shall be had, made and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

XLIII. And be it further enacted, That the Court in which any Action, Bill, Plaint or Information shall be depending, for the Recovery of any Penalty or Forfeiture for Nonresidence under this Act, may and shall, upon Application made for that Purpose, require by Rule or Order of the said Court, or any Judge thereof, the Bishop of the Diocese within the Limits of which the Benefice shall be locally situate, or to whom the same shall be subject, according to the Provisions of this Act, for or by reason of Nonresidence in, at, † or upon which the Penalties and Forfeitures



Forfeitures shall be sought to be recovered by such Action, Bill or Information, to certify in Writing under his Hand to the said Court, and also to the Party for that Purpose named in the said Rule or Order, the reputed annual Value of such Benefice; and upon such Rule or Order being left with such Bishop, or the Registrar of such Bishop, such Bishop shall accordingly certify such reputed annual Value; and such Certificate shall in all subsequent Proceedings upon such Action, Bill, Plaint or Information, be received and taken as Evidence of the annual Value of such Benefice for the Purposes of this Act, without Prejudice nevertheless to the Admissibility or Effect of any such other Evidence as may be offered or given respecting the actual Value thereof.

XLIV. And be it further enacted, That it shall be lawful for any Spiritual Person to whom any Licence for Nonresidence shall have been granted, and against whom any Action shall be brought for any Penalty or Forfeiture by reason of any Nonresidence, or any Matter or Thing relating whereto any such Licence under this Act has been granted, to plead such Licence in Bar of any such Action; and if the Plaintiff in such Suit or Action shall discontinue any such Suit or Action after any Plea of Licence shall have been pleaded thereto under this Act, then and in such Case the Defendant in such Suit or Action shall have full Costs of Suit; and if in any such Suit or Action a Verdict shall be given for the Defendant, or the Plaintiff shall become Nonsuit, the Defendant shall have Double Costs, and have the like Remedy for the same as any Defendant hath in other Cases to recover Costs by Law; and it shall be lawful for the Court, or any Judge of the Court in which any Suit or Action shall be commenced, upon any Application made in that Behalf, to order and direct, if such Court or Judge shall deem it expedient so to do, that the Plaintiff in any such Suit or Action shall give Security for the Payment of such Costs, and that all Proceedings in any such Suit or Action shall be staid until such Security shall be given, as to the Court or Judge to whom any such Application shall be made shall seem fit.

Licences may be pleaded in bar of Action; and in case of Nonsuit, &c. Defendant to have Double Costs.

XLV. Provided always, and be it further enacted, That if at the Time of filing any Monition requiring any Spiritual Person to reside on his Benefice, or to recover the Penalties incurred by past Nonresidence, no Notice of any Action for any such Penalty or Forfeiture shall have been already given in Manner aforesaid, then and in such Case no such Action, Suit, Bill, Plaint or Information shall be afterwards brought for any Penalty or Forfeiture incurred by reason of any Nonresidence of such Spiritual Person before the issuing of such Monition, and during any Proceedings that may be had under such Monition; and if any such Action or Suit shall be so commenced, the Defendant therein may plead in Bar thereof that such a Monition as aforesaid has issued in respect of the same Benefice, and such Defendant, unless upon Application to the Court the same shall be dispensed with, shall, upon pleading such Matter, file or cause to be filed an Affidavit in the said Court, thereby stating the Period specified in such Monition, and that according to the Belief of the Defendant, the Bishop who has issued or caused such Monition to be issued, is proceeding

If at the Time of filing any Monition no Action shall have been commenced, none shall be afterwards brought, &c.

upon the said Monition, to the Intent to make the same effectual to all Intents and Purposes of this Act, otherwise such Plea shall not be good or available in the Law.

No Penalty to be levied against the Person where it can be recovered by Sequestration within Three Years.

† *Sic.*

Nonresident Incumbents neglecting to appoint Curates, Bishop to appoint and license.

† *Sic.*

Licence to specify whether Curate is to reside in the Parish or not.

Curate to reside on all Benefices of 500*l.* a Year and upwards, except under special Circumstances.

XLVI. And be it further enacted, That no Penalty or Costs incurred by any Spiritual Person by reason of any Nonresidence on his Benefice shall be levied by Execution against the Body of any such Person whilst he shall hold the same or any † or any other Benefice out of the Profits of which the same can be levied by Sequestration within the Term of Three Years; and in case the Body of any such Spiritual Person shall be taken in Execution for the same, the Court in which the same was recovered, or any Judge thereof, may and shall, upon Application made for that Purpose, discharge the Party from such Execution, in case it shall be made to appear to the Satisfaction of such Court or Judge that such Penalty and Costs can be levied as aforesaid.

XLVII. And be it further enacted, That if any Spiritual Person holding any Benefice, who does not or shall not actually reside thereon Nine Months in each Year (unless such Person shall do the Duty of the same, having a legal Exemption from Residence, or a Licence to reside out of the Parsonage House or Vicarage House, or other usual House or † Residence belonging to the same), shall, for a Period exceeding Three Months, absent himself from his Benefice without leaving a Curate duly licensed, or other Spiritual Person, to perform, and who shall duly perform the Ecclesiastical Duties of such Benefice, or shall for a Period of Three Months after the Death, Resignation or Removal of any Curate who has served his Church or Chapel, neglect to notify such Death, Resignation or Removal to the Bishop of the Diocese, or to nominate to the Bishop of the Diocese a proper Curate, then and in every such Case, and in every Case in which no Curate shall be nominated to the Bishop for the Purpose of being licensed by him within such Period as aforesaid, the Bishop is hereby authorized to appoint and license a proper Curate, with such Salary as by this Act is allowed and directed, to serve the Church or Chapel of the Parish or Place in respect of which such Neglect or Default shall have occurred: Provided always, that the Licence shall in every Case specify whether the Curate is required to reside within the Parish or Place or not, and if the Curate is permitted by the Bishop granting the Licence to reside out of the Parish or Place, the Grounds upon which the Curate is so permitted to reside out of the Parish or Place shall be specified in the said Licence; and the Distance of the Residence of any Curate from any Church or Chapel which he shall be licensed to serve shall not exceed Five Statute Miles, except in Cases of Necessity, to be approved by the Bishop and specified in the Licences.

XLVIII. And be it further enacted, That in every Case where a Curate is appointed to serve a Benefice upon which the Incumbent is nonresident for more than Three Months in the Year, from Exemption, Licence or otherwise, such Curate shall be required by the Bishop to reside within the Parish, provided the gross Value of such Benefice amounts to Three hundred Pounds a Year or upwards, and the Population amounts to Three hundred Persons or upwards, or provided the Population amounts

One thousand Persons or upwards, whatever may be the value of such Benefice: Provided always, that whenever it shall be made out to the Satisfaction of such Bishop, that from special and peculiar Circumstances great Inconvenience would arise from such Curate being compelled to reside within the Parish, it shall be lawful for the Bishop to allow such Curate to reside in some near and convenient Place: Provided also, that the Licence to be granted to such Curate shall specify the special Circumstances which have induced the Bishop to allow such Residence out of the Parish, and shall be entered and filed in the Registry of the Diocese.

Licence to specify such Circumstances.

XLIX. And be it further enacted, That whenever it shall appear to the Satisfaction of any Bishop, either of his own knowledge or upon Proof by Affidavit laid before him, that by reason of the Number of Churches or Chapels belonging to any benefice locally situate within his Diocese, or the Distance of such Churches or Chapels from each other, or the Distance of the Residence of the Spiritual Person serving the same from such Churches or Chapels, or any or either of them, or the Negligence, or mental or bodily Infirmary of the Spiritual Person holding the same, that the Ecclesiastical Duties of such Benefice are inadequately performed, or where it shall appear to such Bishop as aforesaid, that the Residence of such Spiritual Person is at too great a Distance from any Parish united to the one in which he resides to admit of his performing all the Ecclesiastical Duties, such Bishop may, by Writing under his Hand, require the Spiritual Person holding such Benefice to nominate to him a fit Person or Persons, with sufficient Stipend or Stipends, to be licensed by him to perform or to assist in performing such Duties, specifying therein the Grounds of such Proceeding; and if such Spiritual Person shall neglect or omit to make such Nomination for the Space of Three Months after such Requisition so made as aforesaid, then and in every such Case it shall be lawful for such Bishop to appoint a Curate or Curates, as the Case shall appear to such Bishop to require, with such Stipend or Stipends as such Bishop shall think fit to appoint, not exceeding in any Case in the Whole the Stipends allowed to Curates by this Act, nor, except in the Case of Negligence, exceeding One Half of the gross Annual Value of the Benefice, although the Spiritual Person to whom such Churches or Chapels shall belong shall actually reside or serve the same: Provided always, that such Requisition, and any Affidavit made to found the same, shall be forthwith filed by the Bishop in the Registry of his Court: Provided also, that it shall be lawful for any such Spiritual Person who shall think himself aggrieved by any such Appointment of such Curate or Curates, to appeal to the Archbishop of the Province to which such Bishop shall belong, in such and the like Manner, and under such Provisions and Directions as are allowed to any Spiritual Person thinking himself aggrieved by any Sequestration issued by any Bishop.

If Duty be inadequately performed, the Bishop may by Writing under his Hand require Incumbent to appoint a Curate or Curates,

and on neglect for three Months Bishop may appoint.

Appeal to Archbishop.

L. And be it further enacted, That in all Cases where the Bishop of the Diocese shall deem it proper to enforce the Performance of Morning and Evening Service on *Sundays*, or any other Service required by Law in any Parish Church or parochial Chapel,

Bishops may enforce Performance of Service.

Chapel, or the Chapel of any extra parochial Place, it shall be lawful for such Bishop to enforce the same by Monition and Sequestration, to be issued in the Manner by this Act provided.

Statement of Particulars necessary to be given by Persons applying for a Licence for a Curate.

LI. And be it further enacted, That every Bishop to whom any Application shall be made for any Licence for a Curate to serve for any Person not duly residing upon his Benefice, shall, before he shall grant such Licence, require a Statement of all the Particulars by this Act required to be stated by any Person applying for a Licence for Nonresidence; and it shall not be lawful for any Bishop to grant a Licence to any Curate to serve the Church or Chapel of any Person as aforesaid, upon any such Application as aforesaid, until a Statement of all such Particulars as aforesaid shall have been delivered to him; and such Statement shall be kept and filed, and preserved from public Inspection; and disclosed only in like Manner and in such Cases as is before directed as to Statements of Persons applying for Licences for Nonresidence.

Bishops shall appoint Salaries to Curates.

LII. And be it further enacted, That it shall be lawful for the Bishop, and he is hereby required, subject to the several Provisions and Restrictions in this Act contained, to appoint to every Curate such Salary as is allowed and specified in this Act. and every Licence to be granted to a Stipendiary Curate under this Act shall contain and specify the Amount of the Salary allowed by the Bishop to the Curate, and such Licence, or any Copy of the Registry thereof, signed by the Registrar of the Diocese or his Deputy, shall be Evidence of the Amount of the Salary so appointed to any Curate in all Courts of Law or Equity; and in case any Difference shall arise between any Rector or Vicar, or Person holding any Benefice, and his Curate, touching such Stipend or Allowance, or the Payment thereof, or of the Arrears thereof, the Bishop, on Complaint to him made, may and shall summarily hear and determine the same; and in case of wilful Neglect or Refusal to pay such Stipend, Salary or Allowance, or the Arrears thereof, he shall be and is hereby empowered to proceed by Monition and Sequestration to sequester the Profits of the Benefice for and until Payment of such Stipend or Allowance, or the Arrears thereof: Provided always, that the Curate obtaining any such Licence shall pay to the Secretary or Officer of the Bishop the Sum of One Pound, exclusive of any Stamp Duty which may be chargeable thereon, which said Sum of One Pound shall be in Remuneration of all and every Fee or Fees now demandable by the said Secretary or Officer for obtaining such Licence, or for the Signature of any Declaration by the said Curate in consequence of such Licence, or of any Certificate of such Curate having signed such Declaration: And provided also, that from and after the passing of this Act, as often as any Person shall be licensed to Two or more Curacies within the same Diocese at one and the same Time, it shall be sufficient for such Person to sign One Declaration only, appointed to be signed by an Act made in the Parliament of Ireland in the Seventeenth and Eighteenth Years of the Reign of King Charles the Second, intituled *An Act for the Uniformity of Public Prayers and Administration of Sacraments, and other Rules and Ceremonies; and for establishing the Form of making, ordaining and consecrating* Bishops.

Licences to express the Amount.

On obtaining such Licence a Fee of 1*l.* to the Bishop's Secretary.

Person appointed to Two or more Curacies to sign One Declaration.

*Bishops, Priests and Deacons in the Church of Ireland*; and once to take the Oaths of Allegiance and Abjuration; and also that it shall be sufficient for such Person to produce One Certificate only of his having so signed such Declaration and taken such Oaths before the Bishop of the Diocese.

LIII. And be it further enacted, That it shall be lawful for the Bishop to appoint for the Curate any Stipend or Allowance not exceeding Seventy five Pounds *per Annum*, and also the Use of the House of Residence, with the Gardens and Stables belonging thereto or a further Sum of Fifteen Pounds in lieu of the Use of the Rectory or Vicarage House or other Houses of Residence in case there shall be no House, or it shall not appear to the Bishop convenient to allot or assign the House to the Curate, in respect of any Benefice to which the Spiritual Person holding the same was instituted or appointed before the Third Day of February One thousand eight hundred and twenty four; but it shall not be lawful for the Bishop to assign any greater Stipend or Allowance than aforesaid in respect of any such Benefice, during the Incumbency of any such Spiritual Person as aforesaid, unless with the Consent of the Spiritual Person holding the Benefice or in case of Neglect to appoint or to nominate to the Bishop a proper Curate.

LIV. And be it further enacted, That in every Case in which any Spiritual Person shall have been, after the Third Day of February One thousand eight hundred and twenty four, or shall at any Time after the passing of this Act be instituted or inducted, or nominated or appointed to or otherwise become incumbent or possessed of any Benefice, and shall not duly reside thereon, unless such Person shall do the Duty of the same, having a legal Exemption from Residence or a Licence to reside out of the same, or to reside out of the Parsonage or Vicarage or other usual House of Residence belonging to the same, the Bishop shall appoint for the Curate licensed to serve such Benefice of such nonresident Incumbent or Person as aforesaid in his Absence, such Salary as is hereinafter next mentioned; (that is to say), such Salary shall in no Case be less than Eighty Pounds *per Annum* or than the annual Value of the Benefice, if the gross Value thereof shall not amount to Eighty Pounds *per Annum*; and such Salary shall not be less than One hundred Pounds *per Annum* or than the whole Value as aforesaid, if the said Value shall not amount to One hundred Pounds *per Annum*, in any Parish or Place where the Population, according to the Returns then last made in pursuance of any Act or Acts of Parliament, shall amount to or exceed Three hundred Persons; and such Salary shall not be less than One hundred and twenty Pounds *per Annum* or the whole Value as aforesaid, if the said Value shall not amount to One hundred and twenty Pounds *per Annum*, in any Parish or Place where the Population shall appear as aforesaid to amount to or exceed Five hundred Persons; and such Salary shall not be less than One hundred and fifty Pounds *per Annum* or than the whole Value as aforesaid, if the said Value shall not amount to One hundred † Pounds *per Annum*, in any Parish or Place where the Population shall appear as aforesaid to amount to or exceed One thousand Persons: Provided always, that the Annual

Stipends to Curates of Incumbents before 3d February 1824, not to exceed 75*l.* per Ann. and the Use of the Residence, &c. except in Cases of Neglect.

The Salaries payable to Curates to be in Proportion to the Value and Population of the Benefices as herein mentioned.

† &c.

Proviso as to  
Mode of esti-  
mating Value  
of Benefices  
under 150*l.* per  
Annum,

of 100*l.* and  
upwards.

Allowance to  
Curate where  
the Benefice  
exceeds 400*l.*  
with Reference  
to amount of  
Population  
taken.

Smaller Salaries  
to be allowed  
to Curates in  
certain Cases.

Reasons to be  
stated in Li-  
cence and  
entered.

Annual Value of all Benefices, of which the Value estimated as is herein provided does not amount to One hundred and fifty Pounds *per Annum*, shall be estimated from the Returns made by the Bishops of the several Dioceses to the Trustees and Commissioners of the First Fruits in *Ireland*, or from any future Returns which may be made by the said Bishops to the said Trustees and Commissioners respecting Parishes or Places omitted in the said Returns, or respecting Parishes or Places in the actual Income of which it shall be made appear to the Bishops that any considerable Variation has taken place, either by Augmentation made by the said Trustees and Commissioners or otherwise; and that the Annual Value of all Benefices, of which the Value estimated as is herein provided does amount to One hundred Pounds or upwards, shall be estimated by the Bishops of the several Dioceses, in such Manner as shall be satisfactory to them.

LV. And be it further enacted, That in any Parish or Place where it shall appear to the Satisfaction of the Bishop, that the actual Income of the Benefice, clear of all Deductions, exceeds the Sum of Four hundred Pounds *per Annum*, it shall be lawful for the Bishop to assign to the Curate of such Parish or Place, being resident within the same, and serving no other Cure, a Salary or Allowance of One hundred Pounds *per Annum*, notwithstanding the Population of such Parish or Place may not appear as aforesaid to amount to Three hundred Persons; and that in any Parish or Place where the actual Annual Income shall appear to exceed Four hundred Pounds as aforesaid, and where the Population shall also appear as aforesaid to amount to or exceed Five hundred Persons, it shall be lawful for the Bishop to assign to the Curate of such Parish or Place, being resident within the same, and serving no other Cure, any larger or further Stipend or Allowance, or to appoint an additional Curate, so that the Stipends or Allowances to such Curate or Curates shall not exceed by more than Fifty Pounds *per Annum* the Amount of the Stipend or Allowance hereinbefore respectively required to be assigned to any such Curate.

LVI. And be it further enacted, That in every Case in which it shall be made out to the Satisfaction of the Bishop of any Diocese, that any Spiritual Person holding any Benefice is or has become nonresident, or incapable, from Age, Sickness or other unavoidable Cause, of performing the Duties thereof, and that from these or from any other special and peculiar Circumstances of the Case, great Hardship or Inconvenience would arise, if the full Amount of Salary specified in this Act should be allowed to the Curate, then and in such Case it shall be lawful for such Bishop to assign to the Curate any such Salary less than the said full Amount in this Act specified as shall under all the Circumstances appear to him just and reasonable: Provided always, that in the Licence granted in every such Case, it shall be stated, that for special Reasons the Bishop hath not thought proper to assign to the Curate the full Amount of Salary allowed or required to be assigned by this Act: Provided also, that such special Reasons shall be entered fully and at large in a separate Book to be kept for that Purpose and to be deposited in the  
Registry

Registry of the Diocese, which Book shall not be open to Inspection, unless with the Leave of the Bishop or by other proper Authority, as in the Cases of Application for Licences for Nonresidence.

LVII. And be it further enacted, That if any Incumbent of Two or more Benefices, residing *bonâ fide* in different Proportions of each and every Year on some or one other of such Benefices the full Period specified by this Act, shall employ a Curate to perform Ecclesiastical Duty interchangeably from time to time upon such of the Benefices from which he shall be absent during his own actual Residence upon any other thereof, then and in such Case it shall be lawful for the Bishop to assign to any such Curate any Salary not exceeding such Salary as would be allowed under this Act for the largest of such Benefices, nor less than would be allowed for the smallest, as to the Bishop shall under all the Circumstances appear just and reasonable: Provided always, that if any such Incumbent shall employ a Curate or Curates for the whole Year upon each or any of such Benefices, such Incumbent so residing *bonâ fide* as aforesaid, then and in such Case it shall be lawful for the Bishop to assign to either or each of such Curates any such Salary, less than the Amount specified in this Act, as he shall think fit.

Salary of Curate engaged to serve interchangeably at different Places belonging to the same Incumbent.

LVIII. And be it further enacted, That from and after the passing of this Act no Spiritual Person shall serve more than Two Churches in One Day or Two Chapels, or One Church and One Chapel in One Day, unless from the local Situation of the Churches or Chapels, or from the Value of the Benefices to which they belong, or other special Causes, it may in the Judgment of the Bishop be expedient or necessary for the Performance of Ecclesiastical Duties in such Places to grant Licence to any Spiritual Person to serve Three Churches or Chapels, then and in such Case it shall be lawful for the Bishop to grant such Licence to any Spiritual Person to serve Three Churches or Chapels, not being distant from each other more than Four-measured Miles: Provided always, that in every such Case the Reasons for granting such Licence shall be stated by the Bishop in the Licence granted for serving the Third of such Churches or Chapels held by such Spiritual Persons, and such Licence shall not be valid or effectual unless the Reasons for granting the same are inserted therein as aforesaid: Provided always, that the Residence of such Curate or Spiritual Person shall be so placed as that it shall not be necessary for him to travel more than Sixteen measured Miles in one Day for the Performance of the Duties of such Churches or Chapels.

Spiritual Persons not to serve more than Two Churches in one Day, except in certain Cases, and with special Licence for that Purpose from the Bishop.

LIX. And be it further enacted, That in every such Case where any Bishop shall find it necessary or expedient, for the obtaining any proper Performance of Ecclesiastical Duties, to license any Person holding any Benefice to serve as Curate of any adjoining or other Parish or Place, it shall be lawful for such Bishop to appoint, for such Spiritual Person so licensed, a Salary less by a Sum not exceeding Thirty Pounds *per Annum* than the Salary which in the several Cases in this Act specified the Bishop is required to assign and appoint; and in every Case where the Bishop shall find it necessary or expedient as aforesaid to license one

How the Salaries shall be adjusted where the Curate is permitted to serve in an adjoining Parish.

one and the same Person to serve as Curate for more than one Parish or Place, it shall be lawful for such Bishop to direct that, during such Time as such Curate shall serve such Churches or Chapels, the Salary to be received by him for serving each of the said Churches or Chapels, shall be less by a Sum not exceeding Thirty Pounds *per Annum* than the Salary which, in the several Cases hereinbefore mentioned, the Bishop is required by this Act to assign and appoint.

Agreements for Salaries to Curates contrary to this Act void,

and Curate may recover the Sum specified in Licence with Treble Costs.

Limitation of Application by Curate.

Curate's Salary, if of Value of Benefice, liable to certain Charges.

The Bishop to allow the Rector, &c. to deduct from Curate's Salary, for Repairs to a limited Amount, in certain Cases.

LX. And be it further enacted, That all Agreements and Contracts made or to be made between Persons holding Benefices and their Curates, in Fraud or Derogation of the Provisions of this Act, and all Agreements and Contracts whereby any Curate shall undertake or in any Manner bind himself to accept, or be content with any Stipend or Salary less than that which shall be stated to be allowed in any Licence of such Curate, shall be void to all Intents and Purposes in the Law whatsoever, and shall not be set up, pleaded or given in Evidence in any Court of Law or Equity, and notwithstanding the Payment and Acceptance in pursuance of any such Contract or Agreement, of any Sum less than the Sum specified in the Licence of such Curate, or any Receipt, Discharge or Acquittance that may be given in Cases of such Payment and Acceptance, the Curate or his Personal Representatives shall be and remain entitled to the full Amount of what shall remain unpaid of the Stipend, Salary or Allowance specified in his Licence; and the Payment of what shall so remain unpaid, shall, together with Treble Costs of recovering the same, be enforced by Monition, on Proof of what shall so remain unpaid to the Satisfaction of the Bishop, and by Sequestration of Profits of the Benefice, to be issued by the Bishop for that Purpose; provided that the Application of the Curate shall in every such Case be made to the Bishop within Twelve Months after he shall have quitted his Curacy, or by the Representative of any Curate within Twelve Months after his Death; and provided also, that no Sequestration shall, by virtue of this Act, affect the Profits of any Benefice beyond the Time during which the Benefice shall be held by the Person liable to make the Payment in respect of which such Profits shall be sequestrated.

LXI. And be it further enacted, That in every Case in which any Bishop shall appoint for any Curate a Salary equal to the Whole annual Value of such Benefice, such Salary shall be subject to Deduction in respect of all such Charges and Outgoings as may legally affect the Value of such Benefice, and to any Loss or Diminution which may lessen such Value, without the wilful Default or Neglect of the Spiritual Person holding the Benefice.

LXII. And be it further enacted, That it shall be lawful for the Bishop, upon the Application of any Rector, Vicar or Spiritual Person holding any Benefice, the whole Profit or Income of which shall have been allotted to the Curate, to allow such Rector, Vicar or Spiritual Person to deduct and retain therefrom, in any or each Year, so much Money, not exceeding in any Case One fourth Part of such Profits or Income, or of the Salary assigned to the Curate, as shall have been actually laid out and expended during the Year in the Repair of the Chancel, Parsonage, Vicarage or other House of Residence, and Premises and Appurtenances



urtenances thereto belonging, in respect of which such Rector, Vicar or Person as aforesaid, or his Executors, Administrators or Assigns would be liable for Dilapidations to the Successors; and it shall also be lawful for the Bishop, in like Manner, to allow any Rector, Vicar or Spiritual Person aforesaid, having or holding any Benefice, the Profits or Income of which shall not exceed One hundred and fifty Pounds *per Annum*, to deduct and retain from the Salary allotted to the Curate, in each or any Year, so much Money as shall have been actually laid out and expended on such Repairs as aforesaid, over and above the Amount of the Surplus remaining of such Profits or Income, after Payment of the Salary allotted to the Curate, so that the Sum so deducted, after laying out such Surplus, shall not in any Year exceed One fourth Part of the Salary allotted to the Curate.

LXIII. And be it further enacted, That it shall be lawful for the Bishop who shall grant any Licence to the Curate to serve any Church or Chapel where the Rector or Vicar or Person holding any Benefice is not resident for Four Months in each Year, to allot, if he shall think fit, for the Residence of such Curate, the Parsonage or Vicarage House, or usual House of Residence of the Person holding the Benefice, with the Offices, Stables, Gardens and Appurtenances thereto belonging, if there shall be any such House of Residence belonging thereto, or any Part or Parts thereof, together with any Portion of the Glebe Land of such Benefice, not exceeding Ten Acres in the Whole, during the Time of such Curate's serving the Cure, or during the Nonresidence of such Rector or Vicar, or Spiritual Person; and it shall be lawful for the Bishop assigning any such House or Residence to any Curate, to sequester the Profits of the Benefice to which the House shall belong, in any Case in which Possession shall not be given up to the Curate, and until such Possession shall be given, and to apply or direct the Application of the Profits arising from such Sequestration, or to remit the same or any Part thereof, as the Bishop shall in his Discretion think fit.

LXIV. And be it further enacted, That in every Case where the Bishop shall appoint, for the Curate licensed to serve any Benefice, a Salary not less than the whole gross annual Value of the same, and shall, in Addition to such Salary, direct that such Curate shall reside in the Parsonage or Vicarage House, or usual House of Residence of the Spiritual Person holding such Benefice, such Curate shall be liable during his serving such Cure to the same Taxes and Parochial Rates and Assessments in respect of such House and the Appendages thereof of which he may be so in Occupation, and for the Repairs of such House, and for any Payments to the Commissioners and Trustees of the First Fruits of any Sums payable out of or in respect of such Benefice, as if he had been instituted or inducted, or nominated or appointed to the said Benefice.

LXV. And be it further enacted, That it shall be lawful for the Bishop at any Time, upon Three Months' Notice in Writing, to direct any such Curate to deliver up any such Parsonage or Vicarage House or usual House of Residence, and the Offices, Stables, Gardens and Appurtenances thereto belonging, and such Curate shall thereupon peaceably deliver up the Possession of the

Curates may be directed to reside in Parsonage House, in case of Non-residence of Incumbents.

If Possession not given to Curate, Sequestration by Bishop.

Curates to pay Taxes &c. of Parsonage Houses in certain Cases.

Bishop may direct the Curate to give up Possession of Parsonage

refusing Penalty 40s. per Day.

Rector, &c. not to dispossess Curate without Order of Bishop, and Three Months Notice; Curate to quit in One Month after Institution.

Curate not to quit Curacy assigned him without Three Months' Notice.

Penalty.

Bishop may license Curates employed without Nomination, may revoke Licence, and remove Curate.

Appeal.

Licences to Curates, and Revocations of such Licences, to be entered in Registry of Diocese.

the said Premises, pursuant to such Notice; and in case any such Curate shall refuse to deliver up such Premises, he shall forfeit and pay to the Rector or Vicar, or Spiritual Person holding the Benefice, the Sum of Forty Shillings for every Day of such wrongful Possession, to be recovered by such Rector or Vicar or Spiritual Person by Action of Debt in any Court of Record at *Dublin*, as any Penalties may be recovered for Non-residence under this Act.

LXVI. And be it further enacted, That it shall not be lawful for the Rector or Vicar or other Person holding any Benefice, in any Case in which the Parsonage or Vicarage or usual House of Residence shall have been assigned to the Curate as a Residence, to dispossess such Curate or take Possession thereof, until the Permission of the Bishop shall have been given in Writing for that Purpose, and Three Months' Notice of such his Intention to the Curate, who shall thereupon quit the same according to such Notice; and every Curate who shall reside in the House of Residence of any Benefice which shall become vacant, shall quit such House of Residence within Three Months after the Institution or Appointment of any Spiritual Person thereto, upon being required so to do by the Spiritual Person instituted or appointed, and having One Month's previous Notice at the least given him to quit such House of Residence.

LXVII. And be it further enacted, That no Curate shall quit any Benefice to which he shall be licensed, until after Three Months' Notice of his Intention to quit given to the Person holding such Benefice, and to the Bishop of the Diocese, unless with the Consent of the Bishop of the Diocese upon Pain of forfeiting to the Spiritual Person holding the Benefice, a Sum not exceeding the Amount of his Stipend for Six Months, at the Discretion of the Bishop, which Sum may in such Case be retained out of the Stipend, if the same or any Part thereof shall remain unpaid, or if the same cannot be retained out of the Stipend, may be recovered by the Spiritual Person holding the Benefice, as any Penalty or Forfeiture under this Act may be recovered.

LXVIII. And be it further enacted, That it shall be lawful for the Bishop of the Diocese to license any Curate who is or shall be actually employed by the Rector, Vicar or other Incumbent of any Church or Chapel, although no express Nomination of such Curate shall have been made to such Bishop by the said Rector, Vicar or other Incumbent; and that the Bishop shall have Power to revoke summarily and without Process any Licence granted to any Curate employed in his Diocese, or subject to his Jurisdiction by virtue of this Act, and to remove such Curate for any Cause which shall appear to such Bishop to be good and reasonable, subject nevertheless to an Appeal to the Archbishop of the Province, and to be determined in a summary Manner.

LXIX. And be it further enacted, That every Bishop who shall grant or revoke any Licence to any Curate under this Act shall and he is hereby required to cause a Copy of such Licence or Revocation to be entered in the Registry of the Diocese within which the Benefice in respect whereof any such Licence shall be granted or Revocation made shall be locally situate; and an Alphabetical List of such Licences and Revocations shall be made

made out by the Registrar of each Diocese, and entered in a Book, and kept for the Inspection of all Persons, upon Payment of the Sum of Three Shillings and no more; and a Copy of every such Licence and Revocation, with respect to any Benefice, shall be transmitted by the said Registrar to the Churchwardens or Chapelwardens of the Parish, Township or Place to which the same relates, within One Month after the Grant of such Licence or Revocation thereof, to be by them deposited in the Parish Chest; and every Registrar who shall refuse or neglect or omit to make any such Entry, or to transmit any such Copy, shall forfeit for every such Offence or Neglect the Sum of Five Pounds, to be recovered as any Penalty or Forfeiture may be recovered under this Act: Provided always, that every such Registrar shall, for every such Copy transmitted to such Churchwardens or Chapelwardens as aforesaid, be entitled to demand and have from such Churchwardens or Chapelwardens, a Fee of Ten Shillings, and no more, and such Fee shall be allowed in the Accounts of such Churchwardens or Chapelwardens.

Fee for Inspection 8s.

Copy of Licences and Revocations transmitted to Churchwardens.

Fee 10s.

LXX. And be it further enacted, That all the Powers, Authorities, Provisions, Regulations, Penalties, Forfeitures, Clauses, Matters and Things in this Act contained, in relation to Bishops in their Dioceses, shall extend and be construed to extend to the Archbishops in the respective Dioceses of which they are Bishops, and also in their own peculiar Jurisdictions, as fully and effectually as if the Archbishops were named with the Bishops in every such Case.

Clauses relating to Bishops to apply to Archbishops.

LXXI. And be it further enacted, That in all Cases wherein the Term Benefice is used in this Act, the said Term shall be understood and taken to mean Benefices with Cure, and no others, and to comprehend therein, for the Purposes of this Act, all Donatives, Perpetual and Improprate Curacies, and Parochial Chapelries. [See Section 80. post.]

Definition of the Term Benefice.

LXXII. And be it further enacted, That every Archbishop and Bishop within the Limits of whose Province or Diocese respectively any Benefice respectively Exempt or Peculiar shall be locally situate, shall have, use and exercise all the Powers and Authorities necessary for the due Execution by them respectively, of the Provisions and Purposes of this Act, and for enforcing the same with regard thereto respectively, as such Archbishop and Bishop respectively would have used and exercised if the same were not Exempt or Peculiar, but were subject in all respects to the Jurisdiction of such Archbishop or Bishop; and where any Benefice Exempt or Peculiar shall be locally situate within the Limits of more than One Province or Diocese, or where the same or any of them shall be locally situate between the Limits of the Two Provinces, or between the Limits of any Two or more such Dioceses, the Archbishop or Bishop of the Cathedral Church to whose Province or Diocese the Parish Church of the same respectively shall be nearest in local Situation, shall have, use and exercise all the Powers and Authorities which are necessary for the due Execution of the Provisions of this Act, and enforcing the same with regard thereto respectively, as such Archbishop or Bishop could have used if the same were not Exempt or Peculiar, but were subject in all

Power of Archbishops and Bishops as to Benefices Exempt or Peculiar, locally situate within their Provinces;

and also as to such Benefices situate in more than one Province, or between the Limits of Two

**Peculiars subject to Archbishop or Bishop to whom they belong.**

respects to the Jurisdiction of such Archbishop or Bishop respectively; and the same, for all the Purposes of this Act, shall be deemed and taken to be within the Limits of the Province or Diocese of such Archbishop or Bishop; provided that the Peculiars belonging to any Archbishoprick or Bishoprick, though locally situate in another Diocese, shall continue subject to the Archbishop or Bishop to whom they belong, as well for the Purposes of this Act as for all other Purposes of Ecclesiastical Jurisdiction.

**Where Jurisdiction is given to Bishop, &c. concurrent Jurisdiction to cease.**

LXXIII. And be it further enacted, That in every Case in which Jurisdiction is given to the Bishop of the Diocese or to any Archbishop, under the Provisions of this Act, and for the Purposes thereof, and the enforcing the due Execution of the Provisions thereof, all other and concurrent Jurisdiction in respect thereof shall wholly cease, and no other Jurisdiction in relation to the Provisions of this Act shall be used, exercised or enforced, save and except such Jurisdiction of the Bishop and Archbishop under this Act; any Thing in any Act or Acts of Parliament, or Law or Laws, or Usage or Custom, to the contrary notwithstanding.

**Issue of and Proceedings on Monitions and Sequestrations.**

LXXIV. And be it further enacted, That in all Cases where Proceedings under this Act are directed by Monition and Sequestration, such Monition shall issue under the Hand and Seal of the Bishop, and being duly served shall be returned, with a Certificate of Service into the Registry of the Consistorial Court of such Bishop; and thereupon it shall be competent for the Party monished to show Cause, by Affidavit or otherwise, as the Case may require, against the Sequestration issuing; and unless sufficient Cause be shown to the contrary, the Sequestration shall issue under the Seal of the said Bishop, and in such Form as is commonly used on that Behalf.

**Penalties to be recovered by Monition and Sequestration.**

LXXV. And be it further enacted, That it shall be lawful for the Bishop of any Diocese in which any Spiritual Person shall hold any Dignity or Benefice, or shall serve as Stipendiary Curate, to recover any Penalty incurred under this Act in a summary Way, by Monition and Sequestration to be issued in the Manner by this Act directed, with the like Powers and Authorities, and subject to the like Restrictions in respect to the Remission and Repayment of such Penalty as are by this Act particularly provided in respect to Penalties for Nonresidence: Provided always, that no Spiritual Person against whom any such Proceeding shall have been had by any Bishop for the Recovery of any Penalty, shall thereafter be subject to any Action at Law by any Informer or other Person, for the Recovery of any Penalty for the same Offence, in respect of which such Proceeding shall have been so had by the Bishop as provided.

**Recovery of Fees, &c.**

LXXVI. And be it further enacted, That any Fees, Charges, Coats or Expences incurred or directed to be paid by any Spiritual Person under the Provisions of this Act, which shall remain unpaid for the Period of Twenty one Days, after Demanded thereof in Writing, delivered to or left at the usual or last Place of Abode of the Spiritual Person liable to the Payment thereof, may be recovered by Monition and Sequestration to be issued in the Manner directed by this Act.

**LXXVII.** Provided always, and be it further enacted, That none of the Provisions of this Act shall extend or be construed to extend to render void or invalid, before the Thirty first Day of *December* next after the passing of this Act, any Licence or Exemption which would have been otherwise valid and effectual, nor to require any Licence to be taken before the said Thirty first Day of *December*, which would not have been required by Law before the passing of this Act.

Proviso for Licences before 31st December 1824.

**LXXVIII.** And be it further enacted, That no Commission issued by any Bishop to any Commissary or Commissaries appointed to administer the Oaths required to be taken by any Curate for the Purpose of any Licence or Licences granted under the Provisions of this Act, shall be subject to any Stamp Duty ; any Thing contained in any Act or Acts of Parliament to the contrary notwithstanding.

No Stamp Duty on Commission to administer Oaths.

**LXXIX.** And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to alter or affect His Majesty's Royal Prerogative in the granting of Dispensations for Nonresidence upon Benefices, as the same now exists by Law.

Proviso for Prerogative in granting Dispensations.

**LXXX.** And be it further enacted, That no Parsonage that hath a Vicar endowed, or that hath a Perpetual Curate, and having no Cure of Souls, shall be deemed or taken to be a Benefice within the Intent and Meaning of this Act. [See Section 71. *ante.*]

Parsonage without Cure of Souls not a Benefice.

**LXXXI.** And be it further enacted, That no Archbishop or Bishop having or who shall have any Benefice shall, by reason of Nonresidence upon the same, be subject or liable to any Penalties or Forfeitures: Provided always, that any Archbishop or Bishop, who shall hold any Benefice in *Commendam* with his Archbishoprick or Bishoprick, shall nominate and appoint a resident Curate, according to the Provisions of this Act.

Archbishop or Bishop not liable to Penalties for Non-residence.

**LXXXII.** And be it further enacted, That nothing in this Act contained shall be deemed, construed or taken to derogate from, diminish, prejudice, alter or affect, otherwise than is expressly provided, any Powers, Authorities, Rights or Jurisdiction already vested in or belonging to any Archbishop or Bishop, under or by virtue of any Statute, Patent, Canon, Usage or otherwise howsoever.

Proviso for Powers of Bishops;

**LXXXIII.** And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to repeal or alter the Provisions contained in any Act of Parliament, or any other Provision of Law, for the due Celebration of Divine Service in any Church or Chapel, or for the Discharge of any other Duty of any Rector or Vicar, or Person holding any Benefice by himself or his Curate.

and for the due Celebration of Divine Service.

**LXXXIV.** And be it further enacted, That this Act shall extend and be construed to extend and relate only to that Part of the United Kingdom called *Ireland*.

Act to extend only to Ireland.

C A P. XCII.

An Act to authorize the Payment of certain Duties on Ships and Merchandize, in respect of the Docks and Warehouses in the Port of *Dublin*, and other Ports in *Ireland*; and for other Purposes relating to such Docks and Warehouses.

[21st June 1824.]

WHEREAS for the Accommodation and Security of the Shipping and Commerce, and for the Security of the Revenue of Customs in *Ireland*, divers Wet Docks, Basins, Quays, Wharfs, Yards, Warehouses, Stores and Cellars, have from time to time been made and erected at *Dublin*, and at other Ports and Places in *Ireland*, and the Expence thereof hath been defrayed out of the Receipts of the said Revenue of Customs; and it is therefore just and proper that reasonable Charges should be made and paid for Dockage on Ships and Vessels entering any such Docks or Basins, and for Rent on Goods, Wares and Merchandize deposited in or on such Quays, Wharfs, Yards, Warehouses, Stores or Cellars, and also for the lading and unlading, landing, weighing, warehousing, portering, carting and cooping of all such Goods, Wares and Merchandize, and for other Work to be done upon or within the said Premises; and that the Commissioners of the Customs, with the Approbation of the Commissioners of the Treasury, should be empowered to let or demise any such Docks, Basins, Quays, Wharfs, Warehouses and Premises, together with the Right of demanding and levying such Charges, and all other Rights, Privileges and Advantages annexed or belonging to such Docks, Warehouses or Premises: Be it therefore enacted by the King's most Excellent Majesty, by and with the 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 four, there shall be granted, raised, levied and paid for every Ship or other Vessel trading to, and entering, frequenting or using any such Docks, Basins, Wharfs, Quays, Warehouses, Storehouses or Cellars, the Property of His Majesty, and which shall have been made, erected or built at the Expence of the Revenue of the Customs, by the Master or Commander, or other Person having the Charge or Command of any such Ship or Vessel, the several Rates and Charges of Tonnage particularly rated, set forth and described in the Schedule to this Act annexed, marked (A.); and such Rates and Duties shall be paid in *British* Currency, and shall be payable to and receivable by the Commissioners of Customs, or to or by such Person or Persons as such Commissioners shall from time to time authorize and empower to receive the same; and that such Rates shall be paid when any such Ship or Vessel shall enter Inwards or clear Outwards at the Custom House in any such Port respectively, and before any such Ship or Vessel respectively shall depart from any such Port respectively.

From Oct. 10, 1824, Rates of Tonnage on Ships entering or using Wet Docks as specified in Table (A.) to be paid.

Payable in British Currency to Commissioners of Customs.

II. And

II. And be it further enacted, That if the said Tonnage Rates and Duties shall not be paid at the Times and in Manner aforesaid, it shall and may be lawful for the Commissioners of Customs, or for any Officer or other Person appointed by the said Commissioners, to detain any such Ship or Vessel until such Rates and Duties, and every Part thereof, in respect of any such Ship or Vessel, shall be fully paid and satisfied.

Ships may be detained for Nonpayment of Tonnage Rate

III. And be it further enacted, That from and after the Tenth Day of *October* One thousand eight hundred and twenty four, it shall not be lawful for any Person or Persons, save and except such Person or Persons as shall from time to time be nominated and appointed by the Commissioners of Customs for the Time being, or any Three of them, or by the Lessees of the said Commissioners under the Authority of this Act, for that Purpose, to do, execute or perform, or be employed in executing or performing any of the following Works, Labours or Services in or upon any such Docks, Quays, Wharfs, Yards, Warehouses or Stores, or in or upon any Premises the Property of His Majesty, His Heirs and Successors, in the Occupation of such Commissioners of the Customs, or their Lessees; that is to say, shipping, lading, unloading, discharging, landing, weighing, warehousing, yarding, portering, carting, cooping or mending of any Goods, Wares and Merchandize, and the Casks, Cases and other Packages in which any such Goods, Wares or Merchandize shall be contained; any Law, Usage, Privilege, Patent, Grant, Custom or Authority to the contrary in any wise notwithstanding.

No Persons to be employed in the Docks but such as are appointed by Commissioners of Customs or their Lessees.

IV. And be it further enacted, That from and after the said Tenth Day of *October* One thousand eight hundred and twenty four, there shall be granted, raised and levied, for and upon the several Goods, Wares and Merchandize enumerated and set forth in the Table marked (B.) to this Act annexed, which shall be warehoused, stored or yarded in any of such Warehouses, Cellars, Stores or Yards, or which shall be landed at or shipped from, or shall be, lie or remain upon any such Quays and Wharfs as aforesaid, for the wharfage, landing, lading, housing, weighing, unhousing, shipping and transferring of any such Goods, Wares and Merchandize, the several Rates and Charges particularly set forth and described in the said Table marked (B.) to this Act annexed; and such several Rates and Charges shall be paid by the Owner or Owners, Importer or Importers, Consignee or Consignees of such Goods, Wares and Merchandize, or their Agent, in *British* Currency, and shall be paid to, and shall be receivable by the Commissioners of Customs, or to or by such Person or Persons as such Commissioners shall from time to time authorize and empower to receive the same, before such Goods, Wares and Merchandize shall be taken from such Warehouses, Cellars, Stores, Yards, Quays and Wharfs respectively.

Rates to be paid on Goods warehoused, &c. at such Docks, according to Table (B.)

V. And be it further enacted, That the Importer or Importers, Proprietor or Proprietors, Consignee or Consignees of any Goods, Wares or Merchandize, warehoused, stored or yarded in any such Warehouses, Cellars, Stores and Yards, or being, lying or remaining upon the several Quays and Wharfs aforesaid, shall before the Expiration of Three Years, to be computed from the Day of the first Entry thereof, clear and take all such Goods and

Warehoused Goods shall be taken out within Three Years or otherwise sold for Payment of Duties &c.

Merchandize from and out of such Warehouses, Cellars, Stores and Yards, Quays and Wharfs, and shall pay such Rates and Charges as shall be then due and payable, under the Conditions and Regulations of this Act, on such Goods and Merchandize; and in case such Importer or Importers, Proprietor or Proprietors, Consignee or Consignees, or their Agents, shall fail or neglect so to do, before the Expiration of such Three Years, it shall and may be lawful for the said Commissioners of Customs, or their Lessees, or such Person as shall be appointed by them or either of them, to cause all such Goods and Merchandize to be publicly sold, and the Produce of such Sale shall be applied, first in Discharge of all such Duties of Customs and Excise as may be due in respect of such Goods, next in Payment of the Rates and Charges imposed by this Act; and the Overplus arising from such Sale shall be paid to such Importer or Importers, Proprietor or Proprietors, Consignee or Consignees, or their Agents.

Rates may be reduced by Commissioners of Customs, with Consent of Treasury; Rents of Lessees to be reduced proportionably.

VI. And be it further enacted, That it shall and may be lawful for the said Commissioners of Customs, with the Consent and Approbation of the Commissioners of His Majesty's Treasury, from time to time to reduce or diminish the several Rates and Charges by this Act made payable; and in every such Case the said Commissioners of Customs shall and they are hereby required to make a corresponding and proportionate Reduction of any Rent or Rents which may be reserved and made payable to them by any Lessee or Lessees under the Provisions of this Act, in respect of any such Docks, Quays, Wharfs, Yards and Warehouses.

Commissioners of Customs, with Approbation of Treasury, may let the Docks and Rates.

VII. And be it further enacted, That it shall and may be lawful for the said Commissioners of Customs, or any Three of them, by and with the Approbation of the Commissioners of His Majesty's Treasury, or any Three of them, from time to time to demise or let all and every or any of the Docks, Quays, Wharfs and Yards and Warehouses aforesaid, together with all Rates, Charges, Dues and Profits to the same belonging, or receivable at every such Port under the Provisions of this Act, and to grant all such Rights and Powers as by this Act are provided, for demanding and levying all or any such Rates, Charges, Dues and Profits, to any Lessee or Lessees thereof, and to authorize such Lessee or Lessees to take and apply the same to his or their own Use and Benefit for such Term, at such Rent, and upon such Covenants and Conditions as to the said Commissioners of the Customs shall appear reasonable, and as shall be approved of by the said Commissioners of the Treasury.

Dock Masters to be appointed by Commissioners or their Lessees.

VIII. And be it further enacted, That it shall be lawful for the Commissioners of the Customs for the Time being, and for the several and respective Persons who shall or may be or become Lessees of the Premises, or any of them, and they are hereby respectively authorized and required from time to time, as Occasion shall be or require, to nominate and appoint some fit and proper Person or Persons to be Dock Master or Dock Masters of such Docks, or any of them respectively; and that such Commissioners and their Lessees shall and may from time to time, as they or either of them shall see Cause, remove, suspend or dismiss any such Dock Master or Dock Masters; and that such Dock



**Dock Master or Dock Masters** so from time to time to be appointed, shall have full Power and Authority, under the Regulations and Restrictions hereinafter expressed, to direct the mooring, unmooring, moving or removing, and extinguishing the Lights on board of all Ships and other Vessels coming into or being in any such Docks, or at such Quays and Wharfs, or any of them respectively; and the Time or Times and Manner of their Entrance into and lying in, going out of or from such Docks, Quays and Wharfs respectively, and their Position, lading and discharging therein respectively, and the Time or Times of opening and shutting the Gates of such Docks, and the Time of extinguishing the Lights on board any such Ships or Vessels; and in case the Owner, Master, Pilot or other Person having the Charge or Command of any Ship or other Vessel, or his or their Servant or Servants, shall refuse or neglect to moor or unmoor, move or remove the same, or to extinguish all or any Lights in any such Ship or Vessel, according to such Direction, immediately after Notice to him or them given in Writing, or left with some Person or Persons on board such Ship or Vessel for that Purpose, that then and in every such Case it shall be lawful for any such Dock Master or Dock Masters, or his or their Assistants, and he and they is and are hereby required to moor, unmoor, move or remove any such Ship or Vessel, or to extinguish the Lights in the same; and that all Charges and Expences of so doing shall be paid and borne by the Owner, Master, Pilot or other Person having the Charge and Command of such Ship or Vessel; and such Owner, Master, Pilot, Servant or other Person so refusing, shall forfeit and pay a Penalty of Five Pounds; and all such Charges, and the said Penalty of Five Pounds, may be recovered from such Person so refusing, in case of Nonpayment thereof on Demand, by such Ways and Means as Penalties and Forfeitures are by this Act directed to be recovered; and in case any Master, Commander, Mate, Pilot or other Person or Persons having or taking the Command of any such Ship or other Vessel, or any Owner, Agent or Consignee of such Ship or Vessel, or any other Person, shall obstruct or hinder the mooring, unmooring, moving or removing of any such Ship or other Vessel in or near such Docks, Quays or Wharfs, or any of them, or shall obstruct or hinder any such Dock Master or his Assistants in the Execution of any Part of his Duty under this Act, every such Person or Persons shall for every such Offence forfeit and pay a Sum not exceeding Twenty Pounds, nor less than Five Pounds, to be recovered and applied as hereinafter is mentioned and directed.

IX. And be it further enacted, That it shall and may be lawful for any such Dock Master or Dock Masters, and his and their Assistant and Assistants, and he and they is and are hereby required to remove or cause to be removed from any such Docks, Quays and Wharfs, all and every or any Nuisance or Nuisances which may happen to be therein or thereon respectively; and also to remove or cause to be removed from any such Docks, Quays and Wharfs, all idle or disorderly Persons, and all Persons attempting to act in any way contrary to Law, or any of the Provisions in this Act contained: Provided always, that nothing

Dock Master direct Mode of mooring Ship &c. in Dock

Refusal to ob Orders of Do Master, Proceedings by Dock Master and

Penalty 5l. a Expences.

Obstructing Moorings or Dock Master

Penalty.

Dock Master may remove Nuisances, &

herein contained shall extend, or be deemed, construed or taken to extend, to hinder or prevent any Watchman or Guard appointed or to be appointed by the Commissioners of Customs, nor any of the Officers of Customs, from performing the Duty of any Office to which they shall or may be duly appointed.

Vessels shall not lie so as to obstruct Entrance of Docks, &c.

X. And be it further enacted, That from and after the passing of this Act, no Ship or other Vessel shall lie at or near to the Entrance of any such Dock in any Manner or at any Time which, in the Judgment of the Dock Master of any such Dock respectively, shall impede or hinder the free Entrance or Departure of Vessels into or from any such Dock; and every Master and Pilot, and all and every other Person or Persons having the Charge or Command of any Ship or other Vessel lying at or near to the Entrance of any such Dock, shall remove such Ship or Vessel under his or their Command, whenever he shall be thereto required by the Dock Master or Dock Masters of any such Dock, or his or their Assistant or Assistants, by an Order left with some Person or Persons on board such Ship or Vessel, in Writing, for that Purpose, expressing the Time within which such Removal shall be made, under the Penalty of forfeiting a Sum not exceeding Ten Pounds, nor less than Five Pounds, for every Hour which every such Ship or Vessel shall remain at or near any Entrance of any such Dock, after the Time limited by such Notice for the Removal of such Vessel.

Not removing on Order of Dock Master.

Penalty.

Proviso for Acts relating to Customs and Excise.

XI. And be it declared and enacted, That nothing in this Act contained shall extend, or be deemed, construed or taken to extend, to the repealing or contravening the Provisions of any Act or Acts relating to the Duties of Customs or Excise, or to the Importation or Exportation of Goods, Wares or Merchandise, any Thing in this Act contained to the contrary thereof in any wise notwithstanding.

Penalties recoverable under Laws of Customs.

XII. And be it further enacted, That all Rates, Penalties and Forfeitures, which may be incurred under this Act, shall and may be sued for, levied and recovered by any of the Modes provided or to be provided for the suing for, levying and recovering any Penalties or Forfeitures for Offences against the Laws in force in *Ireland* relating to the Revenue of Customs.

Application of Penalties.

XIII. And be it further enacted, That all Penalties and Forfeitures to be incurred, inflicted and paid or levied under any of the Provisions of this Act, shall be paid and disposed of, one Half to the Informer, and the other Half to the Use of His Majesty, His Heirs and Successors.

## TABLES referred to in this Act.

## TABLE (A.)

A TABLE of Rates and Charges, in British Currency, upon Vessels entering, using and frequenting certain Docks in the Port of Dublin, and other Ports in Ireland.

UPON all Ships or Vessels which shall enter any such Dock, to discharge or receive Goods, and which shall remain therein longer than Six Weeks; for every Week after the Expiration of such Six Weeks, for every registered Ton of such Ship or Vessel - One Halfpenny.

Upon light Ships or Vessels permitted to enter any such Dock for the Purpose of laying up, from the Time of their entering the Docks, for every Week, per registered Ton - One Halfpenny.

## TABLE (B.)

A TABLE of Rates and Charges, in British Currency, upon Goods, Wares and Merchandize warehoused, stored or yarded in certain Warehouses, Cellars, Stores and Yards, in different Ports in Ireland, or landed at, shipped from, being, lying or remaining upon certain Quays and Warehouses in the said Ports.

THE Rent upon Goods housed or yarded to commence from the Day of the Ship or Vessel's beginning to discharge.

No Quay Rent to be charged upon Goods remaining on the Quay until Seven Days after landing.

No Quay Rent to be charged upon Goods intended for shipping, unless they shall remain thereon beyond the Period of Seven Days.

The coopering and mending of all Descriptions of Packages to be performed as the Proprietor of the Goods may direct, and at such Rate of Charge as may be agreed upon in every Case between such Proprietor and Occupier of the Premises.

The Occupier or Occupiers of the Premises not to be responsible, or to make good any Deficiencies by Leakage upon Wines and Spirits deposited therein, unless the Package shall have been coopered by their Servants previous to housing, in which case they are to make good such Deficiencies, if exceeding One Gallon upon any Hogshead, Pipe or Puncheon, for any Period of Custody less than One Year; Two Gallons for any Period above One Year and less than Two Years; and in like Proportion for succeeding Years; provided that such Deficiencies shall be claimed within Six Months of Delivery, and be established by the Excise or Customs Gauge on Landing and Delivery.

Goods requiring to be made up in regular Order on the Quay, for gauging by the Revenue Officers, to be charged for so laying up One Fourth of the Charge hereinafter stated for landing such Goods.

## TABLE (B.)





Table (B.)	Wharfe.	Landing.	Loading from Quay.	Hoisting.	Weighing.	Unhousing and Loading.	Unhousing, Wharfe, and Shipping.	Wharfe and Shipping.	Transferring.	Rest per Week.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	d.
Burr Stones, per Ton	1 3	1 3	1 3	1 3	1 3	1 3	3 9	1 3	0 0	2
— each	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	0 0	8 p. 100
Bones, per 1,000	0 9	0 9	0 9	0 9	-	0 9	2 3	0 9	0 1	1
Books, per Bale or Box	0 4	0 4	0 4	0 4	0 4	0 4	1 4	0 4	0 0	1
— per Pack or Chest	0 6	0 6	0 6	0 6	0 6	0 6	1 6	0 6	0 0	2
C.										
Calf Skins per Bale	0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 0	1
— per small Do.	0 2	0 2	0 2	0 2	0 2	0 3	0 8	0 3	0 0	1
— loose, dry, per Dozen	0 1	0 1	0 1	0 1	0 1	0 1	0 1	0 1	0 0	0
— salted, per Do.	0 2	0 2	0 2	0 2	0 2	0 2	0 4	0 2	0 0	1
Cinnamon, per Bale, containing 3 Bundles	0 4	0 4	0 4	0 4	0 4	0 4	1 2	0 4	0 1	2
— per Case or Cask, Do.	0 6	0 6	0 6	0 6	0 6	0 6	1 6	0 6	0 1	3
4 Do.	0 4	0 9	0 9	0 9	-	0 9	2 3	0 9	0 1	3
Cambrick, per Pack	1 3	1 3	1 3	1 3	1 3	1 3	3 9	1 3	0 1	4
Caviere, per Ton	1 3	1 3	1 3	1 3	1 3	1 3	3 9	1 3	0 1	4
Cheese, per Do.	0 1	0 1	0 1	0 1	0 1	0 1	0 4	0 1	0 0	1
— Parmesan, per Tub or Case	0 1	0 1	0 1	0 1	0 1	0 1	0 4	0 1	0 0	1
Catlings, per Case or Chest	0 3	0 8	0 3	0 3	0 3	0 3	0 9	0 3	0 1	1
Capers, per Butt	0 9	0 9	0 9	0 9	0 9	0 9	2 3	0 9	0 1	4
— per Puncheon	0 6	0 6	0 6	0 6	0 6	0 6	1 6	0 6	0 1	3
— per Hogshead	0 4	0 4	0 4	0 4	0 4	0 4	1 2	0 4	0 1	2
— per Barrel	0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 0	1
Carpets, per Bale	0 4	0 7	0 7	0 7	-	0 7	1 9	0 7	0 1	3
— per Ballot	0 3	0 4	0 4	0 4	-	0 4	1 0	0 4	0 1	2
Cantharides, per Case or Cask, under 4 cwt.	0 6	0 6	0 6	0 6	0 6	0 6	1 6	0 6	0 1	2
— 4 s' 8 Do.	0 9	0 9	0 9	0 9	0 9	0 9	2 3	0 9	0 2	3
— 8 cwt. and upwards	1 0	1 3	1 3	1 3	1 3	1 3	3 0	1 3	0 2	4
Coral, per Do. or Do.	0 6	0 6	0 6	0 6	0 9	0 6	1 6	0 6	0 1	3
Cordials, per Case	0 3	0 3	0 3	0 3	-	0 3	0 9	0 3	0 0	1
Cochineal, per Barrel	0 6	0 6	0 6	0 6	0 6	0 6	1 6	0 6	0 1	2
— Dust per Bag	-	-	-	-	0 1	0 1	0 3	0 1	0 4	0
Copper, per Ton	1 3	1 3	1 3	1 3	1 3	1 3	3 9	1 3	0 1	2
Cream of Tartar, per Cask, under 3 cwt.	0 1	0 1	0 1	0 1	0 1	0 1	0 4	0 1	0 0	0
— under 13 cwt.	0 6	0 6	0 6	0 6	0 6	0 6	1 6	0 6	0 1	1
— above 13 Do.	0 9	0 9	0 9	0 9	0 9	0 9	2 3	0 9	0 1	3
Currants, per Butt	0 9	0 9	0 9	0 9	0 9	0 6	2 3	0 6	0 1	3
— per Pipe	0 6	0 6	0 6	0 6	0 6	0 6	1 6	0 6	0 1	2
— per Carotol	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 0	1
Cocoa Nuts, per 100	0 8	0 8	0 8	0 8	-	0 8	2 0	0 8	0 4	2
Cotton, Lisbon and Oporto, per Bag	0 3	0 2	0 2	0 2	0 2	0 4	0 8	0 4	0 0	0
— East India, per Do.	0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 0	0
— Smyrna, per Bag	0 3	0 2	0 2	0 3	0 4	0 6	0 9	0 6	0 0	0
— Cyprus, per Ditto	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 0	0
— West India, per Ditto	0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 0	0
— per Pocket	0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 0	0
— per Seron	0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 0	0



		Unhousing, Wharfage, and Shipping.		Wharfage and Shipping.		Transferring.		Net per Ton.	
		s.	d.	s.	d.	s.	d.	d.	
		0	6	0	2	0	1	14	
		1	0	0	4	0	0	14	
		0	3	0	2	0	0	1	
		0	9	0	3	0	1	14	
		0	6	0	2	0	1	14	
		1	6	0	6	0	1	3	
		0	9	0	3	0	0	11	
		2	3	1	0	0	1	1	
		3	0	1	6	0	1	3	
		3	9	2	0	0	1	4	
		2	3	0	9	0	1	2	
		0	9	0	3	0	0	1	
		1	0	0	4	0	0	1	
		1	6	0	6	0	1	14	
		1	0	0	4	0	1	14	
		0	3	0	9	0	9	100 whole	
		0	1	0	4	0	4	100 half	
		1	0	0	4	0	4	100 p. 100	
		0	2	0	0	0	4	100 p. 100	
		3	0	0	4	0	4	100 p. 100	
		0	3	0	2	0	9	100 p. 100	
		0	6	0	2	0	9	100 p. 100	
		4	6	1	6	0	9	100 p. 100	
		0	6	0	2	0	9	100 p. 100	
		1	0	0	4	0	4	100 p. 100	
		2	3	0	9	0	1	100 p. 100	
		1	0	0	4	0	1	100 p. 100	





Table (B.)	Wharfrage.	Landing.	Loading from Quay.	Hoisting.	Weighing.	Unhousing and Loading.	Unhousing, Wharfrage, and Shipping.	Wharfrage and Shipping.	Transferring.	Rate per 100
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	d.
Hare Skins. <i>See</i> Skins.										
Horns, Ox or Cow, per 1,000	2 0	2 0	2 0	2 0	2 0	2 0	6 0	2 0	0 9	4
— Harts, per 100 pair	0 9	0 9	0 9	0 9	0 9	0 9	2 3	0 9	0 4	2
— Plates, per 1,000	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 4	1 1/2
— Tips, per Do.	0 6	0 6	0 6	0 6	0 6	0 6	1 6	0 6	0 4	1 1/2
Honey, per Barrel	0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 0 1/2	0 1/2
Herrings, per Do.	0 0 1/2	0 0 1/2	0 0 1/2	0 0 1/2	-	-	0 2	0 0 1/2	0 9	0 9
Horses, each	5 0	5 0	-	-	-	-	-	-	-	-
I.										
Indigo, per Chest	0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 0 1/2	1 1/2
— per Seron	0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 0 1/2	1 1/2
— per Cask, under 300 cwt.	0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 0 1/2	0 1/2
— - - 3 a' 8 Do.	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 0 1/2	1 1/2
— - - 8 cwt. and upw.	0 6	0 6	0 6	0 6	0 6	0 6	1 6	0 6	0 1 1/2	2
Inkle, per Case	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 0 1/2	1
Indian Rubber, per Barrel	0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 1	0 1/2
— - - per Hogshead } — - - or Pipe }	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 1 1/2	3
Iron, per Ton	1 0	1 0	1 0	1 0	1 0	1 0	3 0	1 0	0 1 1/2	1
Iron Liquor, same as Wines.										
Isinglass, per Ton	1 3	1 3	1 3	1 3	1 3	1 3	3 9	1 3	0 1 1/2	4
Ivory, per cwt.	0 1	0 1	0 1	0 2	0 2	0 2	0 3	2 0	0 0 1/2	1
Jalap, per Bale, about 3 cwt.	0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 0 1/2	0 1/2
Ipecacuanha, per Case } Cask, under 3 cwt. }	0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 0 1/2	0 1/2
— - - 3 a' 5 Do.	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 1	1
Juice, Spanish. <i>See</i> Liquorice.										
Jesuit's Bark. <i>See</i> Bark.										
K.										
Kelp, per Ton	1 0	0 9	0 9	0 9	1 0	1 0	2 3	1 0	0 1 1/2	2
Kid Skins. <i>See</i> Skins.										
L.										
Linen, a' Germany, per Bale	0 8	0 8	0 8	0 8	-	0 8	2 0	0 8	0 1 1/2	3
— - - per Half Do.	0 4	0 4	0 4	0 4	-	0 4	1 0	0 4	0 0 1/2	1 1/2
— - - per Quarter Do.	0 2	0 2	0 2	0 2	-	0 2	0 6	0 2	0 0 1/2	1
— loose, or in Bags, per Roll	0 0 1/2	0 0 1/2	0 0 1/2	0 0 1/2	-	0 0 1/2	0 1 1/2	0 0 1/2	0 4	1 1/2
— - - per Chest	0 8	0 8	0 8	0 8	-	0 8	2 0	0 8	0 1 1/2	3
— - - per Half Do.	0 4	0 4	0 4	0 4	-	0 4	1 0	0 4	0 0 1/2	1 1/2
— - - per Quarter Do.	0 2	0 2	0 2	0 2	-	0 2	0 6	0 2	0 0 1/2	1
— Russia, per Bale	0 4	0 4	0 4	0 4	-	0 4	1 0	0 4	0 0 1/2	1 1/2
— - - per Half or } boarded Bale }	0 4	0 4	0 4	0 4	-	0 4	1 0	0 4	0 0 1/2	1
— - - per Quarter Do.	0 2	0 2	0 2	0 2	-	0 2	0 6	0 2	0 0 1/2	0 1/2
— Crab, per Bale	0 4	0 4	0 4	0 4	-	0 4	1 0	0 4	0 0 1/2	0 1/2
— - - per Half Do.	0 4	0 4	0 4	0 4	-	0 4	1 0	0 4	0 0 1/2	1 1/2
— - - per Quarter Do.	0 2	0 2	0 2	0 2	-	0 2	0 6	0 2	0 0 1/2	1
— Bolts or Rolls Sailcloth, } each }	0 0 1/2	0 0 1/2	0 0 1/2	0 0 1/2	-	0 0 1/2	0 1 1/2	0 0 1/2	0 4	1 1/2

Table (B.)	Wharfrage.	Landing.	Loading from Quay.		Housing.	Weighting.	Unhousing and Loading.	Unhousing, Wharfrage, and Shipping.	Wharfrage and Shipping.	Transferring.	Rent per Week.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	d.
linen Mats, 2 Pieces, each	0 0½	0 0½	0 0½	0 0½	0 0½	-	0 0½	0 2	0 0½	0 9	1s. 6d. per 100
- Irish, per Case or Bale	0 8	0 8	0 8	0 8	-	-	0 8	0 9	0 8	0 0	2d.
- - - per Box or Bundle	0 2	0 2	0 2	0 2	-	-	0 2	0 6	0 2	0 0	1½
- - - Sample Boxes, each	0 1	0 1	0 1	0 1	-	-	0 1	0 3	0 1	0 0	1
Lead, per Ton	0 9	0 9	0 9	0 9	0 9	0 9	0 9	2 3	0 9	0 1½	1
Leather, tanned, loose, } per Do. }	1 8	1 8	1 8	1 8	1 8	1 8	3 9	1 8	0 1½	0 1½	6
- - - per Bale	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 0½	0 0½	1
Liquorice, a' Spain, per } Case or Barrel }	0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 0½	0 0½	1
- a' Italy, per Do. -	0 8	0 8	0 8	0 8	0 8	0 8	0 9	0 8	0 0½	0 0½	1
- Root, per Bale, under } 2 cwt. }	0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 0½	0 0½	1
Lemons. See Oranges.											
Lead, Black, per Case, } under 3 cwt. }	0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 9	p100	0½
Limes, per Barrel	0 2	0 2	0 2	0 2	-	-	0 2	0 6	0 2	0 0½	1
Lace, per Box or Case	0 4	0 9	0 9	0 9	-	-	0 9	2 0	0 9	0 1½	4
- per Hogshead	0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 4	p100	5s. per 100
Linseed, per Barrel or Bag, } about 4 Bush. }	0 1½	0 1½	0 1½	0 1½	0 1½	0 1½	0 8	0 1½	0 4	p100	4s. per 100
- per Half Hogshead, } Barrel, or Bag }	0 1	0 1	0 1	0 1	0 1	0 1	0 2	0 1	0 2	p100	2s. per 100
Limejuice, per Puncheon	0 6	0 6	0 6	0 6	0 6	0 6	1 6	0 6	0 1½	0 1½	3d.
- per Hogshead	0 8	0 8	0 8	0 8	0 8	0 8	0 9	0 8	0 0½	0 0½	1½
M.											
Madder, per Cask	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 1½	0 1½	2
- Roots, per Bale	0 8	0 8	0 8	0 8	0 8	0 8	0 9	0 8	0 0	0 0	0½
Marbles, per Ton	1 3	1 3	1 3	1 3	1 3	1 3	3 9	1 3	0 1½	0 1½	3
Morels	0 8	0 8	0 8	0 8	0 8	0 8	0 9	0 8	0 0	0 0	0½
Melting Pots	1 4	1 4	1 4	1 4	1 4	1 4	3 0	1 4	0 1½	0 1½	8
Mats, per Bundle contain- } ing 10 Mats }	0 0½	0 0½	0 0½	0 0½	-	-	0 0½	0 1½	0 0½	0 8	4 per 100
Manna, per Cask or Chest, } about 1½ cwt. }	0 1½	0 1½	0 1½	0 1½	0 1½	0 1½	0 4	0 1½	0 0½	0 0½	0½
- about 3 cwt.	0 8	0 8	0 8	0 8	0 8	0 8	0 9	0 8	0 0	0 0	1
Mohair Yarn, per Bale	0 8	0 8	0 8	0 8	0 8	0 8	0 9	0 8	0 0	0 0	0½
Molasses per Puncheon	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 1½	0 1½	2
- per Hogshead	0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 0½	0 0½	1½
Morden-hair, per Bale	0 8	0 8	0 8	0 8	0 8	0 8	0 9	0 8	0 0	0 0	0½
Mastic, per Case or Chest, } about 3 cwt. }	0 8	0 8	0 8	0 8	0 8	0 8	0 9	0 8	0 0	0 0	0½
Mace, per Cask	0 6	0 6	0 6	0 6	0 6	0 6	1 6	0 6	0 1½	0 1½	1½
Mahogany. See Wood.											
Money, per Package	0 4	0 4	0 4	0 4	-	-	-	-	0 1½	0 1½	-
Moss, Rock, in Bags, per Ton	2 0	2 0	2 0	2 0	2 0	2 0	6 0	2 1	0 4	0 4	8
- per Cask, about 84 lbs.	0 1	0 1	0 1	0 1	0 1	0 1	0 8	0 1	0 4	p100	1s. per 100
- per Do. from 1 to 2 cwt.	0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 8	p100	2s. per Do.

Table (B.)	Wharfrage.	Landing.	Loading from Quay.	Housing.	Weighing.	Unhousing, and Loading.	Unhousing, Wharfrage, and Shipping.	Wharfrage and Shipping.	Transferring.	Rest per Week.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	d.
N.										
Nutmega, per Cask	0 6	0 6	0 6	0 6	0 6	0 6	1 6	0 6	0 1½	1½
Nuts, per Sack	0 1½	0 1½	0 1½	0 1½	- -	0 1½	0 4	0 1½	0 9	3s. per 100
— per Bag	0 1	0 1	0 1	0 1	- -	0 1	0 3	0 1	0 4	1s. 6d. per 100
Nicaragua Wood. See Wood.										
Natron, per Ton	1 0	0 9	0 9	0 9	1 0	1 6	2 3	1 0	0 1½	2d.
O.										
Oil, per Chest	0 3	0 3	0 3	0 3	- -	0 3	0 9	0 3	0 2	4½ p. Score
— per Half Do.	0 1½	0 1½	0 1½	0 1½	- -	0 1½	0 4½	0 1½	0 1½	3d. per Do.
— per Case, containing about One Doz. Bottles	0 1	0 1	0 1	0 1	- -	0 1	0 3	0 1	1 0	1s. 6d. per 100
— per large Jar	0 6	0 9	0 9	0 9	0 9	0 9	2 3	0 9	0 1½	4
— per common Jar	0 3	0 8	0 8	0 8	0 8	0 8	1 6	0 8	0 1½	2
— per Half Do.	0 2	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 1	1½
— (Seed) in Casks, per Tun	1 2	1 2	1 2	1 2	- -	1 2	3 6	1 2	0 3	4
— Blubber or Fish Oil, per Ditto	1 2	0 9	0 9	0 9	- -	1 2	3 0	1 2	0 3	3
— Palm, per Ton	1 0	1 0	1 0	1 0	1 0	1 0	3 0	1 0	0 3	3
Opium, per Chest, under 4 cwt.	0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 0½	1
Onions, per Basket or Barrel	0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 0½	0½
Orange Trees, per Chest	0 9	0 9	0 9	0 9	- -	0 9	2 3	0 9	0 2	3
Orrice Root, per Cask	0 6	0 6	0 6	0 6	- -	0 6	1 6	0 6	0 1½	2
Orange Buds, per Tierce	0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 1	1½
— per Hoghead, about 5 cwt.	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 1½	3
— Peel, per Bale, about 2 cwt. 2 qrs.	0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 0½	1
— per Ditto, about 5 cwt.	0 6	0 6	0 6	0 6	0 6	0 6	1 6	0 6	0 1	2
Oxen, each	4 0	4 0	—	—	—	—	—	—	—	—
Ochre, per Ton	1 3	1 3	1 3	1 3	1 3	1 3	3 9	1 3	0 1½	3
Orange Flower Water, per Case	0 4	0 4	0 4	0 4	- -	0 4	1 0	0 4	0 1	1
Ostrich Feathers. See Feathers.										
Oranges and Lemons, per Chest	0 1	0 2	0 2	0 2	- -	0 2	0 6	0 2	0 0½	1
— per Box	0 1	0 1	0 1	0 1	- -	0 1	0 3	0 1	0 0½	0½
Orchella-weed, per Bale, under 4 cwt.	0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 1	1
— 4 a' 6 Do.	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 1	1
— 6 a' 10 Do.	0 6	0 6	0 6	0 6	0 6	0 6	1 6	0 6	0 1½	1½
Olives, per Tierce	0 3	0 3	0 3	0 3	- -	0 3	0 9	0 3	0 1	2
— per Barrel, 30 Gallons	0 2	0 2	0 2	0 2	- -	0 2	0 6	0 2	0 1	1½
— per Half Do.	0 1	0 1	0	0 1	- -	0 1	0 3	0 1	0 4	1
— per Quarter Do.	0 0½	0 0½	0 0½	0 0½	- -	0 0½	0 1½	0 0½	0 4	0½
— per Keg, about 4 Gallons	0 0½	0 0½	0 0½	0 0½	- -	0 0½	0 0½	0 0½	0 4	0½

Table (B.)	Wharfrage.		Landing.	Loading from Quay.		Housing.	Weighing.	Unhousing and Loading.		Unhousing, Wharfrage, and Shipping.		Wharfrage and Shipping.	Transferring.	Rent per Week.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	d.
P.														
Paper, per Bale or Chest	0 6	0 6	0 6	0 6	0 6	0 6	0 6	0 6	1 6	0 6	0 6	0 1 1/2	2 1/2	} 4 per Score p100
- per Half Do.	0 3	0 3	0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 3	0 0 1/2	1 1/2	
- per Bundle	0 0 1/2	0 0 1/2	0 0 1/2	0 0 1/2	0 0 1/2	0 0 1/2	0 0 1/2	0 0 1/2	0 1 1/2	0 0 1/2	0 0 1/2	0 0 4	1 1/2	
Prunes, or French Plums, } per Hogshead, or Punchoon, about 8 cwt. }	0 4	0 4	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 4	0 1 1/2	2 1/2	} 2s. per 100 1s. 2d. per 100 1s. per 100
- per Barrel, 5 a' 7 Do.	0 3	0 3	0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 3	0 1	1 1/2	
- per Half Do. 2 a' 3 Do.	0 2	0 2	0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 0 1/2	0 1/2	1 1/2	
- per Chest, about 1 Do.	0 0 1/2	0 0 1/2	0 0 1/2	0 0 1/2	0 0 1/2	0 0 1/2	0 0 1/2	0 0 1/2	0 9	0 2	0 9	0 9	1 1/2	
- per Half Do. about 56 lbs.	0 0 1/2	0 0 1/2	0 0 1/2	0 0 1/2	0 0 1/2	0 0 1/2	0 0 1/2	p.sc. 0 4	0 2	p.sc. 0 4	0 9	p100	1s. 2d. per 100	
- per Quarter Do.	0 0 1/2	0 0 1/2	0 0 1/2	0 0 1/2	0 0 1/2	0 0 1/2	0 0 1/2	p.sc. 0 4	0 1 1/2	p.sc. 0 4	0 4	p100	1s. per 100	
Plums, Portugal, in Boxes, } about 3 lbs. each, per 100 Boxes - }	1 6	1 6	1 6	1 6	1 6	1 6	1 6	4 6	1 6	1 6	0 4	1s.	} 2s. per 100 1s. 2d. per 100 4s. per Do. 1	
Prunelloes, per Chest	0 4	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 4	0 0 1/2	1 1/2		
Pelts, per Ton	1 3	1 3	1 3	1 3	1 3	1 3	1 3	3 9	1 3	0 1 1/2	4 1/2			
Pill Boxes, per Vat	0 9	0 9	0 9	0 9	0 9	0 9	0 9	2 3	0 9	0 1 1/2	4 1/2			
Pumice Stone, per Ton	2 0	2 0	2 0	2 0	2 0	2 0	2 0	6 0	2 0	0 1 1/2	6			
Pimento, per Hogshead, } upwards 8 cwt. }	0 6	0 6	0 6	0 6	0 6	0 6	0 6	1 6	0 6	0 1 1/2	2 1/2			
- per Tierce, 3 a' 8 Do.	0 4	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 1	2			
- per Barrel under 3 Do.	0 3	0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 0 1/2	1			
- per Bag	0 1 1/2	0 1 1/2	0 1 1/2	0 1 1/2	0 1 1/2	0 1 1/2	0 1 1/2	0 4	0 1 1/2	0 9	p100	2s. per 100		
Pitch, per Barrel	0 0 1/2	0 0 1/2	0 0 1/2	0 0 1/2	0 0 1/2	0 0 1/2	0 0 1/2	0 2	0 0 1/2	0 9	p100	1s. 2d. per 100		
Pepper, per Bag, about 2 cwt.	0 2	0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 9	p100	4s. per Do.		
Pease, per Tierce	0 2	0 2	0 2	0 2	-	-	0 2	0 6	0 2	0 1	1			
Pearl Ashes. See Ashes.														
Pork. See Beef.														
Q.														
Quicksilver, per Case or Barrel	0 4	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 1 1/2	0 1/2	} 2s. per 100		
- per Do, containing one Skin	0 3	0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 1	0 1/2			
Quills, per Vat	1 2	1 2	1 2	1 2	-	-	1 2	3 6	1 2	0 1 1/2	3			
- per small Do.	0 9	0 9	0 9	0 9	0 9	0 9	0 9	2 3	0 9	0 1 1/2	2 1/2			
- per Hogshead	0 4	0 4	0 4	0 4	-	-	0 4	1 0	0 4	0 1 1/2	2			
- per Case	0 6	0 6	0 6	0 6	-	-	0 6	1 6	0 6	0 1 1/2	2 1/2			
R.														
Rhubarb, per Case or Cask	0 4	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 0 1/2	1 1/2	} 2s. per 100		
Rosin, loose, per Ton	1 3	1 3	1 3	1 3	1 3	1 3	1 3	3 9	1 3	0 1 1/2	4			
- per Barrel	0 1 1/2	0 1 1/2	0 1 1/2	0 1 1/2	0 1 1/2	0 1 1/2	0 1 1/2	0 4	0 1 1/2	0 0 1/2	3s. per 100			
Rice, per Tierce or Barrel	0 2	0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 0 1/2	1			
- per Bag	0 1	0 1	0 1	0 1	0 1	0 1	0 1	0 3	0 1	0 9	p100	2s. per 100		
Raisins, per Butt, 12 a' 20cwt.	0 9	0 9	0 9	0 9	0 9	0 9	0 9	2 3	0 9	0 1 1/2	3	} 1		
- per Pipe, 9 a' 12 Do.	0 8	0 8	0 8	0 8	0 8	0 8	0 8	2 0	0 8	0 1 1/2	2			
- per Carotel, 5 a' 9 Do.	0 4	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 1	2			
- per Barrel, 2 a' 4 Do.	0 2	0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 9	0 9			
											p100			



Table (B.)	Wharfrage.	Landing.	Loading from Quay.	Housing.	Weighing.	Unhousing and Loading.	Unhousing, Wharfrage, and Shipping.	Wharfrage and Shipping.	Transferring.	Est per Week.
Raisins, per Barrel, 1 cwt. } 2 qrs. a' 2 cwt. - }	s. d. 0 1½	s. d. 0 1½	s. d. 0 1½	s. d. 0 1½	s. d. 0 1½	s. d. 0 1½	s. d. 0 4	s. d. 0 1½	s. d. 0 9	d 0
— per Score Quarter Barrels	1 3	1 3	1 3	1 3	1 3	1 3	3 9	1 3	0 9	2s. per 100
— per Score Boxes or Jars, } about 1 cwt. - }	1 3	1 3	1 3	1 3	1 3	1 3	3 9	1 3	0 9	2s. per Do.
— per Do. under 1 cwt.	0 8	0 8	0 8	0 8	0 8	0 8	2 0	0 8	0 4	1s. per Do.
— per Score Frails or Baskets	0 6	0 6	0 6	0 6	0 6	0 6	1 6	0 6	0 4	1s. per Do.
— per Do. Half and Quar- } ter Do. - }	0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 4	1s. per Do.
— per Score Half and } Quarter Boxes - }	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 4	9d. per Do.
Roots, Flower, per Case -	0 4	0 4	0 4	0 4	-	0 4	1 0	0 4	0 0½	1d
Rags, and old Ropes, per Ton	0 9	0 9	0 9	0 9	0 9	0 9	2 3	0 9	0 1½	3 or 4 p. Bag
Rushes, per Load -	0 4	0 4½	0 4	0 4	-	0 4	1 0	0 4	0 0½	3
— for polishing, per Bundle	0 0½	-	0 0½	0 0½	-	0 0½	0 1½	0 0½	0 4	9 per 100
Radix Seneka, per Barrel -	0 1½	0 1½	0 1½	0 1½	0 1½	0 1½	0 4	0 1½	0 0½	0½
S.										
Sac. Saturni, per Chest -	0 9	0 9	0 9	0 9	0 9	0 9	2 3	0 9	0 1½	2½
Sarch, per Ton -	1 3	1 3	1 3	1 3	1 3	1 3	3 9	1 3	0 1½	4
Scaleboards, per 100 Bundles	0 9	0 9	0 9	0 9	0 9	0 9	2 3	0 9	0 1½	2s. per 1000
Skates, per Case -	0 6	0 6	0 6	0 6	-	0 6	1 6	0 6	0 1½	3
State Pencils, per Do.	0 6	0 6	0 6	0 6	-	0 6	1 6	0 6	0 1½	3
Steel, per Ton -	1 3	1 3	1 3	1 3	1 3	1 3	3 9	1 3	0 1½	2
Spinnell, per Bale -	0 1	0 1½	0 1½	0 1½	0 1½	0 1½	0 4	0 1½	0 4	0½
Silk, per Do. -	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 1½	2
Soap, per Case, under 2 cwt.	0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 0½	1
Saffron, per Bale or Case	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 0½	1½
Sal Armoniac, per Ton -	1 3	1 3	1 3	1 3	1 3	1 3	3 9	1 3	0 1½	4
Safflower, per Do.	1 3	1 3	1 3	1 3	1 3	1 3	3 9	1 3	0 1½	4
Shumac a' Oporto, per Bag	0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 9	1½ per Ton
— a' Malaga and Sicily, } per Do. - }	0 1½	0 1½	0 1½	0 1½	0 1½	0 1½	0 4	0 1½	0 9	1½ per Do.
Senna, per Bale or Case, } about 5 cwt. - }	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 0½	1½
— per Do. about 10 cwt.	0 9	0 9	0 9	0 9	0 9	0 9	2 3	0 9	0 1½	3
Sabara, per Bale or Barrel, } 2 cwt. - }	0 1½	0 1½	0 1½	0 1½	0 1½	0 1½	0 4	0 1½	0 0½	0½
Snake Root, per Barrel -	0 1½	0 1½	0 1½	0 1½	0 1½	0 1½	0 4	0 1½	0 0½	0½
— per Tierce -	0 3	0 3	0 3	0 3	0 3	0 3	0 8	0 3	0 1	1½
— per Hogshead -	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 1½	2
Sturgeon, per Keg -	0 0½	0 0½	0 0½	0 0½	-	0 0½	0 1½	0 0½	0 4	9d. per 100
Shot, per Ton -	1 0	1 0	1 0	1 0	1 0	1 0	3 0	1 0	0 1½	1
Salt, loose, per Do.	0 9	0 9	0 9	0 9	0 9	0 9	2 3	0 9	0 1½	1
— per Barrel, under 3 cwt.	0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 4	2s. per Do.
Sword Blades, per Case, } under 2 cwt. - }	0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 0½	1
— a' 6 Do. -	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 1	2

Table (B.)		Wharfrage.	Landing.	Loading from Quay.	Housing.	Weighing.	Unhousing and Loading.	Unhousing, Wharfrage, and Shipping.	Wharfrage and Shipping.	Transferring.	Rent per Week.
		s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	d.
Wheat, Millet, per Barrel, } under 3 cwt.		0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 0½	0 ½
- per Tierce		0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 1	1 ½
- per Bag		0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 0½	0 ½
Onions and Canary, per } Ditto, under 2 cwt.		0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 0½	0 ½
- Cummin, per Do.		0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 0½	1
- Garden, and all other } Seeds, in Casks, per Ton		1 3	1 3	1 3	1 3	1 3	1 3	3 9	1 3	0 0½	3
- Mustard, per Bag, } under 2 cwt.		0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 0½	0 ½
- Clover, per Do.	Do.	0 1½	0 1½	0 1½	0 1½	0 1½	0 1½	0 4	0 1½	0 0½	0 ½
- - - 2 a' 3 Do.		0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 0½	0 ½
- - - 3 a' 4 Do.		0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 0½	0 ½
- Beets, per Chest		0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 0½	0 ½
- Lucards, per Case		0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 0½	0 ½
- Parsparilla, per Bale		0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 0½	0 ½
- per Bundle		0 0½	0 0½	0 0½	0 0½	0 0½	0 0½	0 0½	0 0½	0 4	
										p100	½ p. Score.
Surf, per Ton		1 3	1 3	1 3	1 3	1 3	1 3	3 9	1 3	0 1½	1 ½
Accinum, per Cask, under } 2 cwt.		0 1½	0 1½	0 1½	0 1½	0 1½	0 1½	0 4	0 1½	0 0½	1
- 2 a' 5 Ditto.		0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 0½	1 ½
Sugar, per Hogshead		0 6	0 6	0 6	0 6	0 6	0 6	1 6	0 6	0 1	2
- per Tierce		0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 0½	1 ½
- per Chest, about 4 cwt.		0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 0½	1
- per Barrel		0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 0½	1
- per Bag		0 1½	0 1½	0 1½	0 1½	0 1½	0 1½	0 4	0 1½	0 9	
										p100	5a. per 100
- from Brazil, per Ton		1 3	1 3	1 3	1 3	1 3	1 3	3 9	1 3	0 1½	6
Shellack, per Cask or Chest		0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 1½	2
Sponges, per Bale		0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 0½	1 ½
Spirits. See Wines.											
Staves, per Chest		0 6	0 6	0 6	0 6	-	0 6	1 6	0 6	0 0½	2
- loose, per Dozen		0 0½	0 0½	0 0½	0 0½	-	0 0½	0 1½	0 0½	0 4	
										p100	1½d. per 100
Malts, per Cask, under 1 cwt.		0 1½	0 1½	0 1½	0 1½	0 1½	0 1½	0 4	0 1½	0 0½	0 ½
- about 1 cwt. 2 qrs.		0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 0½	0 ½
- 1 cwt. 2 qrs. a' 4 cwt.		0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 1	1
- 4 a' 6 Do.		0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 1	1
Quilts, per Ton		1 3	1 3	1 3	1 3	1 3	1 3	3 9	1 3	0 1½	2
Camony		0 1½	0 1½	0 1½	0 1½	0 1½	0 1½	0 4	0 1½	0 0½	0 ½
Tones, Turkey		0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 1	1 ½
- Paving		0 9	0 9	0 9	-	-	-	-	-	-	0 ½
Mail Cloth. See Linen.											
Spruce Beer. See Beer.											
Staves. See Wood.											
Sassafras. See Wood.											
Skins, a' Virginia, per } Case, large		1 6	1 6	1 6	1 6	-	1 6	4 6	1 6	0 1½	6
- per Do. small		0 9	0 9	0 9	0 9	-	0 9	2 3	0 3	0 1½	3
- per Vat		0 8	0 8	0 8	0 8	-	0 8	2 0	0 8	0 1½	3
- Kid or Lamb, a' Italy, per } Hogshead or Puncheon		0 4	0 4	0 4	0 4	-	0 4	1 0	0 4	0 1½	2
- per Tierce		0 3	0 3	0 3	0 3	-	0 3	0 9	0 3	0 0½	1 ½
- per Barrel		0 1½	0 1½	0 1½	0 1½	-	0 1½	0 4	0 1½	0 0½	0 ½





Table (B.)		Wharfage.	Landing.	Landing from Quay.	Housing.	Weighting.	Unhousing, and Loading.	Unhousing, Wharfage, and Shipping.	Wharfage and Shipping.	Transferring.	Rent per Week.
		s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	d.
V.											
Vermillion, per Barrel	-	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 0	1
Verdigris, per Ton	-	1 3	1 3	1 3	1 3	1 3	1 3	3 9	1 3	0 1	4
Vernicelli, per Case	-	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 0	0
Vinegar, per Pipe	-	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 1	2
— per Hogshead	-	0 1	0 1	0 1	0 1	0 1	0 1	0 4	0 1	0 0	1
Valonea, per Ton	-	1 0	1 0	1 0	1 0	1 0	1 0	3 0	1 0	0 1	1
Valerian, per Bale	-	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 0	1
W.											
Water, Piedmont, or any other Mineral, per Chest, under 8 Dozen	-	0 4	0 4	0 4	0 4	-	0 4	1 0	0 4	0 0	2
— 8 a' 12 Do.	-	0 8	0 8	0 8	0 8	-	0 8	2 0	0 8	0 1	3
— 12 a' 16 Do.	-	0 10	0 10	0 10	0 10	-	0 10	2 6	0 10	0 1	4
— per Basket or Hamper, under 4 Do.	-	0 3	0 3	0 3	0 3	-	0 3	0 9	0 3	0 0	1
— per Hamper, above 4 Do.	-	0 6	0 6	0 6	0 6	-	0 6	1 6	0 6	0 1	2
— Arquebusade, per Chest	-	0 4	0 4	0 4	0 4	-	0 4	1 0	0 4	0 0	1
Whalebone, per Ton	-	2 0	2 0	2 0	2 0	2 0	2 0	4 0	2 0	0 1	3
Whisk Brooms, per Bale	-	0 6	0 6	0 6	0 6	-	0 6	1 6	0 6	0 1	2
— per 100 Bundles	-	0 9	0 9	0 9	0 9	-	0 9	2 3	0 9	0 2	3
— loose, per 1,000	-	0 9	0 9	0 9	0 9	-	0 9	2 3	0 9	0 2	3
Wool, Spanish, per Bale, about 2 cwt. 2 qrs.	-	0 3	0 4	0 3	0 3	0 3	0 3	0 9	0 3	0 1	1
— about 2 Do.	-	0 2	0 3	0 2	0 2	0 2	0 2	0 6	0 2	0 0	0
— about 1 Do.	-	0 1	0 2	0 1	0 1	0 1	0 1	0 4	0 1	0 0	0
— Vigonia, per Bale	-	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 1	2
— Goats' per Do.	-	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 1	2
— from Germany, p. Bag. 3 cwt. and under	-	0 3	0 3	0 3	0 3	0 3	0 3	0 9	0 3	0 0	1
— 3 a' 5 cwt.	-	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 0	1
— 5 cwt. and upwards	-	0 6	0 6	0 6	0 6	0 6	0 6	1 6	0 6	0 0	2
— Scotch, English, and Irish	-	0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 0	1
Weld, per Ton	-	2 0	2 0	2 0	2 0	2 0	2 0	6 0	2 0	0 3	7
Whetstones, per Cask, 3 a' 5 cwt.	-	0 4	0 4	0 4	0 4	0 4	0 4	1 0	0 4	0 0	1
Wines and Spirits,											
per Butt, Pipe, or Puncheon	-	0 6	0 8	0 8	0 8	-	1 0	1 6	1 0	0 1	4
per Hogshead	-	0 3	0 4	0 4	0 4	-	0 6	0 9	0 6	0 0	2
per Quarter Cask	-	0 2	0 2	0 2	0 2	-	0 3	0 4	0 3	0 0	1
Wood,											
Barwood	-										
Boxwood	-										
Camwood	-										
Cocuswood	-										
Ebony	-										
Fustic	-										
Logwood	-	1 0	1 0	1 0	1 0	1 0	1 0	2 0	1 0	0 1	} 1d. on the Quay. 2d. if under Cover.
Lignum Vite	-										
Nicaragua Wood	-										
Sanders Wood	-										
Mahogany	-										
Brazil (large)	-										
Brazilletto, per Ton	-	1 6	1 6	1 6	1 6	1 6	1 6	4 0	1 6	0 1	2
Brazil Wood (small) per Do.	-	1 6	1 6	1 6	1 6	1 6	1 6	4 0	1 6	0 1	2
Sassafras, per Do.	-	1 6	1 6	1 6	1 6	1 6	1 6	4 0	1 6	0 1	3
Fustic, young, per Do.	-	2 0	2 0	2 0	2 0	2 0	2 0	5 0	2 0	0 1	2

K k 4

Table (B.)	Landing, Wharfrage, Piling, Delivery, and One Quarter's Rent.		Landing, Wharfrage, and Delivery.		Rent per Quarter after the First Quarter.	
	s.	d.	s.	d.	s.	d.
Wood, Staves, a' America, Pipe, per 1,200	16	0	8	0	4	0
--- Hogshead, per Do.	12	0	6	0	3	0
--- Barrel or Heading, per Do.	10	0	5	0	2	6
--- a' Quebec, Pipe Logs 3 to 4 Inch thick, per 1,200	80	0	40	0	15	0
--- Double Pipe, 2 to 2½ Do. Do.	55	0	27	6	8	4
--- Single Pipe, 1 to 1½ Do. Do.	27	6	13	9	4	6
--- Hogshead Logs, 3 to 4 Do. Do.	70	0	35	0	12	6
--- Double Hogshead, 2 to 2½ Do. Do.	45	0	22	6	6	3
--- Single Hogshead, 1 to 1½ Do. Do.	24	0	12	0	4	3
--- Barrel Logs, 3 to 4 Do. Do.	50	0	25	0	10	6
--- Double Barrel, 2 to 2½ Do. Do.	40	0	20	0	5	6
--- Single Barrel, 1 to 1½ Do. Do.	20	0	10	0	3	3
--- Heading Logs, 3 to 4 Do. Do.	50	0	25	0	11	0
--- Double Heading, 2 to 2½ Do. Do.	40	0	20	0	5	6
--- Single Heading, 1 to 1½ Do. Do.	20	0	10	0	3	3
--- a' Hambro' and Dantsic, Pipe, per 1,200	40	0	20	0	15	0
--- Hogshead, Do.	33	0	16	6	12	6
--- Barrel, Do.	30	0	15	6	10	0
--- Heading, Do.	27	0	13	6	10	0
--- Thin Pipe, 1 to 1½ Inch thick, per 1,200	25	0	12	6	10	0
--- Hogshead, Do. Do.	22	0	11	0	10	0
--- Barrel and Heading, Do. Do.	16	8	8	0	8	0
--- Sorting Do. Do.	5	0	—	—	—	—
Deals, p. Standard Hundred of 12 ft. long and 1½ In. thick, Russia and Prussia Deals and Deal Ends	9	6	4	9	3	0
Swedish Deals from Ports in the Baltic,						
--- 2½ and 3 In. thick, and 14 ft. long, per 120	18	0	9	0	6	0
--- 1½ and 2 Do. 14 Do. Do.	12	0	6	0	4	0
Norway and Swedish Deals, from Ports in the North Sea, per 120,						
--- 2½ and 3 In. thick, 10 to 12 ft. long, Do.	14	6	7	3	4	6
--- Do. to 14 Do. Do.	17	6	8	9	5	6
--- Do. to 16 Do. Do.	20	6	10	3	6	6
--- Do. to 18 Do. Do.	23	6	11	9	7	6
--- Do. to 20 Do. Do.	26	6	13	3	8	6
--- Do. to 21 Do. Do.	28	0	14	0	9	0
Battens, from all Ports,						
--- 2½ and 3 In. thick, 10 to 12 ft. long, p. 120	10	0	5	0	3	0
--- Do. to 14 Do. Do.	12	0	6	0	3	9
--- Do. to 16 Do. Do.	14	0	7	0	4	6
--- Do. to 18 Do. Do.	16	0	8	0	5	3
--- Do. to 20 Do. Do.	18	0	9	0	6	0
--- Do. to 21 Do. Do.	19	0	9	6	6	6
--- 2½ and 3 Inch Half Deals, or Deal Ends, } 6 to 8 Feet long, per 120	7	6	3	9	2	6
Deal Ends, under 6 Feet, per 120	6	0	3	0	2	0
Batten Ends, Do.	4	0	2	0	1	9
Paling Boards, not exceeding 7 Feet, per 120	5	0	2	6	2	0
Deck Deals, 3 Inches thick, 30 to 40 Feet long, each	0	9	0	4½	0	3
--- 2½ Inches thick, Do. Do.	0	7½	0	3½	0	2½
--- 2 Do. Do. Do.	0	6	0	3	0	2
--- 3 Do. 20 to 30 Do. Do.	0	7	0	3½	0	3
--- 2½ Do. Do. Do.	0	6	0	3	0	2
--- 2 Do. Do. Do.	0	5	0	2½	0	2

Table (B.)	Landing, Wharfrage, Piling, Delivery, and One Quarter's Rent.		Landing Wharfrage, and Delivery.		Rent per Quarter after the First Quarter.	
	s.	d.	s.	d.	s.	d.
d— continued.						
Norway Timber and Balks, per Load	4	0	2	0	1	6
Spars, under 6 and above 4 Inches, per 120	36	0	18	0	10	0
Rickers, under 4 in. and 24 ft. long and upwards, per 120	20	0	10	0	7	0
— - - Do. - under 24 Feet Do. - Do. -	10	0	5	0	3	0
Handspikes, per 120	6	0	3	0	2	0
Uffers, under 24 Feet long, per 120	20	0	10	0	7	6
— - - from 24 to 32 Do.	35	0	17	6	10	0
— - - 32 Feet long and upwards, Do.	50	0	25	0	15	0
— - - Sparholtz, and 10 Ells, to add $\frac{1}{2}$ to the Rates on Uffers.						
Oars, under 24 Feet long, per 120	10	6	5	3	3	6
— - - from 24 Feet to 32 Do. - Do. -	16	6	8	0	5	0
— - - 32 long and upwards Do. -	25	0	12	6	12	0
Latwood, under 4 Feet long, Do.	7	0	3	6	2	6
— - - under 5 ft. and not exceeding 7 ft. p. 120.	10	6	5	3	3	6
— - - exceeding 7 Feet, Do.	14	0	7	0	4	6
Trenails, per 1,200	8	0	4	0	2	6
d, Wainscot Logs, 7 Feet long, each	0	8	0	4	0	2
— - - 14 Do. - Do.	1	6	0	9	0	6
Clap Boards, 8 Feet long Do.	0	1	0	0 $\frac{1}{2}$	0	0 $\frac{1}{2}$
— - - 6 Feet long Do.	0	3	0	1 $\frac{1}{2}$	0	1
Oak Timber, per Load	5	6	2	9	2	0
Oak Plank - Do.	5	6	2	9	2	0
Deal Plank and Boards, a' America, Do.	5	0	2	6	1	8
Firewood, per Fathom	5	0	2	6	2	0

	Wharfrage.	Landing.	Loading from Quay.	Housing.	Weighting.	Unhousing and Loading.	Unhousing, Wharfrage, and Shipping.	Wharfrage and Shipping.	Transferring.	Rent per Week.
Y.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	d.
1, per Vat, under 20 } cwt. per Ton - - }	1 3	1 3	1 3	1 3	1 3	1 3	3 9	1 3	0 1 $\frac{1}{2}$	} 6 per Vat. } 6 per Vat.
2 every cwt. above 20 Do.	0 2	0 1	0 1	0 1	0 1	0 1	0 3	0 1	0 2	
Z.										
es, per Barrel	0 2	0 2	0 2	0 2	0 2	0 2	0 6	0 2	0 0 $\frac{1}{2}$	0 $\frac{1}{2}$

the Goods not particularly enumerated, of the like Weight or Bulk, to pay in proportion the above Rates.

## C A P. XCIII.

An Act to amend the Acts of the last Session of Parliament relating to presentments by Grand Juries for Payment of the Salaries of public Officers of the several Counties in Ireland. [21st June 1824.]

4 G. 4. c. 33.

4 G. 4. c. 43.

Grand Juries in Counties of Towns and Cities may present Sums for Salaries of Treasurers and Officers.

Not to extend to Dublin.

Presentments for Coroners after Rate of 30 Guineas for each Coroner as by recited Act allowed to be appointed.

WHEREAS by Two Acts made in the last Session of Parliament, the one intituled *An Act to make more effectual Regulations for the Election, and to secure the Performance of the Duties of County Treasurers in Ireland*, and the other intituled *An Act to regulate the Amount of Presentments by Grand Juries for Payment of the public Officers of the several Counties in Ireland*, and the Schedules and Tables to the said Acts respectively annexed, Provision was made for the Payment of the Salaries of the County Treasurers and other public Officers of the several Counties in Ireland; and it is expedient that the same should be amended 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 it shall and may be lawful for any Grand Jury of any County of a Town or City in Ireland to make Presentment for any Treasurer of such County of a Town or City, at the several Assizes to be held in any One Year in any such County of a Town or City, of any Sum or Sums not exceeding in the Whole the Amount of the Salary payable to any such Treasurer, as specified and set forth in the Schedule or Table annexed to the said first recited Act; and that it shall and may be lawful for any Grand Jury of any County of a Town or City in Ireland to make Presentment of any Sum or Sums for any Officer mentioned and specified in the said secondly recited Act, or the Schedule or Table thereto annexed, at the several Assizes to be held in any one Year in any such County of a Town or City, not exceeding the Amount of the Salary payable to any such Officer under the said last recited Act.

II. Provided always, and be it further enacted, That nothing in this Act contained shall extend to the County of the City of Dublin.

III. And be it further enacted, That in any County in which under the said recited Act of the last Session, for regulating the Amount of Presentments for Payment of the public Officers of the several Counties in Ireland, more than One Coroner shall be appointed, it shall and may be lawful for the Grand Jury of any such County, at each Assizes, to present any Sum not exceeding in the Whole a Sum after the Rate of Thirty Guineas for each and every such Coroner as by the said Act is allowed to be appointed; and it shall also be lawful for such Grand Jury to appropriate the Whole of such Sum so presented, at such Rate aforesaid, among the several Coroners of such County, according to the Number of Inquests which may appear to have been respectively held by each of such Coroners since the Date of the last Presentment; any Thing in the said recited Act to the contrary not.

notwithstanding: Provided always, that nothing herein contained all authorize any Coroner to receive a larger Sum than at the rate of Five Guineas for each Inquest held by him.

But not to exceed 5*l.* 5*s.* for each Inquest.

### C A P. XCIV.

1 Act to allow the Averment of the Order for Prosecution by Commissioners of Customs or Excise to be sufficient Proof of the Order having been made. [21st June 1824.]

**W**HEREAS by an Act passed in the Forty fifth Year (a) 45 G.3. of the Reign of His late Majesty, intituled *An Act for the making more effectual Provision for the Prevention of Smuggling, and rewarding Officers and Persons making Seizures, and capturing Smuggling Vessels; for licensing Luggers employed in the North Sea Fishery; and obliging Exporters of Exciseable Goods on Drawback to give Notice of Shipment*; it was amongst other Things enacted, that it should not be lawful for any Person or Persons whatsoever to commence, prosecute, enter or file, or cause or procure to be commenced, prosecuted, entered or filed, any Action, Bill, Complaint or Information against any Person or Persons for the Recovery of any Fine, Penalty or Forfeiture, Fines, Penalties or Forfeitures incurred under or by virtue of any Act or Acts then in force, or which should thereafter be made, relating to either of His Majesty's Revenues of Customs or Excise; or to issue or cause to be issued any Writ or Writs of Appraisement, for the Condemnation of any Ship or Ships, Boat or Boats, or other Vessel or Vessels, or any Goods, Wares or Merchandize whatsoever, seized as forfeited, under or by virtue of any such Act or Acts, unless the same should be commenced, prosecuted, entered, filed or issued by Order of the Commissioners of His Majesty's Customs or Excise, or by or in the Name of His Majesty's Attorney General; and that if any Action, Bill, Complaint, Information or Writ of Appraisement, should be commenced, prosecuted, entered, filed or issued by or in the Name of any Person or Persons whatsoever, except upon such Order as aforesaid, or by or in the Name of His Majesty's Attorney General, the same, and all Proceedings thereupon had, should be null and void; and the Court or Courts, or Justice or Justices of the Peace, where or before whom such Action, Bill, Complaint, Information or Writ of Appraisement, was or should be so commenced, prosecuted, entered, filed or issued, should not permit or suffer any Proceeding or Proceedings to be had thereupon: And Whereas Offenders against the Laws relating to His Majesty's Revenues of Customs and Excise respectively have escaped Punishment, and Difficulties have occurred in the Condemnation of Goods and Chattels forfeited under the said Laws, by reason of the Necessity of giving or adducing legal Evidence, in Cases where Proceedings had been or were about to be commenced against them, for Offences against such Laws, or the Condemnation of Goods and Chattels forfeited under the same Laws, by Order of the Commissioners of Customs or Excise, that such Order

(a) 56 G.3. c.104. § 15.

had

Averment of the Fact in Information or Proceeding for Recovery of any Fine relating to Customs or Excise shall be sufficient Evidence that the Proceeding was commenced by Order of Commissioners.

‘ had been actually made and issued by such Commissioners respectively:’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Statement Allegation or Averment of the Fact in the Information or Complaint, or in any Prosecution, or Proceeding or Proceedings for the Recovery of any Fine, Penalty or Forfeiture, Fines, Penalties or Forfeitures, incurred under or by virtue of any Act or Acts now in force, or which shall hereafter be made, relating to either of His Majesty’s Revenues of Customs or Excise, or for the Condemnation of any Ship or Ships, Boat or Boats, or other Vessel or Vessels, or any Horse or Horses, Cart or Carts, or any other Carriage or Carriages, or any other Goods, Chattels, Wares or Merchandize whatsoever, seized as forfeited, or forfeited under or by virtue of any such Act or Acts, that such Information or Complaint, or Prosecution, or other Proceeding or Proceedings is or are commenced, prosecuted, entered or filed by Order of the said Commissioners of Customs or Excise respectively, shall be and shall be deemed and taken to be sufficient Evidence in and throughout the United Kingdom of *Great Britain and Ireland*, that such Prosecution, Information, Complaint or other Proceeding or Proceedings, was or were commenced, prosecuted, entered or filed by Order of the said Commissioners of Customs or Excise respectively, without any other or further Evidence of the Fact that the said Commissioners of Customs or Excise respectively had ordered such Prosecution, Information or Complaint, or other Proceeding or Proceedings to be commenced, prosecuted, entered or filed, unless by other positive Evidence the contrary shall be made to appear; any Thing in the said recited Act to the contrary thereof notwithstanding.

#### C A P. XCV.

An Act to repeal the Laws relative to the Combination of Workmen; and for other Purposes therein mentioned.

[21st June 1824.]

‘ **W**HEREAS it is expedient that the Laws relative to the Combination of Workmen, and to fixing the Wages of Labour should be repealed; that certain Combinations of Masters and Workmen should be exempted from Punishment; and that the Attempt to deter Workmen from Work should be punished in a summary Manner;’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, so much of a certain Act passed in the Thirty third Year of King Edward the First, intituled *Who be Conspirators and who be Champertors*, as relates to Combinations or Conspiracies of Workmen or other Persons to obtain an Advance or to fix the Rate of Wages, or to lessen or alter the Hours or Duration of the Time of working, or to decrease the Quantity of Work, or to regulate or controul the Mode of carrying on any Manufacture, Trade or Business,

33 Ed. 1. st. 1. in part.

ss, or the Management thereof, and as relates to Combinations  
 of Masters, Manufacturers or other Persons, to  
 alter or fix the Rate of Wages, or to increase or alter the Hours  
 of Duration of the Time of working, or to increase the Quantity  
 of Work, or to regulate or controul the Mode of carrying on  
 any Manufacture, Trade or Business, or the Management thereof,  
 by any Act passed in the Third Year of King Henry the Sixth, intitled  
*Masons shall not confederate themselves in Chapters and  
 assemblies*; also a certain other Act passed in the Parliament of  
 England, in the Thirty third Year of King Henry the Eighth, intitled  
*An Act for Servants' Wages*; also a certain other Act  
 passed in the Second and Third Years of King Edward the Sixth,  
 intitled *The Bill of Conspiracies of Victuallers and Craftsmen*;  
 also a certain other Act passed in the Parliament of Scotland,  
 the Fifth Parliament of King James the First of Scotland, intitled  
*Of the Fees of Craftsmen and the Price of their Worke*;  
 also a certain other Act passed in the Parliament of Scotland,  
 the Fifth Parliament of King James the First of Scotland, intitled  
*Of the Fees of Workmen*; also a certain other Act passed  
 in the Parliament of Scotland, in the Fifth Parliament of King  
 James the First of Scotland, intitled *Of Wratches and Masones*;  
 also a certain other Act passed in the Parliament of Scotland,  
 the Seventh Parliament of King James the First of Scotland,  
 intitled *The Price of ilk Workmanshippe*; also a certain other  
 Act, passed in the Parliament of Scotland, in the Fifth Parlia-  
 ment of Queen Mary of Scotland, intitled *The Price of Craftes-  
 mne's Wark, of Meate and Drinke in Tavernes*; also a certain  
 other Act passed in the Parliament of Scotland, in the Seventh  
 Parliament of King James the Sixth of Scotland, intitled *Anent  
 the setting of Ordour and Price in all Stuffe*; also so much of  
 a certain other Act passed in the Thirteenth and Fourteenth  
 Years of King Charles the Second, intitled *An Act for regu-  
 lating the Trade of Silk Throwing*, as provides and enacts, that  
 no Corporation of Silk Throwers should not, by virtue of that  
 Act, nor any Thing therein contained, make any Orders, Ordi-  
 nances or Bye Laws, to set any Rates or Prices whatsoever  
 on the throwing of Silk, to bind or enforce their Members to  
 work at; also a certain other Act passed in the Seventh Year  
 of King George the First, intitled *An Act for regulating the  
 Journeyman Tailors within the Weekly Bills of Mortality*, except-  
 ing so much thereof as relates to the Recovery of Wages, or to  
 Journeyman Tailors or Servants departing from their Service, or  
 refusing to enter into Work or Employment, as therein men-  
 tioned; also so much of an Act passed in the Twelfth Year  
 of King George the First, intitled *An Act to prevent unlawful  
 combinations of Workmen employed in the Woollen Manufactures,  
 and for better Payment of their Wages*, as provides that Con-  
 tracts, Covenants or Agreements, Bye Laws, Ordinances, Rules  
 and Orders, made or entered into by or between Persons brought  
 in, or professing, using or exercising the Art and Mystery  
 of a Woolcomber or Weaver, or Journeyman Woolcomber or  
 Journeyman Weaver, as therein mentioned, shall be illegal, null  
 and void, and as punishes Woolcombers, Weavers, Journeyman  
 Wool-

3 H.6. c.1.

38 H.8. (1.)

2 & 3 Ed.6.  
c.15.5 Parl. Jac.1.  
(S.)5 Parl. Jac.1.  
(S.)5 Parl. Jac.1.  
(S.)7 Parl. Jac.1.  
(S.)5 Parl. Mar.  
(S.)7 Parl. Jac.6.  
(S.)13 & 14 C.2.  
c.15. § 10.7 G.1. st.1.  
c.13. § 4. 6.12 G.1. c.34.  
§ 1. 8.

- Woolcombers and Weavers, and other Persons concerned in the Woollen Manufactures, for keeping up, continuing, acting in, making, entering into, signing, sealing or being knowingly concerned in, presuming or attempting to put in Execution such Agreements, Bye Laws, Ordinances, Rules or Orders, as therein mentioned, and as provides that the Provisions of the said Act of the Twelfth of George the First, just recited, shall extend to the Persons therein mentioned; also so much of a certain other Act passed in the Parliament of Ireland, in the Third Year of King George the Second, intituled *An Act to prevent unlawful Combinations of Workmen, Artificers and Labourers, employed in the several Trades and Manufactures of this Kingdom, and for the better Payment of their Wages; as also to prevent Abuses in making of Bricks, and to ascertain their Dimensions*, as declares illegal, null and void the Contracts, Covenants, Agreements, Bye Laws, Ordinances, Rules and Orders therein mentioned, and makes it an Offence to keep up, continue, act in, make, enter into, sign, seal or to be knowingly concerned therein, and to presume or attempt to put the same into Execution, as therein mentioned; also so much of a certain other Act passed in the Parliament of Ireland, in the Seventeenth Year of King George the Second, intituled *An Act for continuing several Statutes now near expiring, and for amending other Statutes, and for other Purposes therein mentioned*, as declares the Assemblies therein mentioned to be unlawful Assemblies, the Houses where they meet common Nuisances, and punishes the Master and Mistress thereof, as likewise those who enter into the Contracts, Covenants or Articles therein mentioned, or collect or pay Money for the Support of Persons as therein mentioned; also so much of a certain other Act passed in the Twenty second Year of King George the Second, intituled *An Act for the more effectual preventing of Frauds and Abuses committed by Persons employed in the Manufacture of Hats, and in the Woollen, Linnen, Fustian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair and Silk Manufactures, and for preventing unlawful Combinations of Journeymen Dyers and Journeymen Hotpressers, and of all Persons employed in the said several Manufactures, and for the better Payment of their Wages*, as extends those Provisions of the said Act of the Twelfth of George the First herein mentioned to the Persons therein mentioned; also so much of a certain other Act passed in the Twenty ninth Year of King George the Second, intituled *An Act to render more effectual an Act passed in the Twelfth Year of the Reign of His late Majesty King George, to prevent unlawful Combinations of Workmen employed in the Woollen Manufactures, and for better Payment of their Wages; and also an Act passed in the Thirteenth Year of the Reign of His said late Majesty, for the better Regulation of the Woollen Manufacture, and for preventing Disputes among the Persons concerned therein, and for limiting a Time for Prosecution for the Forfeiture appointed by the aforesaid Act, in case of the Payment of the Workmen's Wages in any other Manner than in Money*, as relates to the making of Rates for the Payment of Wages, continuing and altering and notifying them as therein mentioned; also so much of a certain other Act passed in the Parliament of Ireland, in the Third Year of King George the Third, intituled *An Act for continuing and amending*
- 3 G. 2. (I.) in part.
- 17 G. 2. (L.) in part.
- 22 G. 2. c. 27. § 12.
- 29 G. 2. c. 55. § 1.
- 3 G. 3. (I.) in part.



ending certain temporary Statutes heretofore made, for the better regulation of the City of Cork, and for enlarging the Salary of Treasurer, and for the better regulating the Sale of Coals in said City, and for erecting and continuing Lamps in the same, for the better preserving the Streets and Highways therein, and confirming and establishing a Court of Conscience in the said City, and for regulating the Assize of Bread therein, and for securing the Quays by Parapet Walls, as relates to the Assemblies and combinations of Artificers, Journeymen, Apprentices, Labourers

Manufacturers therein mentioned; also so much of a certain Act passed in the Parliament of Ireland, in the Third Year of King George the Third, intituled *An Act for the better Regulation of the Linen and Hempen Manufactures*, as relates to meeting

§ G.S. (L.) in part.

order to consult upon or enter into Rules, Agreements or Combinations to ascertain or fix the Price of Labour or Workmanship, as relates to administering Oaths or Declarations tending to the Price of Wages or Workmanship, and as relates to issuing and delivering Tickets, Certificates and Tokens of Parties being bound to work, and as relates to Rules, Orders and Regulations relating to the Price or Wages of Labour or Workmanship, and relates to Oaths to enter into Combinations or Agreements to ascertain or fix the Price of Wages or Workmanship, and to Oaths and Combinations not to work for a particular Employer, as therein mentioned; also a certain other Act, passed in the Eighth

8 G.S. c. 17.

Year of King George the Third, intituled *An Act to amend an Act made in the Seventh Year of King George the First, intituled 'An Act for regulating the Journeymen Tailors within the Weekly Bills of Mortality'*; also so much of a certain other Act, passed in the Parliament of Ireland in the Eleventh and Twelfth Years of King George the Third, intituled *An Act for the Regulation of the City*

11 & 12 G.S. (L.) in part.

of Cork, and for other Purposes therein mentioned relative to the said City, as relates to the Meetings and Assemblies therein mentioned, the administering and taking Oaths and Declarations, to the issuing of Tickets, Certificates, Advertisements and Writings, and to the Rules, Orders, Agreements and Regulations, and to the Combinations and Agreements to ascertain or fix the Price of Wages, Labour or Workmanship, or not to work, and as relates to the refusal or Neglect, by Persons not in actual Service, to work on application made, and as relates to the Detection and Discovery of Assemblies and Combinations for any of the above recited Purposes, and as relates to ascertaining Wages as therein mentioned; also so much of a certain other Act, passed in the Parliament of

11 & 12 G.S. (L.) in part.

Ireland in the Eleventh and Twelfth Years of King George the Third, intituled *An Act for regulating the Journeymen Tailors and Journeymen Shipwrights of the City of Dublin and the Liberties thereof, and of the County of Dublin*, as punishes those who permit the Clubs and Societies therein mentioned to be kept or held in their Houses or Apartments, and as makes the Contracts, Covenants and Agreements therein mentioned, and Oaths to enforce them, illegal, and as punishes Persons for keeping up, continuing, acting in, making, entering into, signing, sealing or being knowingly interested or concerned in such Contracts, Covenants or Agreements, and as punishes Persons not retained or employed for refusing to enter into Work or Employment on Re-

quest

19 G.S. c.68.  
in part. (a)

17 G.S. c.55.  
§ 3. 4.

19 & 20 G.S.  
(L.) in part.

19 & 20 G.S.  
(L.) in part.

19 & 20 G.S.  
(L.) in part.

quest made, as therein mentioned, and as regulates the Hour of Work and the Rate of Wages as therein mentioned; also so much of a certain other Act, passed in the Thirteenth Year of King George the Third, intituled *An Act to empower the Magistrates therein mentioned to settle and regulate the Wages of Persons employed in the Silk Manufacture within their respective Jurisdictions* (a), as relates to settling, regulating, ordering and declaring the Wages and Prices of Work, and the Notification thereof, and makes it an Offence to deviate from such Settlement, Regulation, Order and Declaration, or to ask, receive or take more or less Wages or larger or less Prices than shall be so settled, or to enter into Combinations, or for that Purpose to decoy or solicit, or to assemble, as therein mentioned, and as relates to the Detection of such Offences, and as makes it an Offence to retain or employ Journeymen Weavers, or to give, allow or pay, or cause to be given, allowed or paid, more or less Wages than shall be settled, as therein mentioned; also so much of a certain other Act, passed in the Seventeenth Year of King George the Third, intituled *An Act for the better regulating the Hat Manufactory*, as relates to the keeping up, acting in, making, entering into, signing, sealing or being knowingly concerned in the Contracts, Covenants or Agreements, Bye Laws, Ordinances, Rules or Orders of the Clubs, Societies or Combinations therein mentioned, or the presuming or attempting to put the Agreements, Bye Laws, Ordinances, Rules or Orders in Execution, or to the attending Meetings, Clubs, Societies or Combinations, or to the Summoning, giving Notice to or calling upon, collecting, demanding or receiving, persuading, enticing or inveigling, or endeavouring to persuade, entice or inveigle, paying Money, making or entering into Subscriptions or Contributions, as therein mentioned; also so much of a certain other Act, passed in the Parliament of Ireland in the Nineteenth and Twentieth Years of King George the Third, intituled *An Act to prevent Combinations, and for the further Encouragement of Trade*, as declares that Combinations in Trade are public Nuisances, and that the Acts therein enumerated shall be considered as Evidences of unlawful Combinations, and sufficient for the Conviction of any Person who shall be guilty of the same, and as avoids Rules, Bye Laws and Regulations contrary to its Provisions and Oaths for obeying or executing the same, and as provides for the Case of an Act of Combination for which no specific Punishment is pointed out, as therein mentioned; also so much of a certain other Act, passed in the Parliament of Ireland in the Nineteenth and Twentieth Years of King George the Third, intituled *An Act for the better Regulation of the Silk Manufacture*, as relates to the Wages and Prices for Work, to Combinations to raise Wages, and the decoying or soliciting Journeymen Weavers, as therein mentioned; also so much of a certain other Act, passed in the Parliament of Ireland in the Nineteenth and Twentieth Years of King George the Third, intituled *An Act for regulating the curing and preparing Provisions, and for preventing Combinations among the several Tradesmen and other Persons employed in making up such Provisions, and for regulating the Butter Trade in*

(a) [*This Act appears to be wholly repealed, Cap. 66. ant.*]

the

the City of Dublin, and for other Purposes therein mentioned, as relates to summoning Persons to appear at Meetings and Assemblies, and as relates to administering Oaths or Declarations, to the suing and delivering of Messages, Tickets, Certificates and Tokens, Advertisements or Writings, to making or joining in making Rules, Orders, Agreements and Regulations as therein mentioned, and as relates to taking Oaths, or entering into Combinations or Agreements to ascertain or fix the Price of Wages of Labour or Workmanship, or to make any Rule, Order, Agreement or Regulation, and to taking Oaths and entering into Combinations and Agreements not to work for a particular Person, as therein mentioned, and as relates to the fixing of Wages; so so much of a certain other Act, passed in the Parliament of Ireland in the Twenty fifth Year of King George the Third intituled *An Act for granting the Sums of Twenty thousand Pounds, five thousand Pounds, and Four thousand Pounds, to certain Trustees, and for promoting the several Manufactures therein named, as relates to ascertaining the Rates of Labour and Prices of Workmanship, as therein mentioned, and as requires an Affidavit to be led previous to the Commencement of a Suit, as therein mentioned; also so much of a certain other Act, passed in the Thirty second Year of King George the Third, intituled *An Act for extending the Provisions of an Act made in the Thirteenth Year of the Reign of His present Majesty, intituled 'An Act to empower the Magistrates therein mentioned to settle and regulate the Wages of Persons employed in the Silk Manufacture within their respective Jurisdictions,' to Manufactories of Silk mixed with other Materials, and for the more effectual Punishment of Buyers and receivers of Silk purloined and embezzled by Persons employed in the Manufacture thereof* (a) as extend the Provisions of the said Act of the Thirteenth of George the Third, hereby repealed, to the Persons therein mentioned; also a certain other Act, passed in the Thirty sixth Year of King George the Third, intituled *An Act to prevent unlawful Combinations of Workmen employed in the Paper Manufactory*; also so much of a certain other Act passed in the Thirty ninth Year of King George the Third, intituled *An Act to explain and amend the Laws relative to Colliers in that Part of Great Britain called Scotland*, as relates to the fixing and pointing of Hire and Wages; also an Act passed in the Thirty ninth and Fortieth Years of King George the Third, intituled *An Act to repeal an Act passed in the last Session of Parliament, intituled 'An Act to prevent unlawful Combinations of Workmen,' and to substitute other Provisions in lieu thereof*, (b) excepting so much thereof as relates to the Adjustment of Disputes between Masters and Workmen, as therein mentioned; also so much of a certain other Act passed in the Forty third Year of King George the Third, intituled *An Act to prevent unlawful Combinations of Workmen, Artificers, Journeymen and Labourers, in Ireland, and other Purposes relating thereto*, as makes illegal and void Contracts, Covenants and Agreements for obtaining an Advance of Wages, or for lessening or altering the Hours or Time of work-*

25 G.S. (I.) in part.

32 G.S. c. 44. § 1.(a)

36 G.S. c. 111.

39 G.S. c. 56. in part.

39 & 40 G.S. c. 106. except sect. 18—22.

43 G.S. c. 86. § 1.

(a) [This Act appears to be wholly repealed, Cap. 66. ante.]  
 (b) [Wholly repealed, Cap. 96. § 1. post.]

ing, or for decreasing the Quantity of Work, or for controlling or affecting the Conduct or Management of any Manufacture, Trade or Business, and as prohibits the making or entering into or being concerned in the same, and as punishes Persons for so doing, and as relates to the Combinations therein mentioned, and as relates to endeavouring by Gift, Persuasion or Solicitation to prevent Persons hiring themselves, and as relates to attending the Meetings therein mentioned, or endeavouring to induce the Attendance of others, and collecting, demanding, asking or receiving Money for the Purposes therein mentioned, and as relates to persuading, enticing, soliciting or endeavouring to induce others to enter into or be concerned in the Combinations therein mentioned, and to paying Money, making or entering into Subscriptions or Contributions, and to Oaths and Declarations, and to Tickets, Certificates and Tokens, and to Contributions supporting and maintaining others, as therein mentioned, and as punishes Persons for permitting Assemblies in their Houses or Apartments as therein mentioned; also a certain other Act passed in the Forty seventh Year of King George the Third, intituled *An Act to declare that the Provisions of an Act, made in the Parliament of Ireland in the Thirty third Year of King Henry the Eighth, relative to Servants Wages, shall extend to all Counties of Cities and Counties of Towns in Ireland*; also so much of a certain other Act passed in the Fifty seventh Year of King George the Third, intituled *An Act to extend the Provisions of an Act of the Twelfth Year of His late Majesty King George the First, and an Act of the Twenty second Year of His late Majesty King George the Second, against Payment of Labourers in Goods or by Truck, and to secure their Payment in the lawful Money of this Realm, to Labourers employed in the Collieries, or in the working and getting of Coal, in the United Kingdom of Great Britain and Ireland, and for extending the Provisions of the said Acts to Scotland and Ireland*, as extends such of the Provisions of the said Acts as are hereby repealed to *Scotland and Ireland*; together with all other Laws, Statutes and Enactments now in force throughout or in any Part of the United Kingdom of *Great Britain and Ireland*, relative to Combinations to obtain an Advance of Wages, or to lessen or alter the Hours or Duration of the Time of working, or to decrease the Quantity of Work, or to regulate or controul the Mode of carrying on any Manufacture, Trade or Business, or the Management thereof; relative also to Combinations to lower the Rate of Wages, or to increase or alter the Hours or Duration of the Time of working, or to increase the Quantity of Work, or to regulate or controul the Mode of carrying on any Manufacture, Trade or Business, or the Management thereof; relative also to fixing the Amount of the Wages of Labour; relative also to obliging Workmen not hired to enter into Work; together with every other Act and Enactment enforcing or extending the Application of any of the Acts or Enactments repealed by this Act, shall be and the same are hereby repealed, *saves* and except in as far as the same may have repealed any prior Act or Enactment.

[See Section 6. post.]

Workmen of-  
fending ex-

II. And be it further enacted, That Journey-men, Workmen or other Persons who shall enter into any Combination to obtain an Advance.

§ 2.

§ 3.

§ 4.

§ 10.

47 G.3. st. 1.  
c. 43.

57 G.2. c. 122.  
in part.

And all Acts  
relative to Com-  
binations of  
Workmen or of  
Masters, as to  
Wages, Time  
of working, or  
Quantity of  
Work, &c. re-  
pealed.

Advance, or to fix the Rate of Wages, or to lessen or alter the Hours or Duration of the Time of working, or to decrease the Quantity of Work, or to induce another to depart from his Service before the End of the Time or Term for which he is hired, or to quit or return his Work before the same shall be finished, or not being hired, to refuse to enter into Work or Employment, or to regulate the Mode of carrying on any Manufacture, Trade or Business, or the Management thereof, shall not therefore be subject or liable to any Indictment or Prosecution for Conspiracy, or to any other Criminal Information or Punishment whatever, under the Common or the Statute Law.

empted from Punishment under the Common and Statute Law.

III. And be it further enacted, That Masters, Employers or other Persons, who shall enter into any Combination to lower or to fix the Rate of Wages, or to increase or alter the Hours or Duration of the Time of working, or to increase the Quantity of Work, or to regulate the Mode of carrying on any Manufacture, Trade or Business, or the Management thereof, shall not therefore be subject or liable to any Indictment or Prosecution, or, † or Conspiracy, or to any other Criminal Information or Punishment whatever, under the Common or the Statute Law.

Masters offending in like Manner exempted from Punishment.

†. Sic.

IV. And be it further enacted, That all penal Proceedings for any Act or Omission against any Enactment hereby repealed, and not made punishable by the Provisions of this Act or for any Act or Omission hereby exempted from Punishment, shall become null and void; and that no penal Proceedings for any Act or Omission against any Enactment hereby repealed, and not made punishable by the Provisions of this Act, or for any Act or Omission hereby exempted from Punishment, shall be instituted against any one in relation to any such Offence already incurred; provided that no Person shall be subjected to Loss or Liability for any Thing already done, touching any Act or Omission, the penal Proceedings against which are hereby made null and void, or shall lose any Privilege or Protection to which the Enactments hereby repealed entitle him.

Penal Proceedings under any Act hereby repealed void.

Proviso.

V. And be it further enacted, That if any Person by Violence to the Person or Property, by Threats or by Intimidation, shall wilfully or maliciously force another to depart from his Hiring Work before the End of the Time or Term for which he is hired, or return his Work before the same shall be finished, or to spoil, or destroy any Machinery, Tools, Goods, Wares or Work, or prevent any Person not being hired from accepting any Work or Employment; or if any Person shall wilfully or maliciously use or employ Violence to the Person or Property, by Threats or Intimidation towards another on account of his not complying with or conforming to any Rules, Orders, Resolutions or Regulations made to obtain an Advance of Wages, or to lessen or alter the Hours of working, or to decrease the Quantity of Work, or to regulate the Mode of carrying on any Manufacture, Trade or Business, or the Management thereof; or if any Person, by Violence to the Person or Property, by Threats or by Intimidation, shall wilfully or maliciously force any Master or Mistress, Manufacturer, his or her Foreman or Agent, to make any Alteration in their Mode of regulating, managing, conducting or carrying on their Manufacture, Trade or Business; every Person

Forcing Workmen, by Violence, &c. to offend as herein mentioned.

Forcing Master by Violence, &c. to alter Mode of conducting his Business.

**Punishment.**

so offending, or causing, procuring, aiding, abetting or assisting in such Offence, being convicted thereof in Manner hereafter mentioned, shall be imprisoned only, or imprisoned and kept to hard Labour, for any Time not exceeding Two Calendar Months.

Combining to effect such Purposes as before mentioned.

VI. And be it further enacted, That if any Persons shall combine, and by Violence to the Person or Property, or by Threats or Intimidation, wilfully and maliciously force another to depart from his Service before the End of the Time or Term for which he or she is hired, or return his or her Work before the same shall be finished, or damnify, spoil or destroy any Machinery, Tools, Goods, Wares or Work, or prevent any Person not being hired from accepting any Work or Employment; or if any Persons so combined shall wilfully or maliciously use or employ Violence to the Person or Property, or Threats or Intimidation towards another, on account of his or her not complying with or conforming to any Rules, Orders, Resolutions or Regulations made to obtain an Advance of Wages, or to lessen or alter the Hours of working, or to decrease the Quantity of Work, or to regulate the Mode of carrying on any Manufacture, Trade or Business, or the Management thereof; or if any Persons shall combine, and by Violence to the Person or Property, or by Threats or Intimidation, wilfully or maliciously force any Master or Mistress Manufacturer, his or her Foreman or Agent, to make any Alteration in their Mode of regulating, managing, conducting or carrying on their Manufacture, Trade or Business; each and every Person so offending, or causing, procuring, aiding, abetting or assisting in such Offence, being convicted thereof in Manner hereinafter mentioned, shall be imprisoned only, or imprisoned and kept to hard Labour, for any Time not exceeding Two Calendar Months: Provided always, that nothing herein contained shall alter or affect any Law now in force for the Prosecution and Punishment of the said several Offences; only that a Conviction under this Act for any of such Offence shall exempt the Offender from Prosecution under any other Law or Statute. [See Section 1. ante.]

**Punishment.**

Proviso for Laws in force.

Conviction under this Act to exempt from Prosecution under any other Law.

Summary Conviction before Two Justices for Offences against this Act.

VII. And for the more effectual Prosecution of Offenders against this Act, be it further enacted, That on Complaint and Information upon Oath before any One or more Justice or Justices of the Peace, of any Offence having been committed against this Act within his or their respective Jurisdictions, such Justice or Justices are hereby authorized and required to summon the Person or Persons charged with any such Offence against this Act to appear before any Two Justices at a certain Time and Place to be specified, such Place to be as near to the Place where Cause of such Complaint shall have arisen as may be; and if any Person or Persons so summoned shall not appear according to such Summons, then such Justices (Proof on Oath having been first made before them or him of the due Service of such Summons upon such Person or Persons, by delivering the same to him or her personally, or leaving the same at his or her usual Place of Abode, provided the same shall be so left Twenty four Hours at the least before the Time which shall be appointed to attend the said Justices upon such Summons) shall make and issue their or his Warrants or Warrant for apprehending the Person or Persons so summoned and not appearing as aforesaid, and bringing him or her

her before such Justices ; or it shall be lawful for such Justices, if they shall think fit, without issuing any previous Summons, and instead of issuing the same, upon such Complaint and Information upon Oath as aforesaid, to make and issue their Warrant or Warrants for apprehending the Person or Persons by such Information charged to have offended against this Act, and bringing him or her before such Justices ; such Justices shall and they are hereby authorized and required forthwith to make Enquiry touching the Matters complained of, and to examine into the same, and to hear and determine the Matter of every such Complaint ; and upon Confession by the Party, or Proof by Two or more credible Witnesses upon Oath, (which Oath such Justice or Justices are hereby authorized to administer,) to convict or acquit the Party against whom Complaint shall have been made as aforesaid ; such Conviction, and the Commitment thereon, to be in the Form or to the Effect of the Form in the Schedule to this Act annexed.

Justices may issue Warrant of Apprehension without previous Summons.

VIII. Provided always, and be it further enacted; That no Justice of the Peace, being also a Master, or the Father or Son of any Master, in any Trade or Manufacture, shall act as such Justice under this Act.

In what Cases Justice may not act.

IX. And be it further enacted, That it shall be lawful for the Justice or Justices of the Peace before whom any such Complaint and Information shall be made as aforesaid, and he and they are hereby authorized and required, at the Request in Writing of any of the Parties, to issue his or their Summons to any Witness or Witnesses to appear and give Evidence before such Justices at the Time and Place appointed for hearing and determining such Complaint, and which Time and Place shall be specified in such Summons ; and if any Person so summoned to appear as a Witness as aforesaid shall not appear before such Justices at the Time and Place specified in such Summons, or offer some reasonable Excuse for the Default, or appearing according to such Summons shall not submit to be examined as a Witness; and give his Evidence before such Justices touching the Matter of such Complaint, then and in every such Case it shall be lawful for such Justices, and they are hereby authorized (Proof on Oath, in the Case of any Person not appearing according to such Summons, having been first made before such Justice or Justices, of the due Service of such Summons on every such Person, by delivering the same to him, or by leaving the same, Twenty four Hours before the Time appointed for such Person to appear before such Justices, at the usual Place of Abode of such Person) by Warrant under the Hands of such Justices, in the Form and to the Effect of the Form in the Schedule to this Act annexed, to commit such Person so making Default in appearing, or appearing and refusing to give Evidence, to some Prison within the Jurisdiction of such Justices, there to remain without Bail or Mainprize for any Time not exceeding Two Calendar Months, or until such Person shall submit himself or herself to be examined, and give his or her Evidence before such Justices as aforesaid : Provided, always, that in case such Complaint shall be heard and determined before such Offender shall submit to be

Witnesses may be summoned, and on refusing to appear, or appearing to be examined, may be committed.

Service of Summons.

be examined and give Evidence as aforesaid, then and in every such Case he, she or they shall be imprisoned the full Term of such Commitment.

Offenders obliged to give Evidence for the Crown, but indemnified.

X. And be it further enacted, That any Person offending against this Act shall be compellable to give his Testimony as a Witness on Behalf of the Crown, Prosecutor or Informer, upon any Information under this Act against any other Person not being such Witness; but every Person having given his Testimony as aforesaid shall be indemnified from any Information or Prosecution for having offended in the Matter wherein or relative to which he shall so have given his Testimony.

Forms of Convictions and Commitments.

XI. And be it further enacted, That the Justices before whom any Person shall be convicted of any Offence against this Act or by whom any Person shall be committed to Prison for not appearing as a Witness, or not submitting to be examined, shall cause all such Convictions, and the Warrants or Orders for such Commitments, to be drawn up in the Form or to the Effect set forth in the Schedule to this Act annexed.

No Appeal.

XII. And be it further enacted, That no Appeal shall be allowed against any Conviction under this Act.

Limitation of Actions.

XIII. And be it further enacted, That no Action shall be brought against any Person for any Matter or Thing whatsoever done or committed under or by virtue or in the Execution of this Act, unless such Action shall be brought within Six Calendar Months next after the doing or committing of such Matter or Thing.

In Actions for executing Act.

XIV. And be it further enacted, That if any Action shall be brought against any Person for any Thing done under, by virtue or in the Execution of this Act, such Person may plead the General Issue, and give this Act and the Special Matter in Evidence; and if the Plaintiff shall become nonsuited, or suffer Discontinuance, or forbear further Prosecution, or if Judgment shall be given for the Defendant, such Defendant shall recover his full Costs, for which he shall have like Remedy as in Cases where Costs by Law are given to Defendants.

General Issue.

Costs.

## SCHEDULE to which this Act refers.

### *Form of Conviction and Commitment.*

**BE** it remembered, That on the  
 Day of \_\_\_\_\_ in the  
 Year of His Majesty's Reign, and in the Year of our Lord  
 \_\_\_\_\_ *A. B. is convicted*  
 before us [*naming the Justices*] Two of His Majesty's Justices of  
 the Peace for the County [*or Riding, Division, City, Liberty,*  
 Town or Place] of \_\_\_\_\_ *of having*  
 [*stating the Offence*] contrary to the Statute made in the Fifth  
 Year of the Reign of His present Majesty, intituled *An Act to*  
*repeal the Laws relative to the Combination of Workmen; and for*  
*other Purposes therein mentioned; and we the said Justices do*  
 hereby order and adjudge the said *A. B.* for the said Offence to  
 be committed to and confined in the Common Gaol for the said  
 County [*or Riding, Division, City, Liberty, Town or Place*] for  
 the \_\_\_\_\_



the Space of [or to be committed  
to the House of Correction at within the said  
County, [or Riding, Division, City, Liberty, Town or Place; and  
if the Offender is to be kept to hard Labour] there to be kept to  
hard Labour for the Space of  
Given under our Hands the Day and Year above written.

*Form of Commitment of a Person summoned as a Witness.*

WHEREAS *C. D.* hath been duly summoned to appear and  
give Evidence before us [naming the Justices who issued the  
Summons] Two of His Majesty's Justices of the Peace for the  
County [or Riding, Division, City, Liberty, Town or Place] of  
on this Day  
of at being the Time and Place  
appointed for hearing and determining the Complaint made on  
the Oath of [the Informer or Prosecutor] before us, against *A. B.*  
of having [stating the Offence as laid in the Information] con-  
trary to the Statute made in the Fifth Year of the Reign of His  
present Majesty, intituled *An Act to repeal the Laws relative to  
the Combination of Workmen; and for other Purposes therein  
mentioned*: And Whereas the said *C. D.* hath not appeared be-  
fore us at the Time and Place aforesaid, specified for that Pur-  
pose, or offered any reasonable Excuse for his Default [or, And  
Whereas the said *C. D.* having appeared before us at the Time  
and Place aforesaid, specified for that Purpose, hath not sub-  
mitted to be examined as a Witness and give his Evidence before  
us touching the Matter of the said Complaint, but hath refused so  
to do]: Therefore we the said Justices do hereby, in pursuance  
of the Statute, commit the said *C. D.* to the [describing the  
Prison], there to remain without Bail or Mainprize for his Con-  
tempt aforesaid, until he shall submit himself to be examined and  
give his Evidence before us touching the Matter of the said  
Complaint, or shall otherwise be discharged by due Course of  
Law; and you the [Constable or other Peace Officer or Officers  
to whom the Warrant is directed] are hereby authorized and re-  
quired to take into your Custody the Body of the said *C. D.* and  
him safely to convey to the said Prison, and him there to deliver  
to the Gaoler or Keeper thereof, who is hereby authorized and  
required to receive into his Custody the Body of the said *C. D.*  
and him safely to detain and keep, pursuant to this Commitment.  
Given under our Hands this Day of  
in the Year of our Lord

[This Commitment to be directed to the proper Peace Officer  
and the Gaoler or Keeper of the Prison.]

## C A P. XCVI.

An Act to consolidate and amend the Laws relative to the Arbitration of Disputes between Masters and Workmen.

[21st June 1824.]

‘ **W**HEREAS it is expedient that the Laws relative to the Arbitration of Disputes between Masters and Workmen should be consolidated and amended, and one General Law made applicable to every Description of Trade and Manufactory; Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, so much of a certain Act passed in the Parliament of Ireland, in the Third Year of King George the Second, intituled *An Act to prevent unlawful Combinations of Workmen, Artificers and Labourers employed in the several Trades and Manufactures of this Kingdom, and for the better Payment of their Wages; as also to prevent Abuses in making of Bricks, and to ascertain their Dimensions*, as relates to the Decision of Disputes as therein mentioned; also a certain other Act passed in the Thirty ninth and Fortieth Years of King George the Third, intituled *An Act for settling Disputes that may arise between Masters and Workmen engaged in the Cotton Manufacture in that Part of Great Britain called England*; also a certain other Act passed in the Thirty ninth and Fortieth Years of King George the Third, intituled *An Act to repeal an Act passed in the last Session of Parliament, intituled ‘An Act to prevent unlawful Combinations of Workmen,’ and to substitute other Provisions in lieu thereof*; also a certain other Act passed in the Forty first Year of King George the Third, intituled *An Act to amend so much of an Act passed in the Thirty ninth and Fortieth Years of the Reign of His present Majesty, intituled ‘An Act to repeal an Act passed in the last Session of Parliament, intituled ‘An Act to prevent unlawful Combinations of Workmen,’ and to substitute other Provisions in lieu thereof,’ as relates to the Forms of Convictions therein referred to*; also a certain other Act passed in the Forty third Year of King George the Third, intituled *An Act for preventing and settling Disputes which may arise between Masters and Weavers engaged in the Cotton Manufacture in Scotland, and Persons employed by such Weavers, and Persons engaged in ornamenting Cotton Goods by the Needle*; also a certain other Act passed in the Forty fourth Year of King George the Third, intituled *An Act to amend an Act passed in the Thirty ninth and Fortieth Years of His present Majesty, intituled ‘An Act for settling Disputes that may arise between Masters and Workmen engaged in the Cotton Manufacture in that Part of Great Britain called England,’ and also a certain other Act passed in the Fifty third Year of King George the Third, intituled *An Act for the better Regulation of the Cotton Trade in Ireland, shall be and the same are hereby repealed; save and except in as far as the same may have repealed any prior Acts or Enactments.**

(a) [Impost repealed, Cap. 95. § 1. ante.]

ll. And

II. And be it further enacted, That the following Subjects of Dispute arising between Masters and Workmen, or between Workmen and those employed by them, in any Trade or Manufacture in any Part of the United Kingdom of *Great Britain and Ireland*, may be settled and adjusted in Manner hereafter mentioned; that is to say, Disagreements respecting the Price to be paid for Work done, or in the Course of being done, whether such Disputes shall happen or arise between them respecting the Payment of Wages as agreed upon, or the Hours of Work as agreed upon, or any Injury or Damage done or alleged to have been done to the Work, or respecting any Delay or supposed Delay in finishing the Work, or the not finishing the Work in a good and workmanlike Manner, or according to any Contract, or the Use of bad Materials; Cases where the Workmen are to be employed to work any new Pattern which shall require them to purchase any new Implements of Manufacture, or to make any Alteration upon the old Implements for the working thereof, and the Masters and Workmen cannot agree upon the Compensation to be made to such Workmen for or in respect thereof; Disputes respecting the Length, Breadth or Quality of Pieces of Goods, or, in the Case of Cotton Manufacture, the Yarn thereof, or the Quantity and Quality of the Wool thereof; Disputes respecting the Rates or Compensation to be paid for Pieces of Goods that are made of any great or extraordinary Length; Disputes in the Cotton Manufacture respecting the Manufacture of Cravats, Lawls, Policat, Romal, and other Handkerchiefs, and the Number to be contained in One Piece of such Handkerchiefs; Disputes arising out of, for or touching the particular Trade or Manufacture or Contracts relative thereto, which cannot be otherwise actually adjusted and settled; Disputes between Masters and Persons engaged in sizing or ornamenting Goods; but nothing in this Act contained shall authorize any Justice or Justices acting hereinafter mentioned to establish a Rate of Wages or Price of Labour or Workmanship at which the Workmen shall in future be paid, unless with the mutual Consent of both Master and Workman: Provided always, that all Complaints by any Workman to have bad Materials shall be made within Three Weeks of his receiving the same; and all Complaints arising from any other Cause shall be made within Six Days after such Cause of Complaint shall arise.

Enumeration of the Causes of Dispute that may be referred.

Limitation for Workmen to lodge their Complaints.

III. And be it further enacted, That whenever such Subjects of Dispute shall arise as aforesaid, it shall be lawful for the Master and Workman, or either of them, to demand and have Arbitration or Reference thereof in Manner following; that is to say, Where the Party complaining and the Party complained of shall come before or agree by any Writing under their Hands to abide by the Determination of any Justice of the Peace or Magistrate of any County, Riding, Division, Stewartry, Barony, Town, Burgh, Town or Place, within which the Parties reside, it shall be lawful for such Justice of the Peace or Magistrate to hear and finally determine, in a summary Manner, the Matter in Dispute between such Parties; but if such Parties shall not come before or so agree to abide by the Determination of such Justice of the Peace or Magistrate, then it shall be lawful for

Appointment of Referees.

for any such Justice or Magistrate, and such Justice of the Peace or Magistrate is hereby required, on Complaint made before him, and Proof by the Examination of the Party making such Complaint, that Application has been made to the Person or Persons against whom such Cause of Complaint has arisen, or his, her or their Agent or Agents, if such Dispute has arisen with such Agent or Agents, to settle such Dispute, and that the same has not been settled upon such Complaint being made, or where the Dispute relates to a bad Warp, that such Cause of Complaint has not been done away with within Forty eight Hours after such Application, to summon before him such Person or Persons, or Agent or Agents, on some Day not exceeding Three Days, exclusive of *Sunday*, after the making such Complaint, giving Notice to the Person making such Complaint of the Time and Place appointed in such Summons for the Attendance of such Person or Persons, Agent or Agents as aforesaid; and if at such Time and Place the Person or Persons so summoned shall not appear by himself, herself or themselves, or send some Person on his, her, or their Behalf, to settle such Dispute, or appearing, shall not do away such Cause of Complaint, then and in such Case it shall be lawful for such Justice, and he is hereby required, at the Request of either of such Parties, to nominate Arbitrators or Referees for settling the Matters in Dispute; and such Justice shall then and there at such Meeting propose not less than Four nor more than Six Persons, One Half of whom shall be Master Manufacturers, or Agents or Foremen of some Master Manufacturer, and the other Half of whom shall be Workmen in such Manufacture; such respective Persons residing in or near to the Place where such Disputes shall have arisen; out of which Master Manufacturers, Agents or Foremen, the Master engaged in such Dispute, or his Agent, shall choose One, and out of which Workmen so proposed, the Workman or his Agent shall choose another, who shall have full Power to hear and finally determine such Dispute.

Justice to name them in Cases above specified.

Master to chose One and Workmen the other.

Regulations for Appointment of other Referees where those appointed refuse or delay to accept the Reference, or accepting do not act therein.

IV. And be it further enacted, That in case any or either of the Persons so proposed by any such Justice shall refuse or delay to accept such Arbitration, or accepting shall not act therein, within Two Days after such Nomination, the Justice shall proceed to name another or other Persons of the Descriptions aforesaid, in the Room of the Person so refusing as aforesaid to be Arbitrator or Arbitrators in the Place of any such Arbitrator or Arbitrators so refusing or delaying to accept, or who shall not act; and in every Case of a Second Nomination the Arbitrators shall meet within Twenty four Hours after the Application for the same, and at the same Place at which the Meeting of the Referees first named was appointed, or at some other convenient Place, as the Justice may appoint; and the Expence of every such Application for the Appointment of a Second Referee shall be borne and defrayed by the Party through whose Default, or the Default of whose Referee, such Application is rendered necessary; and the Justice making such Second Appointment shall certify the same in the Form for that Purpose hereafter set forth, or in some other Form to the like Effect; and in every Case where a Second Arbitrator shall be appointed as aforesaid, and such Second Arbitrator shall

shall not attend at the same Time and Place appointed for settling the Matters in Dispute, it shall be lawful for the other Arbitrator, at such Time and Place, to proceed by himself to the hearing and determining of the same Matters in Dispute; and in such Case the Award of such Sole Arbitrator shall be final and conclusive as to all Matters in Dispute submitted to such Arbitrator, without being subject to Review, Appeal or Suspension.

V. And be it further enacted, That the Arbitrators or Referees being so nominated as aforesaid, the said Justice shall thereupon appoint a Place of Meeting according to the Directions of this Act, and also a Day for the Meeting, Notice of which Nomination, and of the Day of Meeting, shall thereupon be given by such Justice to the Persons so nominated Arbitrators or Referees, and to any Party to any such Dispute, who may not have attended the Meeting before such Justice as aforesaid; which Appointment shall be by such Justice certified in the Form following, in some other Form to the like Effect; that is to say,

Meeting of Referees, Notice of which shall be given.

Form of Justice's Order, certifying Nomination of Referees.

[ A. B. One of the Justices of the Peace acting for \_\_\_\_\_, do hereby certify, That C. D. and E. F. are duly nominated Referees to settle the Matters in Difference between G. H. of

\_\_\_\_\_ Master Manufacturer, [or Agent or Foreman, as the Case may be,] and I. K. of \_\_\_\_\_ Weaver,] or otherwise as the Case may be,] pursuant to an Act passed in the Fifth Year of the Reign of His present Majesty; and that the said Referees are hereby directed to meet at

\_\_\_\_\_ on \_\_\_\_\_ the \_\_\_\_\_ Day of \_\_\_\_\_ at \_\_\_\_\_ of the Clock in the Forenoon [or Afternoon, as the Case may be]. A. B.'

[ A. B. One of the Justices of the Peace acting for \_\_\_\_\_ do hereby certify, That the above named C. D. and E. F. [or One of them, as the Case may be], having refused or delayed to act in the above mentioned Reference, L. M. and N. O. [or L. M. only, as the Case may be,] are [or is] by me duly nominated Referees [or Referee], together with the above named C. D. [or E. F.] to settle the Matters in Difference between the above named G. H. and I. K.; and the said C. D. or E. F. together with the said L. M. [or the said L. M. or N. O., as the Case may be,] are directed to meet at the Place above mentioned, on \_\_\_\_\_ the \_\_\_\_\_

\_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_ at \_\_\_\_\_ of the Clock in the Forenoon [or Afternoon, as the Case may be]. A. B.'

and the Persons so appointed as aforesaid shall hear and examine the Parties and their Witnesses, and determine such Dispute within Two Days after such Nomination, exclusive of Sundays; and the Determination of such Arbitrators shall be final and conclusive.

VI. And be it further enacted, That in all Cases where Complainants are made respecting bad Warps or Utensils by Workmen, the Place of Meeting of the Referees shall be at or as near as may be to the Place where the Work shall be carrying on; and in all other

Place for the Meeting of Referees.

other Cases at or as near as may be to the Place or Places where the Work has been given out.

Attendance of Parties.

VII. Provided also, and be it further enacted, That if any Person so complaining as aforesaid shall not attend, or send some Person on his or her Behalf, at the Time and Place appointed by such Justice of the Peace, for the Purpose of naming such Persons as aforesaid, such Person shall not in such Case be entitled to the Benefit of this Act; and if any Person against whom any such Complaint shall have been made as aforesaid shall not attend, or send some Person on his or her Behalf, the Justice of the Peace shall thereupon nominate a Person for him out of such Persons so proposed as aforesaid.

Mode of Investigation of Complaint by the Arbitrators.

VIII. And be it further enacted, That the said Arbitrator and Referees shall meet at the Time and Place fixed by the Justice of the Peace by whom such Referees were appointed, and shall by Inspection of the Work in regard to which the Dispute may have arisen, by hearing and examining the Parties, or any other Persons on their Behalf, or that attend to give Evidence respecting the Matters in Dispute, upon Oath, (which the said Arbitrator and Referees are hereby empowered to administer,) or otherwise, or by otherwise ascertaining the true State of the Case, in such Manner as to such Arbitrators and Referees shall appear necessary, proceed to determine the Matter or Matters in Dispute referred to them; and the Award to be made by such Arbitrators and Referees shall be final and conclusive between the Parties, without being subject to Review or Challenge by any Court or Authority whatsoever.

Arrest and Commitment of refractory Witnesses.

IX. And be it further enacted, That it shall be lawful for any Arbitrator or Arbitrators, Referee or Referees, and he and they are hereby authorized and required, at the Request in Writing of any of the Parties, to issue his or their Summons to any Witness or Witnesses to appear and give Evidence before such Arbitrator or Arbitrators, Referee or Referees, at the Time and Place appointed for hearing and determining any such Dispute, and which Time and Place shall be specified in such Summons; and if any Person so summoned to appear as a Witness as aforesaid, shall not appear before such Arbitrator or Arbitrators, Referee or Referees at the Time and Place specified in such Summons, or offer some reasonable Excuse for the Default, or appearing according to such Summons shall not submit to be examined as a Witness, and give his Evidence before such Arbitrator or Arbitrators, Referee or Referees, touching the Matter of such Dispute, then and in every such Case it shall be lawful for any One or more of His Majesty's Justices of the Peace acting in and for the County, Stewartry, Riding, Division, Barony, City, Burgh, Town or Place where such Dispute shall have arisen, and they are hereby authorized, (Proof on Oath in the Case of any Person not appearing according to such Summons, having been first made before such Justice or Justices, of the due Service of such Summons on every such Person by delivering the same to him, or by leaving the same Twenty four Hours before the Time appointed for such Person to appear before such Arbitrator or Arbitrators, Referee or Referees, at the usual Place of Abode of such Person.) by Warrant under the Hands of any such Justice or Justices to

compel

ommit any such Person so making Default in appearing, or appearing and refusing to give Evidence, to some Prison within the Jurisdiction of any such Justice or Justices, there to remain, without Bail or Mainprize, for any Time not exceeding Two Calendar Months, nor less than Seven Days, or until such Person shall submit himself to be examined, and give his Evidence before such Arbitrator or Arbitrators, Referee or Referees as aforesaid: Provided always, that in case such Dispute shall be heard and determined before such Offender shall submit to be examined, and give Evidence as aforesaid, then and in every such Case he, she or they shall be imprisoned the full Term of such Commitment.

**Proviso.**

X. And be it further enacted, That in case such Arbitrators and Referees so appointed cannot agree upon and decide such Matter or Matters in Dispute so referred as aforesaid, or shall not make and sign their Award within Three Days after the Date of the Order of such Justice, certifying their Appointment, then the said Arbitrators and Referees shall, without Delay, go before the Justice by whom they were appointed, and in case of his Absence or Indisposition, before any other of His Majesty's Justices of the Peace acting in and for the County, Stewartry, Riding, Division, Liberty, City, Burgh, Town, Liberty or Place, and residing nearest to the Place where the Meeting to settle such Dispute shall have taken place, and shall state to such Justice or Justices so may be present the Points in Difference between them the said Arbitrators and Referees, which Points in Difference the said Justice or Justices shall and is and are hereby authorized and required to hear and determine upon the Statement of the Arbitrators and Referees; and the said Justice or Justices is and are hereby directed and required to settle and determine the Matter in Dispute with all possible Dispatch, and in all Cases, within the Space of Two Days after the Expiration of the Time hereby allowed to the Arbitrators and Referees to make and sign their Award; and the Determination of such Justice or Justices shall be final and conclusive between the Parties so differing as aforesaid, without being subject to Review or Challenge by any Court whatsoever.

**Adjournment of Complaint from Referees to a Justice.**

**Determination of Justice final.**

XI. And be it further enacted, That if either Arbitrator or Referee shall neglect or refuse to go before such Justice of the Peace in the Manner herein directed, it shall and may be lawful for such Justice, after summoning the Arbitrators to attend him, to determine the Matter or Matters in Dispute upon the Statement and Representation of either of the Arbitrators who shall be before him.

**Proceeding where One Referee refuses to go before Justice.**

XII. Provided always, and be it further enacted, That no Justice of the Peace, being also a Master Manufacturer or Agent, shall act as such Justice under this Act.

**Manufacturer, &c. not to act as Justice.**

XIII. Provided always, and be it further enacted, That as well in all such Cases of Dispute as aforesaid as in all other Cases, if the Parties mutually agree that the Matter in Dispute shall be determined and determined in a different Mode to the One hereby prescribed, such Agreement shall be valid, and the Award and Determination thereon final and conclusive between the Parties, and the same Proceedings of Distress, Sale and Imprisonment, hereafter mentioned, shall be had towards enforcing such Award,

**Disputes may be adjusted by any other Mode of Arbitration upon which the Parties may agree.**

Award, (by Application to any Justice of the Peace of the County, Stewartry, Riding, Division, Barony, City, Town, Burgh or Place within which the Parties shall reside,) as are by this Act prescribed for enforcing Awards made under and by virtue of its Provisions.

Partners,  
Agents and  
Servants to be  
considered  
Principals.

XIV. Provided always, and be it further enacted, That where any Work shall have been delivered to any Workman by the Agent or Servant of any Master or Masters, to be when finished delivered to such Agent or Servant; and also where Two or more Persons shall carry on the Business of such Manufacture as Partners, in every such Case respectively the like Proceedings shall and may be had and made against such Agent, Servant or any Partner, and shall be as effectual as if the same had been had and made against the Principal, or all the Partners; and all the said Persons respectively shall obey the Award made thereupon, and all such Order or Orders as shall be made by the said Justice or Justices in or respecting the Matters in Dispute, and shall be subject to the same Proceedings and Consequences for refusing or delaying to abide by or perform the same, as if the Proceedings had been had against the Principal, or against all the Partners.

Master not re-  
sident may de-  
pute another  
Person.

XV. And be it further enacted, That it shall be lawful in all Cases for any Master or Workman, by Writing under his Hand, to authorize any Person to act for him in submitting to Arbitration and attending Arbitrators or Justices touching the Matter of any Arbitration.

Provision for  
the Case of the  
Master becom-  
ing Bankrupt  
after Proceed-  
ings com-  
menced.

XVI. Provided also, and be it further enacted, That in all Cases where any Proceedings may be had against a Master or Masters under this Act, or where such Proceedings shall have been commenced, and the Master or Masters shall become or be Bankrupt, or any Assignment of his or their Estate or Effects shall have been made under the said Bankruptcy, or otherwise by Deed or in Law, the Factor or Trustee upon, or the Assignee or Assignees of such Estate or Effects shall be liable to the Proceedings authorized by this Act against the Master or Masters as fully as the Master or Masters was or were before the Bankruptcy or Assignment; and such Proceedings may be commenced or carried on against such Factor, Trustee, Assignee or Assignees, who shall fulfil and abide by the Award made thereupon, and all such Order or Orders as shall be made by the said Justice or Justices in or respecting the Matters in Dispute, and shall be subject to the same Proceedings and Consequences for wilfully refusing or delaying to abide by or perform the same, as if the Proceedings had been had against the Master or Masters before his or their Bankruptcy, or the Assignment of his or their Estate or Effects: provided that all Sums of Money to be paid in pursuance of such Award or Orders shall be recoverable only out of the Estate or Effects of such Master or Masters, and not out of the proper Money of such Factor, Trustee, Assignee or Assignees.

In whose Name  
Proceedings  
shall be, where  
the Complain-  
ant is a married  
Woman or  
Infant.

XVII. And be it further enacted, That where any married Woman or Infant under the Age of Twenty one Years shall have cause of Complaint in any of the Cases provided for by this Act, against any Master or Masters, his or their Agent or Servant, or Factor or Trustee, or Assignee or Assignees as aforesaid, such Complaint may be lodged, and all further Proceedings there-  
upon



upon had, by and in the Name of the Husband of such married Woman, and of the Father, or, if dead, of the Mother, or if on the Death of both Parents, of any of the Kindred of any such Infant, or of the Surety or Sureties in any Indenture of Apprenticeship of any such Infant, being an Apprentice, or of any Person nominated by such Infant, if he or she shall not have Parent, Kindred or Surety; and all such Proceedings shall be as effectual, valid and binding, as if such married Women was sole, and such Infants were of full Age, and pursued by themselves the Remedies provided by this Act.

XVIII. And be it further enacted, That with every Piece of Work given out by the Manufacturer to a Workman to be done, there shall (if both Parties are agreed) be delivered a Note or Ticket, in such Form as the said Parties shall mutually agree upon; and which said Note or Ticket, in the event of Dispute between the Manufacturer and Workman, shall be Evidence of all Matters and Things mentioned therein or respecting the same.

XIX. And be it further enacted, That a Duplicate of every such Note or Ticket shall be made and kept by the Master or Agent delivering the same, which Duplicate shall be Evidence of all the Matters and Things therein contained, in case the Workman shall not produce to the Arbitrators, or the said Justice, as the Case may be, the said Note or Ticket so delivered to him with the said Work.

XX. And be it further enacted, That it shall not be allowable to any Manufacturer, who shall have received into his Possession any Article without Objection made within Twenty four Hours by himself, or his Clerk or Foreman, afterwards to make any Complaint on account of Work so received.

XXI. Provided always, and be it further enacted, That if the Parties by and between whom the said Reference shall take place as aforesaid, shall think it expedient, or be desirous to extend the Time hereby limited for the making the Award or Umpirage, it shall and may be lawful for them to extend the same accordingly by Endorsement, according to the Form in the Schedule hereunto annexed, on the Back of the Order of the Justice of Peace, certifying the Appointment of the Referees, to be signed by both of them in the Presence of One or more credible Witness or Witnesses.

XXII. And be it further enacted, That the Award or Umpirage to be made upon any Reference demanded under this Act shall and may be drawn up and written at the Foot or upon the Back of the said Order, certifying the Appointment of the Referees, according to the Form in the Schedule hereunto annexed.

XXIII. And be it further enacted, That upon Fulfilment of the Award or Umpirage, the same shall be acknowledged by the Party in whose Behalf the same was made, by an Acknowledgment at the Foot of the said Award, in the Form of the Schedule hereunto annexed, which, with the Award, shall thereupon be delivered to the Party fulfilling the same.

XXIV. And be it further enacted, That if any Party shall refuse or delay to fulfill an Award under this Act, for the Space or Term of Two Days after the same shall have been reduced into Writing, it shall be lawful for any such Justice as aforesaid, on the

Tickets of Particulars to be given out with Work.

Duplicates of such Tickets.

Manufacturers receiving Articles not to complain afterwards.

Extension of Time limited for making Award.

Form of Award in Schedule annexed.

On Award being fulfilled, Fulfilment to be acknowledged.

Performance of Award may be enforced by Distress, and

Appli-

failing that the Party refusing shall be imprisoned.

Application of the Party aggrieved, and he is hereby required by Warrant under his Hand according to the Form of the Schedule hereunto annexed, or in some other Form to the like Effect, to cause the Sum and Sums of Money directed to be paid by any such Award to be levied by Distress and Sale of any Goods and Chattels of the Person or Persons liable to pay the same, together with all Costs and Charges attending such Distress and Sale, such Sale to take place within such Time, not exceeding Five Days, as the said Justice shall think proper; and the Overplus, if any, to arise by such Sale, to be rendered to the Owners of the Goods and Chattels distrained; and in case it shall appear by any Return to such Warrant that no sufficient Distress can be readily had, which Return may be in the Form contained in the Schedule hereunto annexed, or in some other Form to the like Effect, it shall be lawful for any such Justice as aforesaid, and he is hereby required by Warrant under his Hand according to the Form of the Schedule hereunto annexed, or in some other Form to the like Effect, to commit the Person or Persons so liable as aforesaid to the Common Gaol, or some House of Correction within his or their Jurisdiction, there to remain without Bail for any Time not exceeding Three Months.

In certain Cases the Warrant of Distress shall be withheld, and the Defaulter committed to Prison.

‘ XXV. And Whereas Cases may occur where the Recovery of such Sum or Sums of Money by Distress and Sale of the Goods and Chattels of the Defaulter may appear to the Justice or Justices of the Peace by whom the Warrant is to be issued to be attended with Consequences ruinous or in an especial Manner injurious to the Defaulter and his Family:’ To prevent which Consequences, Be it further enacted, That the said Justice or Justices, in all such Cases, shall withhold such Warrant, and commit the Defaulter to the Common Gaol or some House of Correction within his or their Jurisdiction, there to remain without Bail for any Time not exceeding Three Months; such Commitment to be in the Form or to the Effect of the Form in the Schedule to this Act annexed.

On Payment of Sum awarded, with Costs, Party discharged.

XXVI. And be it further enacted, That where any Person shall be committed to Prison for refusing or delaying to fulfil an Award as aforesaid, and such Person shall, at any Time during the Period of his or her Imprisonment, pay to the Governor or Keeper of the Prison the full Amount of the Sum awarded, with all reasonable Expences incurred through such Refusal or Delay, it shall be lawful for such Governor or Keeper of such Prison, and he is hereby required forthwith to discharge such Person from his Custody.

Form of Warrant of Commitment in Form in Schedule.

XXVII. And be it further enacted, That the Justice or Justices by whom any Person or Persons shall be committed to Prison for not appearing as a Witness, or not submitting to be examined shall cause the Warrant or Order for such Commitment to be drawn up in the Form or to the Effect set forth in the Schedule to this Act.

No Appeal or Certiorari.

‘ XXVIII. And be it further enacted, That no Appeal or Certiorari shall lie against any Proceedings under this Act.

Want of Form.

XXIX. And be it further enacted, That no Proceedings under this Act shall be invalid for want of Form.

XXX. And be it further enacted, That the following and no higher Fees shall be allowed to be taken for any Proceeding under this Act ; (that is to say,) Fees for Proceedings under this Act.

*To the Clerk of the Justice or Justices :*

For each Summons	- - - -	Two Pence.
For every Oath or Affirmation	- - - -	Three Pence.
For drawing and entering the Order	- - - -	Four Pence.
For every Warrant	- - - -	Sixpence.

*To the Constable or other Peace Officer :*

For Service of Summons or Order	- - - -	Four Pence.
For executing Warrant of Distress and Sale of Goods	- - - -	One Shilling.
For Custody of Goods distrained, <i>per Diem</i>	- - - -	Three Pence.
For every Mile he shall travel	- - - -	Three Pence.
For every Caption	- - - -	Sixpence.

And a Table of Fees, signed by the Clerk to such Justice or Justices, shall be hung up in every Place where any General or Quarter Session, or Petty or other Sessions of the Peace shall be held.

XXXI. And be it further enacted, That all Costs, Time and Expences attending the Application to Justices to be made under this Act, and of the Arbitration pursuant thereon, shall be settled by the Arbitrators or Arbitrator by whom such Dispute shall be settled ; and where the same shall be determined by any Justice of the Peace, pursuant to this Act, then the Costs, Time and Expences aforesaid shall be settled by such Justice ; and where the Arbitrators appointed as aforesaid cannot agree as to the Costs, Time and Expences to be allowed, the same shall be settled by the Justice or Justices of the Peace by whom the said Arbitrators were named, and in case of his Absence or Indisposition, by any Justice of the Peace for the same County, Stewartry, Riding, Division, Barony, City, Burgh, Liberty, Town or Place nearest to the Place at which the Arbitrators met to settle the Dispute : Provided always, that no Master Manufacturer, his Foreman or Agent, shall in any Case be allowed for Costs, Time or Expences, by the said Justice or Justices, unless it shall appear to him or them that the Proceedings of the Workmen were vexatious and oppressive. Costs and Expences how to be settled.

XXXII. Provided always, and be it enacted, That every Agreement, Submission, Award, Ticket, Matter or Thing under and by virtue of this Act, or relating to any other Mode of Arbitration as aforesaid, shall and may be drawn up and written upon unstamped Paper. Proceedings exempt from Stamp Duty.

XXXIII. Provided also, and be it further enacted, That no Action shall be brought against any Arbitrator, Justice of the Peace, Constable, Headborough or other Officer, or against any other Person or Persons whomsoever, for any Matter or Thing whatsoever done or committed under or by virtue or in the Execution of this Act, unless such Action shall be brought within Six Calendar Months next after the doing or committing of such Matter or Thing. Limitation of Actions for executing Act.

XXXIV. Provided also, That if any Action or Suit shall hereafter be commenced or prosecuted against any Person or In Action for executing Act.

**General Issue.** Persons for any Thing done under, by virtue or in the Execution of this Act, such Person or Persons may plead the General Issue, and give this Act and the special Matter in Evidence; and if the Plaintiff shall become Nonsuited or suffer Discontinuance, or forbear further Prosecution, or if Judgment shall be given for the Defendant or Defendants, such Defendant or Defendants shall recover his, her or their full Costs, and for which he, she or they shall have like Remedy as in Cases where Costs by Law are given to Defendants.

**Costs.**

**Proviso for Acts not hereby repealed.** XXXV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to repeal, abridge, annul or make void any of the Clauses, Provisions, Remedies or Powers contained in any Law or Statute now in force, and not repealed by this Act.

### SCHEDULE.

*Form of the Award to be written at the Foot or upon the Back of the Order of the Justices of Peace certifying the Reference.*

WE, *I. K.* and *L. M.* [*name and describe the Referees*] the Referees appointed to settle the Matters in Dispute between the Parties within named [*or, I. K.* one of the Referees so appointed; *or L. M.* the other Referee appointed having failed to attend. *or, I N. O.* the Justice, *as the Case may be*]; do hereby adjudge and determine that [*here set forth the Determination; to which the Referee or Referees or Justice, as the Case may be, shall subscribe their Names.*]

*Form of Endorsement, extending the Time limited for making the Award.*

WE, *A. B.* and *C. D.*, Parties to the within Reference, do hereby agree to extend the same to the  
 Day of \_\_\_\_\_ inclusive. Witness our Hands this  
 \_\_\_\_\_ Day of \_\_\_\_\_  
 Witness, *A. B.*  
*C. D.*

*Form of Acknowledgment of Fulfilment of the Award to be written at the Foot or on the Back thereof.*

I *A. B.* do hereby acknowledge that the above Award hath been fulfilled by *C. D.* who is hereby discharged of the same.  
 Witness my Hand this \_\_\_\_\_ Day of \_\_\_\_\_  
 Witness *A. B.*

*Form of the Oath to be administered by the Arbitrators or Justice to the Parties and Witnesses under this Act.*

THE Evidence that you shall give before us, the Arbitrators appointed by *C. D.* and *C. D.* [*the Parties*] to determine the Matters in Difference between them under and by virtue of an Act passed in the Fifth Year of the Reign of King George the Fourth; intituled *An Act* [*state the Title of this Act*], shall be the Truth, the whole Truth, and nothing but the Truth.

So help you GOD.

*Form*

*Form of Commitment of a Person summoned as a Witness before the Arbitrators.*

WHEREAS Proof on Oath hath been made before me, One of His Majesty's Justices of the Peace for the County [or Riding, Stewartry, Division, City, Burgh, Liberty, Town or Place] of  
on this Day of that  
A. B. hath been duly summoned, and hath neglected to appear and give Evidence before C. D. and E. F. the Arbitrators appointed by and between G. H. and I. K. to determine the Matters in Dispute between them at in the County [or Riding, Stewartry, Division, City, Burgh, Liberty, Town or Place] of on the Day of

under and by virtue of an Act made in the Fifth Year of the Reign of His present Majesty, intituled *An Act [here set forth the Title of this Act]*, and the said A. B. being required by me, the said Justice, to give Evidence before the said Arbitrators, and still refusing so to do, therefore I, the said Justice, do hereby, in pursuance of the said Act, commit the said A. B. to the [describing the Prison and the House of Correction] there to remain without Bail or Mainprize for his [or her] Offence aforesaid, until he [or she] shall submit himself [or herself] to be examined, and give his [or her] Evidence before the said Arbitrators, touching the Matters referred to them as aforesaid, or shall otherwise be discharged by due Course of Law: And you the [Constable or other Peace Officer or Officers to whom the Warrant is directed] are hereby authorized and required to take into your Custody the Body of the said A. B. and him [or her] safely to convey to the said Prison [or House of Correction] and him [or her] there to deliver to the Gaoler [or Keeper] thereof, who is hereby authorized and required to receive into his Custody the Body of the said A. B., and him [or her] safely to detain and keep, pursuant to this Commitment. Given under my Hand, this Day of

in the Year of our Lord

[This Commitment to be directed to the proper Peace Officer, and the Gaoler [or Keeper] of the Prison [or House of Correction].]

*Form of Warrant of Distress.*

To the Constable of  
WHEREAS of  
under an Award made by  
on the Day of in the  
Year of our Lord pursuant to an Act  
passed in the Fifth Year of the Reign of His present Majesty  
intituled *An Act [state the Title of this Act]*, is liable to pay to  
of the  
Sum of and also the Sum of  
and the said having refused or  
neglected to pay the same for the Space of Two Days and  
upwards subsequent to the making such Award, these are there-  
fore to command you to levy the said Sum of  
by Distress and Sale of the Goods and Chattels  
of

of the said \_\_\_\_\_ and I do hereby order and direct  
 the Goods and Chattels so to be distrained to be sold and dis-  
 posed of within \_\_\_\_\_ Days, unless the said Sum of  
 \_\_\_\_\_ for which such Distress shall be made,  
 together with the reasonable Charges of taking and keeping such  
 Distress, shall be sooner paid; and you are also hereby com-  
 manded to certify to me what you shall do by virtue of this my  
 Warrant. Given under my Hand and Seal, at  
 the \_\_\_\_\_ Day of \_\_\_\_\_

*Form of the Constable's Return to the Warrant of Distres.*

I, \_\_\_\_\_ Constable of \_\_\_\_\_  
 do hereby certify to \_\_\_\_\_  
 Justice of the Peace of \_\_\_\_\_ that I have made  
 diligent Search for, but do not know of, nor can find any Goods  
 and Chattels of \_\_\_\_\_ by Distress and Sale  
 whereof I may levy the Sum of \_\_\_\_\_ pursuant to  
 his Warrant for that Purpose. Dated the \_\_\_\_\_ Day  
 of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_  
 Given under my Hand this \_\_\_\_\_ Day  
 of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_

*Form of Commitment thereupon to the House of Correction.*

Here name the } To the Constable of \_\_\_\_\_  
 County. } and also to the Keeper of the House of Cor-  
 rection at \_\_\_\_\_

WHEREAS \_\_\_\_\_ of \_\_\_\_\_ under an Award made by  
 \_\_\_\_\_ on the \_\_\_\_\_ Day of \_\_\_\_\_  
 in the Year of our Lord \_\_\_\_\_ pursuant  
 to an Act passed in the Fifth Year of the Reign of His present  
 Majesty, intituled *An Act [state the Title of this Act]*, became  
 liable to pay to \_\_\_\_\_ the Sum of \_\_\_\_\_  
 and also the Sum of \_\_\_\_\_ for Costs,  
 Time and Expences, making together the Sum of \_\_\_\_\_  
 and having refused or neglected to pay the same for the Space of  
 Two Days and upwards subsequent to the making of such Award,  
 my Warrant was, according to the Provisions of the said Act,  
 duly made and issued for the levying the said Sum of \_\_\_\_\_  
 by Distress and Sale of the Goods and Chattels of \_\_\_\_\_  
 the said \_\_\_\_\_; and whereas it  
 appears by the Return of \_\_\_\_\_ Constable  
 of \_\_\_\_\_ dated the \_\_\_\_\_ Day of \_\_\_\_\_  
 that he hath made diligent Search  
 for, but doth not know of, nor can find any Goods and Chattels of  
 the said \_\_\_\_\_ by Distress and Sale whereof the  
 said Sum of \_\_\_\_\_ may be levied pursuant to  
 my said Warrant: These are therefore to command you the said  
 Constable of \_\_\_\_\_ to apprehend the said  
 \_\_\_\_\_ and convey him to the said House of Correction at  
 aforesaid, and deliver him there to the Keeper of the  
 said House of Correction; and these are also to command you  
 the Keeper of the said House of Correction, to receive him the  
 said \_\_\_\_\_

said into the said House of Correction, and there keep him without Bail or Mainprize for the Space of Months, unless the said Sum of so ordered to be paid as aforesaid, shall be sooner satisfied, with all reasonable Expences. Given under my Hand and Seal, at the Day of

*Form of Commitment where the Warrant of Distress is withheld.*

Here name the } To the Constable of  
County. } and also to the Keeper of the House of Correction at

WHEREAS of under an Award made by on the Day of in the Year of our Lord

, pursuant to an Act passed in the Fifth Year of the Reign of His present Majesty, intituled, *An Act [state the Title of this Act]*, became liable to pay to the Sum of and also the Sum of

for Costs, Time and Expences, making together the Sum of, which he has refused or neglected to pay for the Space of Two Days and upwards subsequent to the making of such Award; and whereas it appears to me that the Recovery of such Sum and Warrant of Distress and Sale of the Goods and Chattels of the said

will be attended with Consequences ruinous or in an especial Manner injurious to the Defaulter [and his Family, *if any*] and I have therefore determined to withhold such Warrant and to commit the said to Prison, pursuant to the said Act: These are therefore to command you, the said Constable of to apprehend the said

and convey him to the said House of Correction at, aforesaid, and deliver him there to the Keeper of the said House of Correction; and these are also to command you, the Keeper of the said House of Correction, to receive him the said into the said House of Correction, and there keep him without Bail or Mainprize for the Space of Months, unless the said Sum of so ordered to be paid as aforesaid shall be sooner satisfied, with all reasonable Expences. Given under my Hand and Seal, at the Day of

### C A P. XCVII.

An Act to repeal the Laws relative to Artificers going into Foreign Parts. [21st June 1824.]

WHEREAS it is expedient that the several Laws relative to Artificers going into Foreign Parts should be repealed: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, a certain Act passed in the Fifth Year of King George the First, intituled *An Act to prevent the Inconveniences arising from*

5 G. 1. c. 27.

- 23 G. 2. c. 13.  
§ 1, 2.
- 23 G. 3. c. 60.  
§ 1, 2.
- 25 G. 3. (I.);  
in part;
- 25 G. 3. c. 67.  
§ 6, 7.
- also so much of  
39 G. 3. c. 56.  
as relates to the  
seducing of  
Colliers, &c. ;
- and all other  
Acts relative to  
the same Sub-  
jects repealed.
- seducing Artificers in the Manufactures of Great Britain into Foreign Parts; also so much of a certain other Act passed in the Twenty third Year of King George the Second, intituled An Act for the effectual punishing of Persons convicted of seducing Artificers in the Manufactures of Great Britain or Ireland out of the Dominions of the Crown of Great Britain; and to prevent the Exportation of Utensils made use of in the Woollen and Silk Manufactures from Great Britain or Ireland into Foreign Parts; and for the more easy and speedy Determination of Appeals allowed in certain Cases by an Act made in the last Session of Parliament, relating to Persons employed in the several Manufactures therein mentioned; as relates to contracting with, enticing, persuading or endeavouring to persuade, solicit or seduce Manufacturers, Workmen and Artificers, as therein mentioned; also so much of a certain other Act passed in the Twenty second Year of King George the Third, intituled An Act to prevent the seducing of Artificers or Workmen employed in printing Callicoes, Cottons, Muslins and Linens, or in making or preparing Blocks, Plates or other Implements used in that Manufactory, to go to Parts beyond the Seas; and to prohibit the Exportation to Foreign Parts any such Blocks, Plates or other Implements, as relates to contracting with, enticing, persuading or endeavouring to seduce or encourage Artificers and Workmen as therein mentioned; also so much of a certain other Act passed in the Parliament of Ireland in the Twenty fifth Year of King George the Third, intituled An Act to prevent the Practice of seducing Artificers and Manufacturers of this Kingdom, and of exporting the several Tools and Utensils made use of in preparing and working up the Manufactures thereof, into Parts beyond the Seas, as relates to contracting with, enticing, persuading or endeavouring to persuade, soliciting or seducing Manufacturers, Workmen or Artificers, as therein mentioned; and also so much of a certain other Act passed in the Twenty fifth Year of King George the Third, intituled An Act to prohibit the Exportation to Foreign Parts of Tools and Utensils made use of in the Iron and Steel Manufactures of this Kingdom; and to prevent the seducing of Artificers or Workmen employed in those Manufactures to go into Parts beyond the Seas, as relates to contracting with, enticing, persuading or endeavouring to seduce or encourage Artificers or Workmen as therein mentioned; also so much of a certain other Act passed in the Thirty ninth Year of King George the Third, intituled An Act to explain and amend the Laws relative to Colliers in that Part of Great Britain called Scotland; as punishes the seducing or attempting to seduce Colliers or others, as therein mentioned; together with every other Law, Statute or Enactment relative to the same Subjects, or any of them, and whether in force throughout or in any of the United Kingdom of Great Britain and Ireland, shall be, and the same are hereby repealed, save and except in as far as the same may have repealed any prior Act or Enactment.*



## C A P. XCVIII.

An Act to consolidate and amend the Bankrupt Laws.

[21st June 1824.]

WHEREAS it is expedient to amend the Laws relating to Bankrupts, and to simplify the Language thereof, and to consolidate the same so amended and simplified in one Act; and to make other Provisions respecting Bankrupts; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act passed in the Thirty fourth and Thirty fifth Years of the Reign of King *Henry* the Eighth, intituled *An Act against such Persons as do make Bankrupt*; and also an Act passed in the Thirteenth Year of the Reign of Queen *Elizabeth*, intituled *An Act touching Orders for Bankrupts*; and also an Act passed in the First Year of the Reign of King *James* the First, intituled *An Act for the better Relief of the Creditors against such as shall become Bankrupts*; and also an Act passed in the Twenty first Year of the Reign of King *James* the First, intituled *An Act for the further Description of a Bankrupt, and Relief of Creditors against such as shall become Bankrupts, and for inflicting Corporal Punishment upon the Bankrupts, in some special Cases*; and also an Act passed in the Thirteenth and Fourteenth Years of the Reign of King *Charles* the Second, intituled *An Act declaratory concerning Bankrupts*; and also an Act passed in the Tenth Year of the Reign of Queen *Ann*, intituled *An Act for repealing a Clause in the above mentioned Statute, passed in the Twenty first Year of the Reign of King James the First, and for the Explanation of the Laws relating to Bankruptcy in Cases of Partnership*; and also an Act made in the Seventh Year of the Reign of King *George* the First, intituled *An Act for explaining and making more effectual the several Acts concerning Bankrupts*; and also an Act passed in the Fifth Year of the Reign of King *George* the Second, intituled *An Act to prevent the committing of Frauds by Bankrupts*; and also an Act passed in the Nineteenth Year of the Reign of King *George* the Second, intituled *An Act for amending the Laws relating to Bankrupts*; and also so much of an Act passed in the Twenty fourth Year of the Reign of King *George* the Second, the Title of which begins with the Words *An Act to continue several Laws therein mentioned, for preventing Theft and Rapine*, and concludes with the Words, *and to make some further Provisions in relation to the signing of Certificates for the Discharge of Bankrupts*, as relates to the Prevention of Frauds by Bankrupts, and to some further Provisions in relation to the signing of Certificates for the Discharge of Bankrupts; and also an Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for preventing Inconveniences arising in Cases of Merchants, and such other Persons as are within the Description of the Statutes relating to Bankrupts being entitled to Privilege of Parliament, and becoming insolvent*; and also so much of an Act passed in the Thirty sixth Year of the Reign of His late Majesty, intituled *An Act for the Relief*

34 & 35 H. 8.  
c. 4.

13 Elis. c. 7.

1 Jac. 1. c. 15.

21 Jac. 1. c. 19.

13 & 14 C. 2.  
c. 24.

10 Ann. c. 15.

7 G. 1. St. 1.  
c. 31.

5 G. 2. c. 30.

19 G. 2. c. 32.

24 G. 2. c. 57.  
§ 9, 10.

4 G. 3. c. 33.

36 G. 3. c. 90.  
§ 1, 2.

- Relief of Persons equitably and beneficially entitled to or interested in the several Stocks and Annuities transferable at the Bank of England, as relates to Trustees in whose Names Stock shall be standing at the Bank, becoming Bankrupt, and to Bankrupts refusing to transfer Stock standing in their own Right; and also an Act passed in the Thirty seventh Year of the Reign of His late Majesty, intituled An Act to make perpetual an Act passed in the Fifth Year of the Reign of His late Majesty, intituled 'An Act to prevent the committing of Frauds by Bankrupts;'* and also so much of an Act passed in the Forty fifth Year of the Reign of His late Majesty, intituled *An Act to amend an Act passed in the Fourth Year of His present Majesty, intituled 'An Act for preventing Inconveniences arising in Cases of Merchants, and such other Persons as are within the Description of the Statutes relating to Bankrupts being entitled to Privilege of Parliament, and becoming insolvent;'* and to prevent Delay in the entering Appearances in Actions brought against Persons having Privilege of Parliament, as relates to the Execution of certain Bonds by Traders having Privilege of Parliament, and to the Disobedience by such Traders of Orders for Payment of Money; and also an Act passed in the Forty sixth Year of the Reign of His late Majesty, intituled *An Act to amend the Laws relating to Bankrupts;* and also an Act passed in the Forty ninth Year of the Reign of His late Majesty, intituled *An Act to alter and amend the Laws relating to Bankrupts;* and also an Act passed in the Fifty sixth Year of the Reign of His late Majesty, intituled *An Act to extend the Provisions of an Act of the First Year of the Reign of King James the First, intituled 'An Act for the better Relief of the Creditors against such as shall become Bankrupts;'* and also so much of an Act passed in the First Year of the Reign of His present Majesty, intituled *An Act to repeal so much of the several Acts passed in the Thirty ninth Year of the Reign of Elizabeth, the Fourth of George the First, the Fifth and Eighth of George the Second, as inflicts Capital Punishment on certain Offences therein specified, and to provide more suitable and effectual Punishment for such Offences;* as relates to the Punishment of Frauds committed by Bankrupts; and also an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the Laws relating to Bankrupts under joint Commissions;* and also another Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the Laws relating to Bankrupts,* be hereby repealed.

What Persons deemed Traders liable to become Bankrupt.

II. And be it enacted, That all Bankers, Brokers, Underwriters and Persons insuring Ships or their Freight, or other Matters against Perils of the Sea, Warehousemen, Wharfmen, Packers, Builders, Carpenters, Shipwrights, Victuallers, Innkeepers, Stage Coach Proprietors, Brewers, Maltsters, Dyers, Printers, Bleachers, Fullers, Scavengers, Manufacturers of Alum or Kelp, Cattle or Sheep Salesmen, and all Persons engaged in any Traffic of drawing and redrawing, negotiating or discounting Bills of Exchange, Promissory Notes, or negotiable Securities, except Exchequer, Navy or Victualling Bills or Ordnance Debentures; and all Persons making Bricks or burning Lime for Sale, being Tenants, Lessees or Partners in such Trade or Undertaking:

aking; and all Persons using the Trade of Merchandize by way of Bargaining, Exchange, Bartering, Commission, Consignment, or otherwise, in gross or by retail; and all Persons, who either for themselves, or as Agents or Factors for others, seek their living by buying and selling, or by buying and letting for Hire, or by the Workmanship of Goods or Commodities, shall be deemed Traders liable to become Bankrupt; Provided, that no Farmer, Grazier, common Labourer or Workman for Hire, Receiver General of the Taxes, or Member of or Subscriber to any incorporated, commercial or trading Companies established by Charter, or by or under the Authority of any Act of Parliament, shall be deemed as such a Trader liable by virtue of this Act to become Bankrupt.

What Persons  
not so deemed.

III. And be it enacted, That if any such Trader shall depart his Realm, or being out of the Realm shall remain abroad, or depart from his Dwelling House, or otherwise absent himself, or begin to keep his House, or suffer himself to be arrested for any Debt not due, or yield himself to Prison, or suffer himself to be outlawed, or procure himself to be arrested, or his Goods, Money or Chattels to be attached, sequestered or taken in Execution, or make or cause to be made, either within the United Realm or elsewhere, any Grant or Conveyance of any of his Lands, Tenements, Goods or Chattels, or make or cause to be made any Surrender of any of his Copyhold Lands or Tenements, or make or cause to be made any Gift, Delivery or Transfer of any of his Goods or Chattels, every such Trader doing, suffering, procuring, executing, permitting, making or causing to be made any of the Acts, Deeds or Matters aforesaid, with Intent to defeat or delay his Creditors in the Recovery of their Debts, shall be deemed to have thereby committed an Act of Bankruptcy.

What Acts  
deemed Acts  
of Bankruptcy.

IV. And be it enacted, That if any such Trader shall, at any Meeting of his Creditors, declare or admit that he is insolvent, or unable to meet his Engagements, or if any such Trader having been arrested or committed to Prison for Debt, or on any Attachment for Nonpayment of Money, shall, upon such or any other Arrest or Commitment for Debt, or Nonpayment of Money, or upon any Detention for Debt, lie in Prison for Twenty one Days; or if any such Trader, having been so arrested, committed or detained, shall escape out of Prison or Custody, every such Trader shall be deemed to have thereby committed an Act of Bankruptcy; provided that if any such Trader shall be in Prison at the Time of the Commencement of this Act, such Trader shall not be deemed to have committed an Act of Bankruptcy by lying in Prison, until he shall have lain in Prison for the Period of Two Months.

What further  
Acts so deemed.

V. And be it enacted, That if any such Trader shall petition to take the Benefit of the present or any future Act for the Relief of Insolvent Debtors, such Petition, when filed, shall be an Act of Bankruptcy, but no Commission shall issue thereupon, unless it be sued out within Two Calendar Months next after Notice of such Petition has been inserted in the *London Gazette*.

Proviso as to  
lying in Prison.

Taking  
Benefit of  
Insolvent Act.

VI. And be it enacted, That if any such Trader shall file, in the Office of the Lord Chancellor's Secretary of Bankrupts, a Declaration in Writing, signed by such Trader, and attested by an

When Commission to issue.

Declaration of  
Insolvency  
at Bankrupt  
Office.

an Attorney or Solicitor, that he is insolvent, or unable to meet his Engagements, the said Secretary of Bankrupts, or his Deputy, shall sign a Memorandum that such Declaration hath been filed, which Memorandum shall be Authority for the Printer of the *London Gazette* to insert an Advertisement of such Declaration, therein; and every such Declaration shall, after such Advertisement inserted as aforesaid, be an Act of Bankruptcy committed by such Trader at the Time when such Declaration was filed; but no Commission shall issue thereupon unless it be sued out within Two Calendar Months next after the Insertion of such Advertisement, and unless such Advertisement shall have been inserted in the *London Gazette* within Eight Days after such Declaration was filed; and no Docket shall be struck upon such Act of Bankruptcy before the Expiration of Four Days next after the Insertion of such Advertisement, in case such Commission is to be executed in *London*; or before the Expiration of Eight Days next after such Insertion, in case such Commission is to be executed in the Country; and in all Proceedings before the Commissioners, the Gazette containing such Advertisement shall be Evidence to be received of such Declaration having been filed.

Advertisement inserted in Gazette.

When Commission to issue.

Form of striking Docket. Gazette Evidence.

Concerted Declaration.

VII. And be it enacted, That no Commission under which the Adjudication shall be grounded on the Act of Bankruptcy, being the filing of such Declaration, shall be deemed invalid by reason of such Declaration having been concerted or agreed upon between the Bankrupt and any Creditor or other Person.

Trader compounding with Petitioning Creditor an Act of Bankruptcy.

VIII. And be it enacted, That if any such Trader, liable by virtue of this Act to become Bankrupt, shall, after a Docket struck against him, pay to the Person or Persons who struck the same, or any of them, Money, or give or deliver to any such Person any Satisfaction or Security for his Debt, or any Part thereof, whereby such Person may receive more in the Pound in respect of his Debt than the other Creditors, such Payment, Gift, Delivery, Satisfaction or Security shall be an Act of Bankruptcy; and if any Commission shall have issued upon the Docket so struck as aforesaid, the Lord Chancellor may either declare such Commission to be valid, and direct the same to be proceeded in, or may order it to be superseded, and a new Commission may issue upon such last mentioned or any other Act of Bankruptcy; and every Person so receiving such Money, Gift, Delivery, Satisfaction or Security as aforesaid, shall ~~forfeit his~~ whole Debt, and also repay or deliver up such Money, Gift, Satisfaction or Security as aforesaid, or the full Value thereof, to such Person or Persons as the Commissioners acting under such original Commission, or any new Commission, shall appoint, for the Benefit of the Creditors of such Bankrupt.

Commission may either be superseded or continued; Creditor so compounding. Penalty.

How Bankrupt Traders having Privilege of Parliament proceeded against.

IX. And be it enacted, That if any such Trader having Privilege of Parliament, shall commit any of the aforesaid Acts of Bankruptcy, a Commission of Bankruptcy may issue against him; and the Commissioners, and all other Persons acting under such Commission, may proceed thereon in like Manner as against other Bankrupts; but such Person shall not be subject to be arrested or imprisoned during the Time of such Privilege, except in Cases hereby made Felony.

X. And

X. And be it enacted, That if any Creditor or Creditors of any such Trader having Privilege of Parliament to such Amount as is hereinafter declared requisite to support a Commission, shall file an Affidavit or Affidavits in any Court of Record at *Westminster* at such Debt or Debts is or are justly due to him or them respectively, and that such Debtor, as he or they verily believe, is such Trader as aforesaid, and shall sue out of the same Court a Writ of Habeas Corpus, or an Original Bill and Summons against such Trader, and serve him with a Copy of such Summons, if such Trader shall not, within One Calendar Month after Personal Service of such Summons, pay, secure or compound for such Debt or Debts to the Satisfaction of such Creditor or Creditors, or enter into a Bond in and in such Sum, and with Two sufficient Sureties, as any of the Justices of the Court out of which such Summons shall issue shall approve of, to pay such Sum as shall be recovered in such Writ or Actions, together with such Costs as shall be given in the same, and within One Calendar Month next after Personal Service of such Summons cause an Appearance or Appearances to be entered to such Action or Actions in the proper Court or Courts in which the same shall have been brought, every such Trader shall be deemed to have committed an Act of Bankruptcy from the Time of the Service of such Summons; and any such Creditor or Creditors of such Trader may sue out a Commission against him, and proceed thereon in like Manner as against other Bankrupts.

Trader having Privilege of Parliament, not paying or compounding to Satisfaction of Creditor, and also entering an Appearance to the Action within One Month, an Act of Bankruptcy.

XI. And be it enacted, That if any Decree or Order shall have been pronounced in any Cause depending in any Court of Equity, or any Order made in any Matter of Bankruptcy or Lunacy against any such Trader having Privilege of Parliament, ordering such Trader to pay any Sum of Money, and such Trader shall disobey, the same having been duly served upon him, the Person or Persons entitled to receive such Sum under such Decree or Order, or interested in enforcing the Payment thereof pursuant to such Decree or Order, may apply to the Court by which the same shall have been pronounced, to fix a peremptory Day for the Payment of such Money, which shall accordingly be fixed by an Order for that Purpose; and if such Trader being personally served with such last mentioned Order Eight Days before the Day therein appointed for Payment of such Money, shall neglect to pay the same, he shall be deemed to have committed an Act of Bankruptcy from the Time of the Service thereof; and any such Creditor or Creditors as aforesaid may sue out a Commission against him, and proceed thereon in like Manner as against other Bankrupts.

Trader having Privilege of Parliament, disobeying Order for Payment of Money an Act of Bankruptcy.

XII. And be it enacted, That the Lord Chancellor may, upon Petition made to him in Writing, against any such Trader having committed any Act of Bankruptcy, by any Creditor or Creditors of such Trader, by Commission under the Great Seal, appoint such Persons as to him shall seem fit, who shall by virtue thereof exercise the Powers and Authorities hereinafter mentioned; and such Petitioning Creditor or Creditors shall, before any Commission be granted, make an Affidavit in Writing before a Master of the Chancery or Extraordinary in Chancery (which shall be filed with the proper Officer) of the Truth of such his or their respective Debt

Commission may issue.

Petitioning Creditor to make Oath of his Debt; and give Bond to the Chancellor.

Debt or Debts; and shall likewise give Bond to the Lord Chancellor, in the Penalty of Two hundred Pounds, to be conditioned for proving his or their Debt or Debts, as well before the Commissioners as upon any Trial at Law, in case the due issuing forth of the Commission be contested, and also for proving the Party to have committed an Act of Bankruptcy at the Time of taking out such Commission, and to proceed on such Commission; but if such Debt or Debts shall not be really due, or if after such Commission taken out, it be not proved that the Party had committed an Act of Bankruptcy at the Time of the issuing of the Commission, and it shall also appear that such Commission was taken out fraudulently or maliciously, the Lord Chancellor may, upon Petition of the Party or Parties grieved, order Satisfaction to be made to him or them for the Damages by him or them sustained, and for the better Recovery thereof may assign such Bond or Bonds to the Party or Parties so petitioning, who may sue for the same in his and their Name or Names.

Assignment of such Bond.

How far Petitioning Creditor to prosecute Commission at his own Costs; when reimbursed.

Regulations for taxing Bills of Costs.

Amount of Petitioning Creditor's Debt.

Proviso as to Debt not payable at Time of Bankruptcy.

Joint Commissions may be issued against less than all the Partners in a Firm.

XIII. And be it enacted, That the Petitioning Creditor or Creditors shall, at his or their own Costs, sue forth and prosecute the Commission until the Choice of Assignees, and the Commissioners shall, at the Meeting for such Choice, ascertain such Costs, and by Writing under their Hands direct the Assignees (who are hereby thereto required) to reimburse such Petitioning Creditor or Creditors such Costs out of the first Money that shall be got in under the Commission; and all Bills of Fees or Disbursements of any Solicitor or Attorney employed under any Commission, shall be settled by the Commissioners, provided such Bills do not contain any Charge respecting any Action at Law or Suit in Equity, in which Case the same shall be settled by the proper Officer of the Court in which the Business contained in such Bill, or the greatest Part in Amount or Value thereof, shall have been transacted; and the same so settled shall be paid by the Assignees to such Solicitor or Attorney, provided that any Creditor who shall have proved to the Amount of Twenty Pounds or upwards, if he be dissatisfied with such Settlement by the Commissioners, may have the same settled by a Master in Chancery, who shall receive for such Settlement, and the Certificate thereof, Twenty Shillings.

XIV. And be it enacted, That no such Commission shall be issued unless the single Debt of such Creditor or of Two or more Persons being Partners petitioning for the same, shall amount to One hundred Pounds or upwards; or unless the Debt of Two Creditors so petitioning shall amount to One hundred and fifty Pounds or upwards; or unless the Debt of Three or more Creditors so petitioning shall amount to Two hundred Pounds or upwards; and that every Person who has given Credit to any Trader upon valuable Consideration for any Sum which shall not have become payable at the Time such Trader committed an Act of Bankruptcy, may so petition or join in petitioning as aforesaid, whether he shall have any Security for such Sum or not.

XV. And be it enacted, That any Creditor or Creditors whose Debt or Debts is or are sufficient to entitle him or them to petition for a Commission against all the Partners of any Firm, may petition for a Commission against One or more Partners of such Firm.

firm; and every Commission issued upon such Petition shall be valid, although it does not include all the Partners of the firm; and in every Commission against Two or more Persons, the Lord Chancellor may supersede such Commission as to One or more of such Persons; and the Validity of such Commission shall not be thereby affected, as to any Person as to whom such Commission is not ordered to be superseded, nor shall any such Person's Certificate be thereby affected.

XVI. And be it enacted, That if after a Commission issued against Two or more Members of a Firm, any other Commission or Commissions shall be issued against any other Member or Members of such Firm, such other Commission or Commissions shall be directed to the Commissioners to whom the First Commission was directed; and immediately after the Adjudication under such other Commission or Commissions, all the Estate, Real and Personal, of such Bankrupt or Bankrupts, shall, in case Assignees have been chosen, vest in such Assignees, and all separate Proceedings under such other Commission or Commissions shall be stayed, and such Commission or Commissions shall, without affecting the Validity of the First Commission, be annexed to and form Part of the same; provided that the Lord Chancellor may direct that such other Commission or Commissions be issued to any other Commissioners, or that such other Commission or Commissions shall proceed either separately or in conjunction with the First Commission.

XVII. And be it enacted, That if after Adjudication, the Debt or Debts of the Petitioning Creditor or Creditors or any of them, be found insufficient to support a Commission, the Lord Chancellor may, upon the Application of any other Creditor or Creditors, having proved any Debt or Debts sufficient to support a Commission, order the said Commission to be proceeded in, and shall by such Order be deemed valid.

XVIII. And be it enacted, That no Commission shall be deemed invalid by reason of any Act or Acts of Bankruptcy prior to the Debt or Debts of the Petitioning Creditor or Creditors, or any of them; provided there be a sufficient Act of Bankruptcy subsequent to such Debt or Debts.

XIX. And be it enacted, That the Lord Chancellor may direct an Auxiliary Commission to issue for Proof of Debts under Twenty Pounds, and for the Examination of Witnesses, or for either of such Purposes; and every such Commission heretofore issued is hereby declared valid; and the Commissioners in every such Commission, issued for the Examination of Witnesses, shall possess the same Powers to compel the Attendance of, and to examine Witnesses, and to enforce Obedience to such Examination as are possessed by the Commissioners in any original Commission.

XX. And be it enacted, That no Commissioner shall be capable of acting in the Execution of any of the Powers and Authorities given by this Act, (except the Power hereby given of administering the Oath next hereinafter mentioned) until he shall have taken an Oath, in the Presence of One or more of the said Commissioners, to the Effect following; (that is to say),

Where Second or other Commission issued, Lord Chancellor may direct that such Commissions be proceeded in separately or in conjunction.

Proceeding in case Petitioning Creditor's Debt insufficient.

Commission not invalid by Act of Bankruptcy prior to Petitioning Creditor's Debt.

Auxiliary Commissions.

Commissioners' Oath.

‘ I *A. B.* do swear, That I will faithfully, impartially and honestly, according to the best of my Skill and Knowledge, execute the several Powers and Trusts reposed in me as a Commissioner, in a Commission of Bankruptcy against  
and that without Favour or Affection, Prejudice  
or Malice. So help me GOD.’

How administered, Memorial thereof entered. Proceedings.

Which Oath the Commissioners are hereby empowered and required to administer one to another, in the same Commission named; and they shall enter and keep a Memorial or Memorials thereof, signed by them respectively, among the Proceedings under each Commission.

Commissioners' Fees.

XXI. And be it enacted, That the said Commissioners shall receive and be paid the Fee of Twenty Shillings each Commissioner for every Meeting, and the like Sum for their Certificate of the Choice of Assignees, and for the Signature of the Bankrupt's Certificate; and where any Commission shall be executed in the Country, every Commissioner, being a Barrister at Law, shall receive a further Fee of Twenty Shillings for each Meeting; and in case his usual Place of Residence is distant Seven Miles or upwards from the Place where such Meetings are holden, and he shall travel such Distance to any such Meeting, he may receive a further Sum of Twenty Shillings for every such Meeting; and every Commissioner who shall receive from the Creditors or out of the Estate of the Bankrupt, any further Sum than as aforesaid, or who shall eat or drink at the Charge of the Creditors, or out of the Estate of the Bankrupt, or order any such Expence to be made, shall be disabled for ever from acting in such or any other Commission.

Proviso as to Barristers acting in Meetings under Commission in the Country;

XXII. And be it further enacted, That at every Meeting under any Commission to be executed in the Country, wherein any One or more of the Commissioners named may be a Barrister or Barristers, such Barrister or Barristers, or as many of them as shall be willing to attend, not exceeding Three at each Meeting, shall be the acting Commissioner or Commissioners, and shall be entitled to his or their Summonses and Fees accordingly, in Priority to any of the other Commissioners in the said Commission named.

Postponement of Meetings.

XXIII. And be it further enacted, That no Postponement or Continuance of any public or private Meeting to another Hour of the same Day, where the Parties are ready to proceed, shall entitle the Commissioners to any further Fees, unless such Meeting shall have been sitting for the Space of Two Hours at the least.

Commissioners before Adjudication may summon Persons to give Evidence of Trading and Act of Bankruptcy.

XXIV. And be it enacted, That the Commissioners, after they have taken such Oath as aforesaid, may, by Writing under their Hands, summon before them any Person whom they shall believe capable of giving any Information concerning the Trading of, or any Act or Acts of Bankruptcy committed by the Person or Persons against whom such Commission is issued, and may also require any Person so summoned to produce any Books, Papers, Deeds and Writings, and other Documents, in the Custody, Possession or Power of such Person, which may appear to the said Commissioners to be necessary to establish such Trading, or  
Act



Act or Acts of Bankruptcy; and every such Person so summoned shall incur such Danger or Penalty for not coming before the Commissioners, or for refusing to be sworn and examined, or for not disclosing the Truth, or for refusing to sign or subscribe the Examination, or for refusing to produce, or for not producing any such Book, Paper, Deed, Writing or Document as is hereby provided as to Persons summoned after the Adjudication of Bankruptcy; and the Commissioners, upon Proof made before them of the Petitioning Creditor's Debt or Debts, and of the Petition, and Act or Acts of Bankruptcy of the Person or Persons against whom such Commission is issued, shall thereupon adjudge such Person or Persons Bankrupt.

Adjudication.

XXV. And be it enacted, That the Commissioners, after they shall be so adjudged as aforesaid, shall forthwith cause Notice of such Adjudication to be given in the *London Gazette*, and shall appoint Three public Meetings for the Bankrupt to surrender in and conform; the last of which Meetings shall be on the Forty second Day hereby limited for such Surrender.

Commissioners to appoint Meetings, and to give Notice.

XXVI. And be it enacted, That no Commission shall abate by reason of a Demise of the Crown; and (if, by reason of the Death of the Commissioners, or for any other Cause, it become necessary) any Commission may be renewed, but only Half the Fees usually paid upon obtaining Commissions shall be paid for the same; and if any Bankrupt shall die after Adjudication, the Commissioners may proceed in the Commission as they might have done if he were living.

As to Abatement of Commissions.

XXVII. And be it enacted, That any Person appointed by the Commissioners, by their Warrant under their Hands and Seals, may break open any House, Chamber, Shop, Warehouse, Door, Trunk or Chest of any Bankrupt, where such Bankrupt or any of his Property shall be reputed to be, and seize upon the Body of such Bankrupt; and if the Bankrupt be in Prison or in Custody, the Person so appointed as aforesaid may seize any Property (his necessary Wearing Apparel only excepted) in the Custody or Possession of such Bankrupt, or of any other Person in any Prison.

Messenger may break open Bankrupt's Doors, &c. and seize upon his Body or Property.

XXVIII. And be it enacted, That the Person so appointed by the Commissioners as aforesaid may break open any House, Chamber, Shop, Warehouse, Door, Trunk or Chest of such Bankrupt in *Ireland*, where any of the Property of such Bankrupt shall be reputed to be, and seize the same: Provided such Warrant as aforesaid shall have been verified upon Oath, by the Attorney or Solicitor suing out the Commission, before the Mayor or other Chief Magistrate of the City, Borough or Town Corporate where or near to which the said Commission is executed, and verified under the Common Seal thereof, or the Seal of the Office of such Mayor or other Magistrate; and provided also, that the Person thereby appointed shall, before a Justice of Peace residing in the County where such Property shall be reputed to be, depose upon Oath that he is the Person named in such Warrant.

Messenger may seize Goods in *Ireland*.

Proceedings thereon.

XXIX. And be it enacted, That in all Cases where it shall be made to appear to the Satisfaction of any Justice of Peace in *England* or *Ireland*, that there is Reason to suspect and believe that

Messenger may obtain Search Warrant, where Property of

Bankrupt  
sworn to be  
concealed.

that Property of the Bankrupt is concealed in any House, Premises or other Place not belonging to such Bankrupt; such Justice of Peace is hereby authorized to grant a Search Warrant to the Person so deputed by the Commissioners as aforesaid, who may execute the same in like Manner, and shall be entitled to the same Protection as is allowed by Law in Execution of a Search Warrant for Property reputed to be stolen and concealed.

Execution of  
such Warrant  
in Scotland.

XXX. And be it further enacted, That if, in the Execution of such Warrant as aforesaid, it shall be necessary to have Access to any House, Chamber, Shop, Warehouse, Door, Trunk or Chest of such Bankrupt, in *Scotland*, where any of the Property of such Bankrupt shall be reputed to be, or to seize and get Possession of such Property such Warrant after having been verified upon Oath as aforesaid, may be backed or indorsed with the Name of a Judge Ordinary or Justice of the Peace in *Scotland*, who are hereby required within their respective Jurisdictions to back or indorse the same; and such Warrant so indorsed shall be sufficient Authority to the Person bringing such Warrant, and to all Officers of the Law in *Scotland*, to execute the same within the County or Burgh wherein it is so indorsed, and in virtue thereof to break open the House, Chamber, Shop, Warehouse, Door, Trunk or Chest of such Bankrupt, and to seize and take Possession thereof, to be distributed under the said Commission, or otherwise dealt with according to Law.

As to Actions  
against Persons  
acting in obedi-  
ence to War-  
rant of Com-  
missioners.

XXXI. And be it enacted, That no Action shall be brought against any Person so appointed by the Commissioners for any Thing done in obedience to their Warrant, unless Demand of the Perusal and Copy of such Warrant hath been made or left at the usual Place of Abode of such Person or Persons, by the Party or Parties intending to bring such Action, or by his or their Attorney or Agent, in Writing, signed by the Party or Parties demanding the same, and unless the same hath been refused or neglected for Six Days after such Demand; and if after such Demand and Compliance therewith, any Action be brought against the Person so appointed as aforesaid, without making the Petitioning Creditor or Creditors Defendant or Defendants, if living, on producing and proving such Warrant at the Trial of such Action, the Jury shall give their Verdict for the Defendant, notwithstanding any Defect of Jurisdiction in the Commissioners; and if such Action be brought against the Petitioning Creditor or Creditors, and the Person so appointed as aforesaid, the Jury shall, on Proof of such Warrant, give their Verdict for the Person so appointed as aforesaid, notwithstanding any such Defect of Jurisdiction as aforesaid; and if the Verdict shall be given against the Petitioning Creditor or Creditors, the Plaintiff or Plaintiffs shall recover his or their Costs against him or them, to be taxed so as to include such Costs as the Plaintiff or Plaintiffs are liable to pay to the Person so appointed as aforesaid.

Proof in such  
Actions that  
Defendants are  
Petitioning  
Creditors ren-  
ders them  
liable.

XXXII. And be it further enacted, That in any such Action so brought as aforesaid against the Petitioning Creditor or Creditors, either alone or jointly with the Person so appointed by the Commissioners as aforesaid, for any Thing done in obedience to their Warrant, Proof by the Plaintiff or Plaintiffs in such Action that the Defendant or Defendants, or any of them, are Petitioning

ing Creditors, shall be sufficient for the Purpose of making such Defendant or Defendants liable in the same Manner and to the same Extent as if the Act complained of in such Action had been done or committed by such Defendant or Defendants.

XXXIII. And be it enacted, That after Adjudication the Commissioners may, by Writing under their Hands, summon before them any Person known or suspected to have any of the Estate of the Bankrupt in his Possession, or who is supposed to be indebted to such Bankrupt; and also any Person whom the Commissioners believe capable of giving Information concerning any Part of the Bankrupt's Estate, or any fictitious Debt, or any purious Book or Document, or other Transactions material to the full Disclosure of the Dealings of the Bankrupt; and may also require such Person to produce any Books, Papers, Deeds and Writings, and other Documents in his Custody or Power, which may appear to the Commissioners necessary to the Verification of the Deposition of such Person, or to the full Disclosure of any of the Matters which the Commissioners are authorized to inquire into; and if such Person so summoned as aforesaid shall not come before the Commissioners at the Time appointed, having no lawful Impediment (made known to the said Commissioners at the Time of their Meeting, and allowed by them), the said Commissioners may, by Warrant under their Hands and Seals, † the Person or Persons therein named for that Purpose, to apprehend and arrest such Person, and bring him before them to be examined as aforesaid.

Commissioners empowered to summon Persons suspected of having Bankrupt's Property,

and compel them to produce Books, &c.

Persons refusing to attend may be apprehended.

† Sic.

XXXIV. And be it enacted, That upon the Appearance of any Person so summoned as aforesaid, or if any Person be present at any Meeting of the Commissioners, it shall be lawful for them to examine every such Person either by Word of Mouth or by Interrogatories in Writing concerning any of the Matters which the said Commissioners are hereby authorized to inquire into, and to reduce into Writing the Answers of every such Person, and such Answers so reduced into Writing the Party examined shall hereby required to sign and subscribe; and if any such Person shall refuse to be sworn, or being one of the People called Quakers, to make solemn Affirmation, or shall refuse to answer any lawful Questions put to him by the said Commissioners touching the Matters aforesaid, or shall not fully answer, to the Satisfaction of the said Commissioners, any such lawful Questions, or shall refuse to sign and subscribe his Examination so reduced into Writing as aforesaid (not having any Objection allowed by the said Commissioners), or shall not produce any Books, Papers, Deeds and Writings, and other Documents, in his Custody or Power, relating to any of the Matters aforesaid, which such Person was required by the Commissioners to produce, and to the reduction of which he shall not state any Objection allowed by the said Commissioners, it shall be lawful for them, by Warrant under their Hands and Seals, to commit him to such Prison as they shall think fit, there to remain without Bail until he shall submit himself to them to be sworn or make Affirmation as aforesaid, and full Answers make, to their Satisfaction, to all such lawful Questions as shall be put to him, and sign and subscribe such Examination, and produce such Books, Papers, Deeds, Writings

Persons refusing to be sworn or to be examined, or to produce Books, may be committed.

ings and other Documents as aforesaid, in his Custody or Power, to the Production of which no such Objection as aforesaid has been allowed.

Witnesses to have their Expences.

XXXV. And be it further enacted, That where any Witness is summoned to attend before the Commissioners at any Meeting appointed prior to the Adjudication, his necessary Expences shall be tendered to every such Witness, in like Manner as is now by Law required upon Service of a Subpœna to a Witness in any Action at Law; and where any Witness is summoned to attend before the said Commissioners at any other Meeting, every such Witness shall have such Costs and Charges as the said Commissioners in their Discretion shall think fit.

Commissioners may summon Bankrupt.

XXXVI. And be it enacted, That the Commissioners may, by Writing under their Hands, summon any Bankrupt before them, whether such Bankrupt shall have obtained his Certificate or not; and in case he shall not come at the Time by them appointed, having no lawful Impediment, made known to them at such Time, and allowed by them, the said Commissioners may by Warrant under their Hands and Seals authorize any Person or Persons they shall think fit to arrest such Bankrupt, and bring him before them; and upon the Appearance of such Bankrupt, or if such Bankrupt be present at any Meeting of the said Commissioners, it shall be lawful for them to examine such Bankrupt upon Oath, either by Word of Mouth or on Interrogatories in Writing, touching all Matters relating either to his Trade, Dealings or Estate, and to reduce his Answers into Writing, which Examination so reduced into Writing the said Bankrupt shall sign and subscribe; and if such Bankrupt shall refuse to be sworn, or to answer any Questions put to him by the Commissioners, touching any of the Matters aforesaid, or to sign and subscribe his Examination so reduced into Writing as aforesaid, (not having an Objection allowed by the said Commissioners), they may, by Warrant under their Hands and Seals, commit him to such Prison as they shall think fit, there to remain without Bail until he shall submit himself to the said Commissioners to be sworn, and full Answer make, to their Satisfaction, to such Questions as shall be put to him, and sign and subscribe such Examination.

Power to examine Bankrupt.

Bankrupt refusing to be sworn, or answer or subscribe his Examination, may be committed.

Commissioners may examine Bankrupt's Wife.

XXXVII. And be it enacted, That the Commissioners may summon before them the Wife of any Bankrupt, and examine her as to the Estate and Effects of such Bankrupt; and she shall incur such Danger or Penalty for not coming before the Commissioners, or for refusing to be sworn and examined, or to sign or subscribe her Examination, or for not disclosing the Truth, as is hereby provided against other Persons.

Gaoler suffering Escape, Penalty 500l.

Refusing to produce his Prisoner to a Creditor, Penalty 100l.

XXXVIII. And be it enacted, That if any Gaoler to whose Custody any Bankrupt or other Person shall be committed as aforesaid, shall suffer such Bankrupt or other Person to escape, every such Gaoler shall forfeit Five hundred Pounds; and every such Gaoler shall, upon the Request of any Creditor who shall have proved under the Commission, and who shall produce a Certificate thereof under the Hands of the Commissioners, (which they shall give gratis), forthwith produce any Person so committed as aforesaid to such Creditor; and if such Gaoler shall not produce such

such Person to such Creditor, he shall forfeit One hundred Pounds.

XXXIX. And be it enacted, That if any Person be committed by the Commissioners for refusing to answer, or not fully answering any Question put to him by the said Commissioners, they shall in their Warrant of Commitment specify every such Question: Provided that if any Person committed by the Commissioners shall bring any *Habeas Corpus*, in order to be discharged from such Commitment, and there shall appear on the Return of such *Habeas Corpus* any such Insufficiency in the Form of the Warrant whereby such Person was committed, by reason whereof he might be discharged, the Court or Judge before whom such Party shall be brought by *Habeas Corpus*, shall re-commit such Person to the same Prison, there to remain until he shall conform, unless it shall be shown to such Court or Judge, by the Party committed, that he has fully answered all lawful Questions put to him by the Commissioners, or if such Person was committed for refusing to be sworn, or for not signing his Examination, unless it shall appear to any Court or Judge, that he had a sufficient Reason for the same: Provided also, that such Court or Judge shall, if required thereto by the Party committed, inspect and consider the Whole of the Examination of such Party whereof any such Question was a Part, and if it shall appear from the whole Examination that the Answer or Answers of the Party committed is or are satisfactory, such Court or Judge may order the Party so committed to be discharged.

Questions to be specified on Warrant.

If *Habeas Corpus* brought on such Commitment, Judge may recommit Prisoner.

Court or Judge may look at the Whole of the Examination.

XL. And be it enacted, That in every Action, in respect of any such Commitment, brought by any Bankrupt or other Person so committed, the Court or Judge before which or whom such Action is tried, shall, if thereto required by the Defendant or Defendants in such Action, in case the Whole of the Examination of the Party so committed shall not have been stated in the Warrant of Commitment, inspect and consider the Whole of such Examination; and if upon such Inspection and Consideration it shall appear to such Court or Judge that the Party was lawfully committed, the Defendant or Defendants in such Action shall have the same Benefit therefrom as if the Whole of such Examination had been therein stated.

In Actions of false Imprisonment, the Court may look at the Whole of the Examination of the Party committed.

XLI. And be it enacted, That no Writ shall be sued out against, nor Copy of any Process served on any Commissioner, for any Thing by him done as such Commissioner, unless Notice in Writing of such intended Writ or Process shall have been delivered to him, or left at his usual Place of Abode, by the Attorney or Agent for the Party intending to sue or cause the same to be sued out or served, at least One Calendar Month before the suing out or serving the same; and such Notice shall set forth the Cause of Action which such Party has or claims to have against such Commissioner; and on the Back of such Notice shall be indorsed the Name of such Attorney or Agent, together with the Place of his Abode, who shall receive no more than Twenty Shillings for preparing and serving such Notice.

No Writ to be sued out against any Commissioner in less than a Month after Notice given.

XLII. And be it enacted, That no such Plaintiff shall recover any Verdict against such Commissioner in any Case where the Action shall be grounded on any Act of the Defendant as Commissioner,

Plaintiff not to recover unless Notice proved.

No Evidence of any thing not contained in Notice.

Tender of Amends within One Month after Notice, and pleaded in bar, &c.

Amends may be paid into Court before Issue, joined.

Limitation of Actions.

General Issue.

Double Costs.

Commissioners may appoint Assignees until others are chosen by Creditors.

missioner, unless it is proved upon the Trial of such Action that such Notice was given as aforesaid, but in Default thereof such Commissioner shall recover a Verdict and Costs as aforesaid; and on Evidence shall be permitted to be given by the Plaintiff on the Trial of any such Action, of any Cause of Action, except such as is contained in the Notice.

XLIII. And be it enacted, That every such Commissioner may, at any Time within One Calendar Month after such Notice, tender Amends to the Party complaining, or to his Agent or Attorney, and if the same is not accepted may plead such Tender in bar to any Action brought against him grounded on such Writ or Process, together with the Plea of Not Guilty, and any other Plea with Leave of the Court; and if, upon Issue joined thereon, the Jury shall find the Amends so tendered to have been sufficient, they shall give a Verdict for the Defendant; and if the Plaintiff shall become nonsuit, or shall discontinue his Action, or if Judgment shall be given for such Defendant upon Demurrer, such Commissioner shall be entitled to the like Costs as he would have been entitled to in case he had pleaded the General Issue only; and if upon Issue so joined the Jury shall find that no Amends were tendered, or that the same were not sufficient, and also against the Defendant on such other Plea or Pleas, they shall give a Verdict for the Plaintiff, and such Damages as they shall think proper, which he shall recover together with Costs of Suit: Provided, that if any such Commissioner shall neglect to tender any Amends, or shall have tendered insufficient Amends before the Action brought, he may, by Leave of the Court where such Action shall depend, at any Time before Issue joined, pay into Court such Sum of Money as he shall think fit, whereupon such Proceedings shall be had in Court, as in other Actions where the Defendant is allowed to pay Money into Court.

XLIV. And be it enacted, That every Action brought against any Person, for any Thing done in pursuance of this Act, shall be commenced within Three Calendar Months next after the Fact committed; and the Defendant or Defendants in any such Action may plead the General Issue, and give this Act and the Special Matter in Evidence at the Trial, and that the same was done by Authority of this Act; and if it shall appear so to have been done, or that such Action was commenced after the Time before limited for bringing the same, or brought in any other County than as aforesaid, the Jury shall find for the Defendant or Defendants, and if there be a Verdict for the Defendant or Defendants, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinued his or their Action or Suit after Appearance thereto; or if, upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall recover Double Costs.

XLV. And be it enacted, That the Commissioners may by Writing under their Hands appoint One or more Person or Persons an Assignee or the Assignees of Bankrupt's Real and Personal Estate, or of any Part thereof which shall by such Writing be vested in such Assignee or Assignees, without any Conveyance or Deed of Assignment, until the Choice of Assignees by the Creditors; and upon such Choice, the Consent in Writing of the Assignees so chosen to accept the Assignment of the Bankrupt's Estate

Estate, when verified by the Commissioners, shall divest such Estate out of the Assignee or Assignees so appointed by the Commissioners; and every such Assignee so appointed by the Commissioners shall deliver up all the Estate of the Bankrupt come to his Possession to the Assignees so chosen as hereinafter mentioned; and if such first Assignee or Assignees shall not within Ten Days after Notice given of the said Choice of Assignees, and of their Consent to accept such Assignment, signified to the first Assignee or Assignees by Writing under their Hands, make such Delivery as aforesaid, every such first Assignee shall forfeit Two hundred Pounds.

First Assignee not delivering Effects to new Ones.

Penalty 200*l*. Debts how to be proved.

XLVI. And be it enacted, That at the Three several Meetings so appointed by the Commissioners as aforesaid, and at every other Meeting by them appointed for Proof of Debts, whereof, and of the Purport whereof Ten Days' Notice shall have been given in the *London Gazette*, every Creditor of the Bankrupt may prove his Debt by his own Oath; and that all Bodies Corporate and Public Companies may prove by an Agent, provided such Agent shall in his Deposition swear that he is such Agent as aforesaid, and that he is authorized to make such Proof; and if any Creditor shall live remote from the Place of Meeting of the Commissioners, he may prove by Affidavit sworn before a Master in Chancery, Ordinary or Extraordinary, or if such Creditor shall live out of *England*, by Affidavit sworn before a Magistrate where such Creditor shall be residing, and attested by a Notary Public; and no Creditor shall pay any Contribution on account of any such Debt: Provided that it shall be lawful for the said Commissioners to examine upon Oath, either by Word of Mouth or by Interrogatories in Writing, every Person claiming to prove a Debt under the said Commission, or to require such further Proof, and examine such other Persons in relation thereto, as they shall think fit.

Creditor may be examined upon Oath.

XLVII. And be it enacted, That every Person with whom any Bankrupt shall have really and *bonâ fide* contracted any Debt or Demand before the issuing the Commission against him, shall, notwithstanding any prior Act of Bankruptcy committed by such Bankrupt, be admitted to prove the same, and be a Creditor under such Commission, as if no such Act of Bankruptcy had been committed; provided such Person had not, at the Time the same was contracted, Notice either actual or constructive of any Act of Bankruptcy by such Bankrupt committed, or that he had stopped Payment.

Bonâ fide Creditors admitted to prove, notwithstanding a secret Act of Bankruptcy.

XLVIII. And be it enacted, That where there has been mutual Credit given by the Bankrupt and any other Person, or where there are mutual Debts between the Bankrupt and any other Person, the Commissioners shall state the Account between them, and one Debt or Demand may be set against another, notwithstanding any prior Act of Bankruptcy committed by such Bankrupt before the Credit given to or the Debt contracted by him; and what shall appear due on either Side on the Balance of such Account, and no more, shall be claimed or paid on either Side respectively; and every Debt or Demand hereby made proveable against the Estate of the Bankrupt, may also be set off in Manner aforesaid against such Estate; Provided that where there

Mutual Debts and Credits may be set off, notwithstanding a secret Act of Bankruptcy.

has been such prior Act of Bankruptcy, such Credit was given to the Bankrupt Two Calendar Months before the Date and sung forth of the Commission; and that the Person claiming the Benefit of such Set-off had not, when such Credit was given, any Notice either actual or constructive of an Act of Bankruptcy by such Bankrupt committed, or that he had stopped Payment.

Debts not payable at Time of Bankruptcy may be proved, deducting Interest.

XLIX. And be it enacted, That any Person who shall have given Credit to the Bankrupt upon valuable Consideration, for any Money which shall not have become payable when such Bankrupt committed an Act of Bankruptcy, may prove such Debt as if the same was payable presently, and receive Dividends equally with the other Creditors, deducting only thereout a Rebate of Interest for what he shall so receive, at the Rate of Five *per Cent.*, to be computed from the Declaration of a Dividend, to the Time such Debt would have become payable, according to the Terms upon which it was contracted.

Sureties and Persons liable for the Debts of Bankrupts may prove, after having paid such Debts.

L. And be it enacted, That any Person who at the issuing the Commission shall be Surety or liable for any Debt of the Bankrupt, or Bail for the Bankrupt, either to the Sheriff or to the Action, may, if he shall have paid the Debt, or any Part thereof in Discharge of the whole Debt, (although he may have paid the same after the Commission issued,) if the Creditor shall have proved his Debt under the Commission, stand in the Place of such Creditor as to the Dividends upon such Proof; or if the Creditor shall not have proved under the Commission, may prove his Demand in respect of such Payment as a Debt under the Commission, not disturbing the former Dividends, and may receive Dividends with the other Creditors although he may have become Surety, Bail, or liable as aforesaid, after an Act of Bankruptcy committed by such Bankrupt; provided that such Person had not, when he became such Surety or Bail, or so liable as aforesaid, Notice either actual or constructive of any Act of Bankruptcy by such Bankrupt committed, or that he had stopped Payment.

Claim and Proof by Oblige in Bottomry or Respondentia Bonds.

LI. And be it enacted, That the Oblige in any Bottomry or Respondentia Bond, and the assured in any Policy of Insurance made upon good and valuable Consideration, shall be admitted to claim; and after the Loss or Contingency shall have happened to prove his Debt or Demand in respect thereof, and receive Dividends with the other Creditors, as if the Loss or Contingency had happened before the issuing the Commission against such Obligor or Insurer; and that the Person effecting any Policy of Insurance upon Ships or Goods with any Person as a Subscriber or Underwriter becoming Bankrupt, may prove any Loss to which such Bankrupt shall be liable in respect of such Subscription, although the Person so effecting such Policy was not beneficially interested in such Ships or Goods, in case the Person or Persons so interested is not or are not within the United Realm.

Proof by Person effecting Insurance though not beneficially interested.

Value of Annuity how ascertained.

LII. And be it enacted, That any Annuity Creditor of any Bankrupt, by whatever Assurance the same be secured, and whether there were or not any Arrears of such Annuity due at the Bankruptcy, may prove for the Value of such Annuity: which Value the Commissioners shall ascertain, with Reference to the original Price given for the said Annuity, deducting therefrom



therefrom such Diminution in the Value thereof as shall have been caused by the Lapse of Time since the Grant thereof to the Date of the Commission.

LIII. And be it enacted, That it shall not be lawful for any Person entitled to Annuity granted by any Bankrupt to sue any Person who may be collateral Surety for the Payment of such Annuity, until such Annuitant shall have proved under the Commission against such Bankrupt for the Value of such Annuity and for the Arrears thereof; and if such Surety, after such Proof, pay the Amount proved as aforesaid, he shall be thereby discharged from all Claims in respect of such Annuity; and if such Surety shall not (before any Payment of the said Annuity subsequent to the Bankruptcy shall have become due) pay the Sum so proved as aforesaid, he may be sued for the accruing Payments of such Annuity, until such Annuitant shall have been paid or satisfied the Amount so proved, with Interest thereon at the Rate of Four *per Cent. per Annum* from the Time of Notice of such Proof, and of the Amount thereof, being given to such Surety; and after such Payment or Satisfaction such Surety shall stand in the Place of such Annuitant in respect of such Proof as aforesaid, to the Amount so paid or satisfied as aforesaid by such Surety; and the Certificate of the Bankrupt shall be a Discharge to him from all Claims of such Annuitant or of such Surety in respect of such Annuity: Provided that such Surety shall be entitled to Credit in Account with such Annuitant for any Dividends received by such Annuitant under the Commission, before such Surety shall have fully paid or satisfied the Amount so proved as aforesaid.

Sureties for Payment of Annuities granted by Bankrupt, in what Manner to come in under the Commission.

LIV. And be it enacted, That if any Bankrupt shall, before the issuing of the Commission, have contracted any Debt payable upon a Contingency which shall not have happened before the issuing of such Commission, the Person with whom such Debt has been contracted may, if he think fit, apply to the Commissioners to set a Value upon such Debt, who are hereby required to ascertain the Value thereof, and to admit such Person to prove the Amount so ascertained, and to receive Dividends thereon, or if such Value shall not be so ascertained before the Contingency shall have happened, then such Person may, after such Contingency shall have happened, prove in respect of such Debt, and receive Dividend with the other Creditors, not disturbing any former Dividends; provided such Person had not, when such Debt was contracted, Notice either actual or constructive of any Act of Bankruptcy by such Bankrupt committed, or that he was insolvent or had stopped Payment.

Debts contingent at Time of Bankruptcy to be proveable after happening of Contingency.

LV. And be it enacted, That in all future Commissions against any Person or Persons liable upon any Bill of Exchange or Promissory Note, whereupon Interest is not reserved, overdue at the issuing the Commission, the Holder of such Bill of Exchange or Promissory Note may prove for Interest upon the same, to be calculated by the Commissioners to the Date of the Commission, at such Rate as is allowed by the Court of King's Bench in Actions upon such Bills or Notes.

Interest on Promissory Notes and Bills of Exchange proveable.

LVI. And be it enacted, That if any Plaintiff in any Action at Law, or Suit in Equity, or Petitioner in Bankruptcy or Lunacy, shall

Proof by Plaintiff obtaining Judgment, &c. for Costs.

shall have obtained any Judgment, Decree or Order against any Person who shall thereafter become Bankrupt, for any Debt or Demand in respect of which such Plaintiff or Petitioner shall prove under the Commission, he may also prove for the Costs which he shall have incurred in obtaining the same, although such Costs shall not have been taxed at the Time of the Bankruptcy.

Proving a Debt under a Commission deemed an Election not to proceed against Bankrupt by Action.

LVII. And be it enacted, That no Creditor who has brought any Action, or instituted any Suit against any Bankrupt, in respect of a Demand prior to the Bankruptcy, or which might have been proved as a Debt under the Commission against such Bankrupt, shall prove a Debt under such Commission, or have any Claim entered upon the Proceedings under such Commission, without relinquishing such Action or Suit; and the proving or claiming a Debt under a Commission by any Creditor shall be deemed an Election by such Creditor to take the Benefit of such Commission with respect to the Debt so proved or claimed: Provided, that such Creditor shall not be liable to the Payment to such Bankrupt or his Assignees of the Costs of such Action or Suit so relinquished by him, and that where any such Creditor shall have brought any Action or Suit against such Bankrupt jointly with any other Person or Persons, his relinquishing such Action or Suit against the Bankrupt shall not affect such Action or Suit against such other Person or Persons: Provided that any Creditor who shall have so elected to prove or claim as aforesaid, if the Commission be afterwards superseded, may proceed in the Action as if he had not so elected, and in bailable Actions shall be at liberty to arrest the Defendant *de novo*, if he has not put in Bail below, or perfected Bail above, or if the Defendant has put in or perfected such Bail, to have recourse against such Bail by requiring the Bail below to put in and perfect Bail above, within the first Eight Days in Term after Notice in the *London Gazette* of the superseding such Commission, and by suing the Bail upon their Recognizance, if the Condition thereof is broken.

Creditor having elected to come in under Commission, afterwards superseded, restored to his former Rights.

Commissioners may expunge Proof of Debts.

LVIII. And be it enacted, That whenever it shall appear to the Assignees, or to Two or more Creditors who have each proved Debts to the Amount of Twenty Pounds or upwards, that any Debt proved under the Commission is not justly due, either in whole or in part, such Assignees or Creditors may make Representation thereof to the Commissioners, who may summon before them and examine upon Oath any Person who shall have so proved as aforesaid, together with any Person whose Evidence may appear to the Commissioners to be material either in support of or in opposition to any such Debt; and if the said Commissioners, upon the Evidence given on both Sides, or (if the Person who shall have so proved as aforesaid shall not attend to be examined, having been first duly summoned, or Notice having been left at his last Place of Abode) upon the Evidence adduced by such Assignees or Creditors as aforesaid, shall be of Opinion that such Debt is not due either wholly or in part, the said Commissioners may expunge the same, either wholly or in part, from the Proceedings: Provided that such Assignees or Creditors requiring such Investigation shall, before it is instituted, sign an Undertaking to be filed with the Proceedings, to pay such Costs as the Commissioners

Creditors requiring Investigation to undertake for

Commissioners shall adjudge, to the Creditor who has proved such Debt as aforesaid; such Costs to be recovered by Petition: Provided also, that such Assignees or Creditors may apply in the first Instance, by Petition to the Lord Chancellor, or that either Party may petition against the Determination of the Commissioners.

LIX. And be it enacted, That at the Second Meeting appointed by the Commissioners as aforesaid, Assignees of the Bankrupt's Estate and Effects shall be chosen; and all Creditors who have proved Debts under the Commission to the Amount of ten Pounds and upwards, and joint Creditors of Two or more Persons being Partners, who have proved Debts to such Amount any Commission against One or more of such Partners, may vote in such Choice; and also any Person authorized by Letter of Attorney from any such Creditor or Creditors, upon Proof of the Execution thereof, either by Affidavit sworn before a Master of Chancery, Ordinary or Extraordinary, or by Oath before the Commissioners *viva voce*, and in case of Creditors residing out of England, by Oath before a Magistrate where the Party shall be residing, duly attested by a Notary Public.

Choice of Assignees at Second Meeting;

how chosen.

LX. Provided always, and be it further enacted, That the Commissioners shall have Power to reject any Person so chosen, who shall appear to them for any Reason unfit for the Office of Assignee as aforesaid.

Commissioners may reject Person chosen.

LXI. And be it enacted, That upon such Choice being made, Certificate or Declaration shall be signed by the Commissioners, and such Certificate or Declaration shall immediately vest the Whole of such Bankrupt's Real and Personal Estate, both within the United Kingdom and Abroad, except Copyhold and Customary Lands, and all such Estate as aforesaid which he may purchase, or which may revert, descend, be devised or come to him before he shall have obtained his Certificate of Conformity, and all Debts due or to be due to the Bankrupt, in such Assignee or Assignees, for the Benefit of the Creditors who shall have proved under the said Commission, as fully and with the same Rights and Powers, both of alienating or recovering the same, as such Bankrupt possessed; provided that such Certificate or Declaration of the Choice of Assignees be entered of Record, within two Months from the Signature thereof, in the Office of the Register of Proceedings in Bankruptcy.

Estate of Bankrupt Real and Personal vested in Assignees for Benefit of Creditors.

LXII. And be it enacted, That the Lord Chancellor may, upon Petition, direct the Removal of any Assignee or Assignees so chosen as aforesaid, and the Creditors shall thereupon proceed in Manner aforesaid to the Choice of a new Assignee or Assignees; and the Certificate or Declaration of such Choice of a new Assignee or Assignees, signed by the Commissioners as aforesaid, shall vest the Whole of such Bankrupt's Real and Personal Estate in such new Assignee or Assignees, either solely, or jointly with any Assignee or Assignees who shall not have been removed; provided that the Order for the Removal of such Assignee or Assignees, and the Certificate or Declaration of the Choice of new Assignee or Assignees as aforesaid, be both entered of Record in Manner aforesaid.

Lord Chancellor may, upon Petition, remove Assignees.

LXIII. And

Suits not to be abated by Removal of Assignees.

LXIII. And be it enacted, That whenever a new Assignee or Assignees shall be chosen as aforesaid, no Action at Law or Suit in Equity shall be thereby abated; but the Court in which any Action or Suit is depending may, upon the Suggestion of such Removal and new Choice, allow the Name of such new Assignee or Assignees to be substituted in the Place of the former; and such Action or Suit shall be prosecuted in the Name or Names of the new Assignee or Assignees, in the same Manner as if he or they had originally commenced the same.

Assignees may sell Copyhold Lands for Benefit of Creditors.

LXIV. And be it enacted, That the Assignees may, by Deed indented and enrolled in any of His Majesty's Courts of Record, make Sale for the Benefit of the Creditors of any Copyhold or Customaryhold Lands, or of any Interest to which any Bankrupt is entitled therein, and thereby entitle or authorize any Person or Persons on their Behalf to surrender the same, at any Court at which the same may be lawfully surrendered, for the Purpose of any Purchaser or Purchasers being admitted thereto.

Vendees of Copyhold Lands to compound with the Lord for their Fines.

LXV. And be it enacted, That every Person to whom any Sale of Copyhold or Customary Lands or Tenements shall be made by the Assignees, shall, before he enter or take any Profit of the same, agree and compound with the Lords of the Manors of whom the same shall be holden, for such Fines, Dues and other Services as theretofore have been usually paid for the same; and thereupon the said Lords shall, at the next or any subsequent Court to be holden for the said Manors, grant unto such Vendee, upon Request, the said Copy or Customary Lands or Tenements, for such Estate or Interest as shall have been so sold to him as aforesaid, reserving the ancient Rents, Customs and Services, and shall admit him Tenant of the same.

Assignees may make Sale of Hereditaments whereof Bankrupt is seized of Estate Tail, &c.

LXVI. And be it enacted, That the Assignees may, by Deed indented and enrolled as aforesaid, make Sale, for the Benefit of the Creditors, of any Hereditaments situated in *England or Ireland*, whereof the Bankrupt is seized of any Estate Tail in Possession, Reversion or Remainder; and every such Deed shall be good against the Bankrupt and the Issue of his Body, and against all Persons claiming under him after he became Bankrupt, and against all Persons whom the said Bankrupt, by Fine, Common Recovery or other Means, might cut off or debar from any Remainder, Reversion or other Interest in or out of any of the said Hereditaments.

Conditional Estates granted by the Bankrupt may be redeemed by Assignees.

LXVII. And be it enacted, That if any Bankrupt shall have granted, conveyed, assured or pledged any Real or Personal Estate, or deposited any Deeds, such Grant, Conveyance, Assurance, Pledge or Deposit being upon Condition or Power of Redemption at a future Day, by Payment of Money or otherwise, the Assignees may, before the Time for the Performance of such Condition, make Tender or Payment of Money or other Performance, according to such Condition, as fully as the Bankrupt might have done; and after such Tender, Payment or Performance, may sell and dispose of such Real or Personal Estate.

Sales free from Auction Duty.

LXVIII. And be it enacted, That all Sales, either of the Real or Personal Estate of Bankrupts or of such Debts as aforesaid, shall be free from Auction Duty.

LXIX. And

**LXIX.** And be it enacted, That if any Real or Personal Estate or Debts of any Bankrupt be extended after he shall have become bankrupt, by any Person under Pretence of his being an Accountant of or Debtor to the King, the Commissioners may examine upon Oath whether the said Debt was due to such Debtor or Accountant upon any Contract originally made between such Accountant and the Bankrupt; and if such Contract was originally made with any other Person than the said Debtor or Accountant, or in Trust for any other Person or Persons, the Commissioners may sell and dispose of such Real and Personal Estate or Debts for the Benefit of the Creditors under the Commission; and such Sale shall be valid against the said Extent, and all Persons claiming under it; and any Person to whom the said Real and Personal Estate or Debts shall be bargained, sold, granted or assigned by the Commissioners, shall have and may recover the same against any Person who shall detain the same.

Commissioners may proceed when the Bankrupt by Fraud makes himself Accountant to the King.

**LXX.** And be it enacted, That if any Bankrupt, at the Time he becomes Bankrupt, shall by the Consent and Permission of the true Owner thereof, have in his Possession, Order or Disposition, any Goods or Chattels whereof he was reputed Owner, whereof he had taken upon him the Sale, Alteration or Disposition as Owner, the Commissioners may sell and dispose of the same for the Benefit of the Creditors under the Commission: provided that nothing herein contained shall invalidate or affect any Transfer or Assignment of any Ship or Vessel, or any Share thereof, made as a Security for any Debt or Debts, either by way of Mortgage or Assignment duly registered according to the Provisions of an Act of Parliament made in the Fourth Year of his present Majesty, intituled *An Act for the registering of vessels.*

Goods in the Possession, Order, &c. of Bankrupt may be assigned.

Proviso for Assignments of Vessels,  
4 G. 4. c. 41.

**LXXI.** And be it enacted, That if any Bankrupt, being at the Time insolvent, shall (except upon the Marriage of any of his Children, or for some valuable Consideration) have conveyed, assigned or transferred to any of his Children or any other Person, any Hereditaments, Officers' Fees, Annuities, Leases, Goods or Chattels, or have delivered or made over to any such Person any Bills, Bonds, Notes or other Securities, or have transferred his Debts to any other Person or Persons, or into any other Person's Name, the Commissioners may sell and dispose of the same as aforesaid; and every such Sale shall be valid against the Bankrupt, and such Children and Persons as aforesaid, and against all Persons claiming under him.

Conveyances by Bankrupt of his Lands or Goods (Exception), or delivering Securities or transferring Debts void.

**LXXII.** And be it enacted, That when any Distress for Rent shall be made and levied upon the Goods or Effects of any Person becoming Bankrupt, whether before or after the issuing of a Commission (an Act of Bankruptcy having been previously committed), if there shall be Two Years' Rent or upwards due to the Landlord or Party making the Distress, such Distress shall not be in any Manner available for more than Two Years' Rent accruing prior to the Date of the Commission; but the Landlord or Party to whom the Rent shall be due, shall be allowed to come in as Creditor under the Commission for the Overplus of the Rent due, and for which the Distress shall not be available.

Distress not available for more than Two Years' Rent due;

Landlord may prove for Rent due.

**LXXIII.** And

Bankrupts entitled to Leases, or Agreements for Leases, when liable for Rent or Covenants.

Assignees not determining to accept Lease, Lessor may petition.

Vendor of Estate in Lands may compel Assignees to elect, whether they will abide by, or decline Agreement.

Assignees may execute Powers previously vested in Bankrupts.

Lord Chancellor may order Bankrupts to join in Conveyances.

Bankrupt holding Stock as Trustee, Chancellor may order Conveyance or Assignment to other Trustees.

LXXIII. And be it enacted, That any Bankrupt entitled to any Lease or Agreement for a Lease, if the Assignees accept the same shall not be liable to pay any Rent accruing after the Date of the Commission, or to be sued in respect of any subsequent Non-observance or Nonperformance of the Conditions, Covenants or Agreements therein contained; and if the Assignees decline the same, shall not be liable as aforesaid, in case he deliver up such Lease or Agreement to the Lessor, or such Person agreeing to grant a Lease, within Fourteen Days after he shall have Notice the Assignees shall have declined as aforesaid; and if the Assignees shall not (upon being thereto required) elect whether they will accept or decline such Lease or Agreement for a Lease, the Lessor or Person so agreeing as aforesaid, or any Person entitled under such Lessor or Person so agreeing, may apply by Petition to the Lord Chancellor, who may order them so to elect, and to deliver up such Lease or Agreement, in case they shall decline the same, and the Possession of the Premises; or may make such other Order therein as he shall think fit.

LXXIV. And be it enacted, That if any Bankrupt shall have entered into any Agreement for the Purchase of any Estate in Land, the Vendor thereof, or any Person claiming under him, if the Assignees of such Bankrupt shall not (upon being thereto required) elect whether they will abide by and execute such Agreement, or abandon the same, may apply, by Petition, to the Lord Chancellor, who may thereupon order them so to elect, and if they shall elect to abandon the same, may order them to deliver up the said Agreement and the Possession of the Premises to the Vendor or Person claiming under him, or may make such other Order therein as he shall think fit.

LXXV. And be it enacted, That all Powers vested in any Bankrupt, which he might legally execute for his own Benefit (except the Right of Nomination to any vacant Ecclesiastical Benefice) may be executed by the Assignees for the Benefit of the Creditors, in such Manner as the Bankrupt might have executed the same.

LXXVI. And be it enacted, That the Lord Chancellor may, upon the Petition of the Assignees or any Purchaser from them of any Part of the Bankrupt's Estate, if such Bankrupt shall not try the Validity of the Commission, or if there shall have been a Verdict at Law establishing its Validity, order the Bankrupt to join in any Conveyance of such Estate or any Part thereof; and if he shall not execute such Conveyance within the Time directed by the Order, such Bankrupt, and all Persons claiming under him, shall be estopped from objecting to the Validity of such Conveyance; and all Estate, Right or Title which such Bankrupt had therein, shall be as effectually barred by such Order, as if such Conveyance had been executed by him.

LXXVII. And be it enacted, That if any Bankrupt shall have standing in his Name as Trustee, either alone or jointly, any Government Stock, Funds or Annuities, or any of the Stock of any Company within the United Realm, the Lord Chancellor may, on the Petition of the Person or Persons entitled in Possession to the Receipt of the Dividends thereof, on due Notice given to all other Persons (if any) interested therein, order the Assignees,

Assignees, and all Persons whose Act or Consent thereto is necessary, to transfer the said Stock, Funds or Annuities to such Person or Persons as the Lord Chancellor shall think fit, upon the same Trusts as the said Stock, Funds or Annuities were subject to before the Bankruptcy, or such of them as shall be then subsisting and capable of taking Effect, and also to receive and pay over the Dividends thereof as the Lord Chancellor shall direct; and if any such Bankrupt shall have any such Stock, Funds or Annuities standing in his Name as aforesaid, in his own Right, the Commissioners may, by Writing under their Hands, order all Persons whose Act or Consent is thereto necessary, to transfer the same into the Name of the Assignees, and to pay all Dividends upon the same to such Assignees; and all such Persons whose Act or Consent is so necessary as aforesaid are hereby indemnified for all Things done or permitted pursuant to such Order.

LXXVIII. And be it enacted, That all Conveyances by, all Payments by, and all Contracts and other Dealings and Transactions by and with any Bankrupt, *bonâ fide* made and entered into more than Two Calendar Months before the Date and issuing of the Commission against him; and all Executions, Attachments and Distresses for Rent against the Lands and Tenements or Goods and Chattels of such Bankrupt, *bonâ fide* executed or levied more than Two Calendar Months before the issuing of such Commission, shall be valid, notwithstanding any prior Act of Bankruptcy by him committed; provided the Person or Persons dealing with such Bankrupt, or at whose Suit or on whose Account such Execution, Attachment or Distress shall have issued or been levied, had not at the Time of such Conveyance, Payment, Contract, Dealing or Transaction, or at the Time of executing or levying such Execution, Attachment or Distress, Notice, either actual or constructive, of any prior Act of Bankruptcy by him committed, or that he had stopped Payment: Provided also, that where a Commission has been superseded, if any other Commission shall issue against any Person or Persons comprised in such first Commission within Two Calendar Months next after it shall have been superseded, no such Conveyance, Payment, Contract, Dealing or Transaction, Execution, Attachment or Distress, shall be valid, unless made, entered into, executed or levied more than Two Calendar Months before the issuing of the first Commission.

LXXIX. And be it enacted, That no Person really and *bonâ fide* a Creditor of any Bankrupt shall be liable to repay to the Assignees any Money which before the issuing of the Commission was really and *bonâ fide* received by such Person of the Bankrupt; provided such Person had not at the Time of receiving the same such Notice as aforesaid.

LXXX. And be it enacted, That the issuing of a Commission shall be deemed Notice of a prior Act of Bankruptcy (if an Act of Bankruptcy has been actually committed before the issuing of the Commission) if the Adjudication of the Person or Persons against whom such Commission has issued shall have been notified in the *London Gazette*, and the Person or Persons to be affected by such Notice may reasonably be presumed to have seen the same.

LXXXI. And

Where Bankrupt entitled to Stock, Commissioners may order Transfer.

Conveyances, Payments, &c. without Notice, Two Months before Commission valid.

Where invalid Commission has issued within the Two Months, and superseded, how, under a new Commission, the Two Months shall be reckoned.

Persons not liable to refund Payments before Notice.

What shall be constructive Notice.

Proviso for Persons paying Debts or delivering Goods without Notice.

LXXXI. And be it enacted, That no Person or Company having in his or their Possession or Custody any Personal Estate belonging to any Bankrupt, nor any Person indebted to such Bankrupt, shall be endangered by reason of the Delivery of any such Personal Estate, or the Payment of any such Debt to the Bankrupt or his Order; provided such Person or Company had not at the Time of such Delivery or Payment actual Notice that such Bankrupt had committed an Act of Bankruptcy or had stopped Payment.

When Bodies Politic, &c. deemed to have Notice.

LXXXII. And be it enacted, That if any accredited Agent of any Body Corporate or Public Company shall have had Notice, either actual or constructive, of any Act of Bankruptcy or Stoppage of Payment, such Body Corporate or Company shall be thereby deemed to have had such Notice.

Proviso for Titles to Property sold under Commission.

LXXXIII. And be it enacted, That no Title to any Real or Personal Estate sold under any Commission, or under any Order in Bankruptcy, shall be impeached by the Bankrupt or any Person claiming under him, in respect of any Defect in the suing out of the Commission, or in any of the Proceedings under the same, unless the Bankrupt shall have commenced Proceedings to supersede the said Commission, and duly prosecuted the same within Twelve Calendar Months from the issuing thereof.

Assignees, with Consent of Creditors, may compound or submit Disputes to Arbitration.

LXXXIV. And be it enacted, That the Assignees, with the Consent of the major part in Value of Creditors, who shall have proved under the Commission, present at any Meeting, whereof and of the Purport whereof Twenty One Days' Notice shall have been given in the *London Gazette*, may compound with any Debtor to the Bankrupt's Estate, and take any reasonable Part of the Debt in discharge of the Whole, or may give Time or take Security for the Payment of such Debt; or may submit any Dispute between such Assignees and any Persons, concerning any Matter relating to such Bankrupt's Estate, to the Determination of Arbitrators, to be chosen by the Assignees and the major Part in Value of such Creditors, and the Party with whom they shall have such Dispute; and the Award shall be binding on all the Creditors; and the Assignees are hereby indemnified for what they shall do according to the Directions aforesaid; and no Suit in Equity shall be commenced by the Assignees without such Consent as aforesaid; provided that if no Creditor (except the Assignees) shall attend at any such Meeting, whereof such Notice shall have been given as aforesaid, the Assignees shall have Power with the Consent of the Commissioners testified in Writing under their Hands, to do any of the Matters aforesaid, and the same shall be binding on all the Creditors.

Assignees may not commence a Suit in Equity without Consent of Creditors.

Assignees of One or more Members of a Firm may use the Names of Partners in Suits.

LXXXV. And be it enacted, That in any Commission against any One or more Member or Members of a Firm, the Lord Chancellor may, upon Petition, authorize the Assignees to commence or prosecute any Action at Law or Suit in Equity, in the Names of such Assignees and of the remaining Partner or Partners, against any Debtor of the Partnership, and may obtain such Judgment, Decree or Order thereon, as if such Action or Suit had been instituted with the Consent of such Partner or Partners; and if such Partner or Partners shall execute any Release of the Debt or Demand for which such Action or Suit is instituted,



stituted, such Release shall be void: Provided that every such Partner, if no Benefit is claimed by him by virtue of the said Proceedings, shall be indemnified against the Payment of any Costs in respect of such Action or Suit, and that the Lord Chancellor may, upon the Petition of such Partner, direct that he may receive so much of the Proceeds of such Action or Suit as the Lord Chancellor shall think fit.

LXXXVI. And be it enacted, That in any Action by or against any Assignee, or in any Action against any Commissioner or Person acting under the Warrant of the Commissioners, for any thing done as such Commissioner, or under such Warrant, no Proof shall be required at the Trial of the Petitioning Creditor's Debt or Debts, or of the Trading, or Act or Acts of Bankruptcy respectively, unless the other Party in such Action shall, if Defendant, at or before pleading, and, if Plaintiff, before Issue joined, give Notice in Writing to such Assignee, Commissioner or other Person, that he intends to dispute some and which of such Matters; and where such Notice shall have been given, if such Assignee, Commissioner or other Person shall prove the Matter so disputed, or the other Party admit the same, the Judge before whom the Cause shall be tried may, if he thinks fit, grant a Certificate of such Proof or Admission; and such Assignee, Commissioner or other Person shall be entitled to the Costs, to be taxed by the proper Officer, occasioned by such Notice; and such Costs shall, if such Assignee, Commissioner or other Person shall obtain a Verdict, be added to the Costs; and if the other Party shall obtain a Verdict, shall be deducted from the Costs, which each other Party would otherwise be entitled to receive from such Assignee, Commissioner or other Person.

LXXXVII. And be it enacted, That in all Suits in Equity by or against the Assignees, no Proof shall be required at the Trial of the Petitioning Creditor's Debt or Debts, or of the Trading, or Act or Acts of Bankruptcy respectively, as against any the Parties in such Suit, except such Parties as shall, within Ten Days after Rejoinder, give Notice in Writing to the Assignees of his or their Intention to dispute some and which of such Matters; and where such Notice shall have been given, if the Assignees shall prove the Matter so disputed, the Costs occasioned by such Notice to be taxed by the proper Officer shall, if the Court shall think fit, be paid by the Party or Parties so giving such Notice as aforesaid, and the Service of such Notice may be proved by Affidavit upon the hearing of the Cause.

LXXXVIII. And be it enacted, That if the Bankrupt shall die, or if he was within the United Kingdom at the issuing of the Commission, within Two Calendar Months after the Adjudication, or (if he was out of the United Kingdom) within Two Calendar Months after his Return, have given Notice of his Intention to dispute the Commission, and have proceeded therein with due Diligence, the Depositions taken before the Commissioners at the Time of or previous to the Adjudication of the Petitioning Creditor's Debt or Debts, and of the Trading, and Act or Acts of Bankruptcy, shall be conclusive Evidence of the Matters therein respectively contained, in all Actions at Law or Suits in Equity brought

Such Partners indemnified, and may receive Proceeds upon Petition.

In Actions by or against Persons acting under Commission, no Proof required at Trial of Petitioning Creditor's Debt, Trading and Act of Bankruptcy, unless Notice that those Matters are to be disputed.

The like Provision in respect of Suits in Equity.

Depositions conclusive in Actions or Suits by Assignees for any Debt of Bankrupt, unless he dispute Commission, &c.

Proviso for Debtor to the Estate paying Debt into Court.

If Commission superseded, Persons from whom the Assignees have recovered, or *bonâ fide* paying, discharged from Claims by Bankrupt.

Office for registering Proceedings in Bankruptcy.

No Commission, Adjudication, Certificate or Declaration received in Evidence, unless entered of Record, for which Entry the Fees herein mentioned shall be paid.

brought by the Assignees, for any Debt or Demand for which the Bankrupt might have sustained any Action or Suit.

LXXXIX. And be it enacted, That if the Assignees commence any Action or Suit for any Money so due to the Bankrupt before the Time allowed as aforesaid for him to dispute the Commission shall have elapsed, any Defendant in any such Action or Suit may, after Notice given to the Assignees, pay the same or any Part thereof into the Court in which such Action or Suit is brought; and all Proceedings with respect to the Money so paid into Court shall thereupon be stayed, and after the Time aforesaid shall have elapsed, the Assignees shall have the same paid to them out of Court.

XC. And be it enacted, That all Persons from whom the Assignees shall have recovered any Real or Personal Estate, either by Judgment or Decree, are hereby discharged, in case the Commission be afterwards superseded, from all Demands which may thereafter be made in respect of the same, by the Person or Persons against whom such Commission issued, and all Persons claiming under him or them; and all Persons who shall, without Action or Suit, *bonâ fide* deliver up Possession of any Real or Personal Estate to the Assignees, or pay any Debt claimed by them, are hereby discharged from all Claim of any such Person or Persons as aforesaid in respect of the same, or any Person claiming under him or them; provided such Notice to try the Validity of the Commission had not been given and been proceeded in within the Time and in Manner aforesaid.

XC I. And be it enacted, That all Things done pursuant to the Act passed in the Fifth Year of King George the Second, and hereby repealed, whereby it was enacted that the Lord Chancellor should appoint a Place where all Matters relating to Commissions of Bankruptcy should be entered of Record, and should appoint a Person to have the Custody thereof, be hereby confirmed; and the Lord Chancellor may from time to time, by Writing under his Hand, appoint a proper Person, who shall by himself, or his Deputy, to be approved by the said Lord Chancellor, enter of Record all Matters relating to Commissions, and have the Custody of the Entries thereof; and the Person so to be appointed, and his Deputy, shall continue in their respective Offices so long as they shall respectively behave themselves well, and shall not be removed, except by Order in Writing under the Hand of the Lord Chancellor, on sufficient Cause therein specified.

XCII. And be it enacted, That in all Commissions to be issued after the passing of this Act, no Commission of Bankruptcy, Adjudication of Bankruptcy by the Commissioners, Certificate or Declaration of Choice of Assignees, or Certificate of Conformity, shall be received as Evidence in any Court of Law or Equity, unless the same shall have been first so entered of Record as aforesaid; and the Person so appointed to enter Matters of Record as aforesaid shall be entitled to receive for such Entry of every such Commission, Adjudication of Bankruptcy, Certificate or Declaration of Choice of Assignees, or Order for vacating the same respectively, having the Certificate of such Entry indorsed thereon respectively, the Fee of Five Shillings each,

each, and for the Entry of every Certificate of Conformity having the like Certificate indorsed thereon, Two Shillings and Sixpence; and every such Instrument shall be so entered of Record upon the Application of or on Behalf of any Party interested therein, and on Payment of the several Fees aforesaid, without any Petition in Writing presented for that Purpose; and the Lord Chancellor may, upon Petition, direct any Depositions, Proceedings or other Matter relating to Commissions of Bankruptcy, to be entered of Record as aforesaid, and also appoint such Fee and Reward for the Labour therein of the Person so appointed as aforesaid, as the Lord Chancellor shall think reasonable; and all Persons shall be at liberty to search for any of the Matters so entered of Record as aforesaid: Provided that on the Production in Evidence of any Instrument so directed to be entered of Record, having the Certificate thereon purporting to be signed by the Person so appointed to enter the same, or by his Deputy, the same shall, without any Proof of such Signature, be received as Evidence of such Instrument having been so entered of Record as aforesaid.

XCIH. And be it enacted, That in every Action, Suit or Issue, Office Copies of any original Instrument or Writing filed in the Office, or officially in the Possession of the Lord Chancellor's Secretary of Bankrupts, shall be Evidence to be received of every such original Instrument or Writing respectively; and if any such original Instrument or Writing shall be produced on any Trial, the Costs of producing the same shall not be allowed on Taxation, unless it appears that the Production of such original Instrument or other Writing was necessary.

Office Copies  
made Evidence  
in certain  
Cases.

XCIV. And be it enacted, That any Bankrupt or other Person who shall in any Examination before the Commissioners, or in any Affidavit or Deposition authorized or directed by the present or any Act hereby repealed, wilfully and corruptly swear falsely, being convicted thereof, shall suffer the Pains and Penalties in force against wilful and corrupt Perjury: And where any Oath is hereby directed to be taken or administered, or Affidavit to be made, by or to any Party, such Party, if a Quaker, shall or may make solemn Affirmation; and all Quakers who shall in any Case knowingly and wilfully affirm falsely, shall suffer the same Penalties as are provided against Persons guilty of wilful and corrupt Perjury; and all Persons before whom Oaths or Affidavits are hereby directed to be made, are respectively empowered to administer the same, and also such solemn Affirmation as aforesaid.

Perjury.

XCV. And be it enacted, That all Sums of Money forfeited under this Act, or by virtue of any Conviction for Perjury committed in any Oath hereby directed or authorized, may be sued for by the Assignees in any of His Majesty's Courts of Record; and the Money so recovered, the Charges of Suit being deducted, shall be divided among the Creditors; and if the Creditors shall have been fully paid, one Moiety of the Surplus of such Forfeitures shall be paid to the King, and the other be distributed amongst the Poor of the Parish where the Bankrupt resided.

Application of  
Forfeitures.

So in case of a  
Surplus.

XCVI. And be it enacted, That the Assignees shall keep an Account, wherein they shall enter all Property of the Bankrupt received

Assignees to  
keep Book of

Account of  
Bankrupt's  
Estate.

Commissioners  
may summon,

and if necessary  
arrest, As-  
signees, &c.

Creditors, or in  
their Default  
Commissioners,  
to direct where  
Money from  
Bankrupt's  
Estate shall  
be paid in.

Commissioners  
may direct such  
Money paid in  
to be vested in  
Exchequer  
Bills.

Assignee not  
investing, or re-  
taining or mis-  
employing  
Money,  
charged with  
20l. per Cent.

received by them, and all Payments made by them on Account of the Bankrupt's Estate, which Account every Creditor who shall have proved may inspect at all reasonable Times; and the Commissioners may at all Times, by Writing under their Hands, summon the Assignees before them, and require them to produce all Books, Papers, Deeds, Writings and other Documents relating to the Bankruptcy in their Possession; and if such Assignees so summoned shall not come before the Commissioners at the Time appointed, having no Impediment made known to the Commissioners at the Time of their Meeting, and allowed by them, the said Commissioners may, by Warrant under their Hands and Seals, directed to such Person as they shall think fit, cause such Assignees to be arrested and brought before them, and upon their refusing to produce such Books, Deeds, Writings, Papers or Documents as aforesaid, the said Commissioners may commit the Party so refusing to such Prison as they shall think fit, there to remain without Bail, until such Assignees shall submit themselves to the said Commissioners.

XCVII. And be it enacted, That at the Meeting of Creditors for the Choice of Assignees, that the major Part in Value of such Creditors there present may direct how and with whom and where the Money received from time to time out of the Estate shall be paid in and remain until it be divided; and if such Creditors shall not make such Direction as aforesaid, the Commissioners shall, immediately after such Choice and at the same Meeting, make such Direction; but no Money shall be directed to be paid into the Hands of any of the Commissioners, or of the Solicitor to the Commission, or into any Banking-house or other House of Trade in which any such Commissioner, Assignee or Solicitor is interested.

XCVIII. And be it enacted, That the Commissioners may, as often as it shall appear to them expedient for the Bankrupt's Estate, direct any Money, Part of such Estate, to be invested in the Purchase of Exchequer Bills, for the Benefit of the Creditors, and may direct where and with whom such Exchequer Bills shall be kept, and cause such Exchequer Bills to be sold, when it shall appear to them expedient, and may direct the Proceeds thereof to be again laid out in the Purchase of Exchequer Bills, or to be applied for the Benefit of the Creditors, subject to the Control of the Lord Chancellor.

XCIX. And be it enacted, That if any Assignee shall retain in his Hands, or employ for his own Benefit, or knowingly permit any Co-assignee so to retain or employ any Sum to the Amount of One hundred Pounds or upwards, Part of the Estate of the Bankrupt, or shall neglect to invest any Money in the Purchase of Exchequer Bills when so directed as aforesaid, every such Assignee shall be liable to be charged in his Accounts with such Sum as shall be equal to Interest, at the Rate of Twenty per Centum on all such Money for the Time during which he shall have so retained or employed the same, or permitted the same to be so retained or employed as aforesaid, or during which he shall have so neglected to invest the same in the Purchase of Exchequer Bills; and the Commissioners may charge every such Assignee in his Accounts accordingly.

C. And

C. And be it enacted, That if any Assignee indebted to the Estate of which he is such Assignee, in respect of Money so retained or employed by him as aforesaid, become Bankrupt, if he shall obtain his Certificate, it shall only have the Effect of freeing his Person from Arrest and Imprisonment; but his future Effects (his Tools of Trade, necessary Household Goods, and the necessary Wearing Apparel of himself, his Wife and Children, excepted,) shall remain liable for so much of his Debts to the Estate of which he was Assignee, as shall not be paid by Dividends under his Commission, together with lawful Interest for the whole Debt.

If such Assignee become Bankrupt, his Certificate shall not discharge his future Effects.

CI. And be it enacted, That the Commissioners shall, at the Meeting appointed for the last Examination of the Bankrupt, appoint a public Meeting not sooner than Four nor later than Six Calendar Months therefrom, whereof, and of the Purport whereof, they shall give Twenty one Days' Notice in the *London Gazette*, to audit the Accounts of the Assignees; and the Assignees at such Meeting shall deliver upon Oath a true Statement in Writing of all Money received by them respectively, and when and on what Account, and how the same have been employed; and the Commissioners shall examine such Statement, and compare the Receipts with the Payments, and ascertain what Balances have been from time to time in the Hands of such Assignees respectively, and shall inquire whether any Sum appearing to be in their Hands ought to be retained; and the said Assignees may be examined upon Oath by the said Commissioners touching the Truth of such Accounts; and in such Accounts the said Assignees shall be allowed to retain all such Money as they shall have expended in suing out and prosecuting such Commission, and all other just Allowances.

Commissioners to audit Accounts of Assignees within Six Months, and not earlier than Four Months after the last Examination.

CII. And be it enacted, That the Assignees shall, not sooner than Four nor later than Twelve Calendar Months from the issuing the Commission, appoint a public Meeting (whereof, and of the Purport whereof, they shall give Twenty one Days' Notice in the *London Gazette*), to make a Dividend of the Bankrupt's Estate, at which Meeting all Creditors who have not proved their Debts may prove the same; and the said Commissioners at such Meeting shall order such Part of the Net Produce of the Bankrupt's Estate in the Hands of the Assignees, as they shall think fit, to be forthwith divided amongst such Creditors as have proved Debts under the Commission, in Proportion to their respective Debts; and shall make an Order for a Dividend in Writing under their Hands, and cause one Part of such Order to be filed amongst the Proceedings under the Commission, and shall deliver another Part thereof to the Assignees; which Order shall contain an Account of the Time and Place of making such Order of the Amount of the Debts proved, of the Money remaining in the Hands of the Assignees to be divided, of how much in the Pound is then ordered to be paid to every Creditor, and of the Money allowed by the Commissioners to be retained by the Assignees, with their Reasons for allowing the same to be so retained; and the Assignees, in pursuance of such Order (and without any Deed of Distribution made for that Purpose), shall forthwith make such Dividend, and shall take Receipts in a Book

Method of making Dividends.

to be kept for that Purpose from each Creditor, for the Dividend received by such Creditor, and such Order and Receipt shall be a Discharge to every such Assignee, for so much as he shall pay pursuant to such Order; and no Dividend shall be declared unless the Accounts of the Assignees shall have been first so audited as aforesaid, and such Statement delivered by them upon Oath as aforesaid.

Creditors having Securities not to receive more than other Creditors.

CIIL. And be it enacted, That no Creditor having Security for his Debt, or having made any Attachment in *London*, or any other Place by virtue of any Custom there used, of the Goods and Chattels of the Bankrupt, shall receive upon any such Security or Attachment more than a rateable Part of such Debt, except in respect of any Execution or Extent served and levied by Seizure upon, or any Mortgage of or Lien upon any Part of the Property of such Bankrupt before the Bankruptcy.

Joint Creditor not to take a Dividend of separate Estate though Petitioning Creditor.

CIV. And be it enacted, That in all Commissions against One or more of the Partners of a Firm (except in Commissions against One of several Partners issued previous to this Act), where the Debt of the Petitioning Creditor is a joint Debt of the Bankrupt or Bankrupts, and any other Person or Persons, such Petitioning Creditor shall not receive any Dividend out of the separate Estate of the Bankrupt or Bankrupts, until all the separate Creditors shall have received the full Amount of their respective Debts.

Final Dividend within 18 Months;

CV. And be it enacted, That if the Bankrupt's Estate shall not have been wholly divided upon the First Dividend, the Assignees shall, within Eighteen Calendar Months after the issuing of the Commission, appoint a public Meeting, whereof, and of the Purport whereof, they shall give Twenty one Days' Notice in the *London Gazette*, to make a Second Dividend of the Bankrupt's Estate, when all Creditors who have not proved their Debts may prove the same; and the Commissioners at such Meeting, after taking such Audit as hereinbefore directed, shall order the Balance in the Hands of the Assignees to be forthwith divided amongst such of the Creditors as shall have proved their Debts: and such Second Dividend shall be final, unless any Action at Law or Suit in Equity be depending, or any Part of the Estate be standing out, not sold or disposed of, or unless some other Estate or Effects of the Bankrupt shall afterwards come to the Assignees: in which Case they shall, as soon as may be, convert such Estate and Effects into Money, and within Two Calendar Months after the same shall be so converted, divide the same in Manner aforesaid.

except where Suit depending, or Estate standing out, &c.

Assignees required to make Payment of unclaimed Dividends in Manner herein mentioned.

CVI. And be it enacted, That if any Assignee under any Commission of Bankrupt shall have either in his own Hands or at any Bankers', or otherwise subject to his Order or Disposition, or to his Knowledge, in the Hands of or in the Order and Disposition of himself and any Co-assignee or Assignees, any or either of them, any unclaimed Dividend or Dividends amounting in the Whole to the Sum of Fifty Pounds, and shall not within Six Months after the passing of this Act, or Two Calendar Months after the Expiration of One Year after the Declaration and Order of Payment of such Dividend or Dividends made by the Commissioners, either pay to the Creditor or Creditors entitled thereto,

thereto, or cause a Certificate thereof to be filed in the Office of the Lord Chancellor's Secretary of Bankrupts, such Assignee or Assignees shall be charged in Account, with the Estate of the Bankrupt, Interest upon such unclaimed Dividend or Dividends, to be computed from the Time that such Certificate is hereby directed to be filed, at the Rate of Five Pounds *per Centum per Annum* for such Time as he shall thenceforth retain the same, and also such further Sum as the Commissioners shall think fit, not exceeding in the Whole Twenty Pounds *per Centum per Annum*; and the Commissioners may order the Investment of any unclaimed Dividends in the Public Funds, or in any Government Security, for or on Account of the Creditors entitled and subject to such Order as the Lord Chancellor may think fit to make respecting the same, who, if he shall think fit, may, after the same shall have remained unclaimed for the Space of Three Years from the Declaration of such Dividends by the Commissioners, order the same to be divided amongst and paid to the other Creditors, and the Proof of the Creditors to whom such Dividends were allotted shall from thenceforth be considered as void as to the same, but renewable as to any future Dividends to place them *pari passu* with the other Creditors, but not to disturb any Dividends which shall have been previously made.

CVII. And be it enacted, That no Action for any Dividend shall be brought against the Assignees by any Creditor who shall have proved under the Commission; but if the Assignees shall refuse to pay any such Dividend, the Lord Chancellor may, on Petition, order Payment thereof, with Interest for the Time that it shall have been withheld, and the Costs of the Application.

CVIII. And be it enacted, That if any Bankrupt shall not, before Three o'Clock in the Afternoon of the Forty second Day after he shall have been declared Bankrupt, Notice thereof in Writing having been first left at his usual Place of Abode, or served upon him in case he was in Prison, and Notice given in the *London Gazette*, of the issuing of the Commission, and of the Meetings of the Commissioners, surrender himself to them, and sign or subscribe such Surrender, and submit to be examined before them from time to time upon Oath, or being a Quaker upon solemn Affirmation; or if any such Bankrupt upon such Examination shall not discover all his Real or Personal Estate, and how, and to whom, upon what Consideration, and when he disposed of, assigned or transferred any of such Estate, and all Books, Papers and Writings relating thereunto, except such Part as shall have been really and *bonâ fide* before sold or disposed of in the Way of his Trade, or laid out in the ordinary Expence of his Family; or if any such Bankrupt shall not upon such Examination deliver up to the Commissioners all such Part of such Estate, and all Books, Papers and Writings relating thereunto, as be in his Possession, Custody or Power (except the necessary Wearing Apparel of himself, his Wife and Children), or if any such Bankrupt shall remove, conceal or embezzle any Part of such Estate, to the Value of Ten Pounds, or any Books of Account, Papers or Writings relating thereto, with Intent to defraud his Creditors, every such Bankrupt shall be deemed guilty of Felony, and be liable to be transported for Life, or for such Term, not less than

No Action for Dividends, Remedy by Petition to Lord Chancellor.

Bankrupt not surrendering and submitting to be examined;

or not making Discovery of his Estate and Effects;

or not delivering up his Goods, Books, &c.;

or concealing, &c. to the Value of 10*l.*;

Felony, transported for Life, &c.

Seven Years, as the Court before which he shall be convicted shall adjudge; or shall be liable to be imprisoned only, or imprisoned and kept to hard Labour in any Common Gaol, Penitentiary House or House of Correction, for any Term not exceeding Seven Years.

Chancellor may enlarge Time for Surrender.

CIX. And be it enacted, That the Lord Chancellor may, as often as he shall think fit, from time to time enlarge the Time for the Bankrupt surrendering himself, for such Time as the Lord Chancellor shall think fit, so as every such Order be made Six Days at least before the Day on which such Bankrupt was to surrender himself.

Allowance to Bankrupt for Maintenance.

CX. And be it enacted, That the Commissioners before the Choice of Assignees, and after such Choice the Assignees, with the Approbation of the Commissioners, testified in Writing under their Hands, may from time to time make such Allowance to the Bankrupt out of his Estate, until he shall have passed his last Examination, as the said Assignees shall think necessary for the Support of himself and his Family.

Benefit to Bankrupt apprehended and conforming.

CXI. And be it enacted, That if any Bankrupt apprehended by any Warrant of the Commissioners shall, within the Time hereby allowed for him to surrender, submit to be examined, and in all Things conform, he shall have the same Benefit as if he had voluntarily surrendered.

Bankrupt to deliver up his Books to Assignees upon Oath;

CXII. And be it enacted, That the Bankrupt, after the Choice of Assignees, shall (if thereto required) forthwith deliver up to them, upon Oath, before a Master Ordinary or Extraordinary in Chancery, or Justice of the Peace, all Books of Account, Papers and Writings relating to his Estate in his Custody or Power, and discover such as are in the Custody or Power of any other Person: and every such Bankrupt, not in Prison or Custody, shall at all Times after such Surrender attend such Assignees upon every reasonable Notice in Writing for that Purpose given by them to him, or left at his House, and shall assist such Assignees in making out the Accounts of his Estate; and such Bankrupt, after he shall have surrendered, may at all seasonable Times before the Expiration of the said Forty two Days or such further Time as shall be allowed to him to finish his Examination, inspect his Books, Papers and Writings in the Presence of his Assignees or any Person appointed by them, and bring with him each Time any Two Persons to assist him; and after he shall have obtained his Certificate, shall, upon Demand in Writing given to him, or left at his usual Place of Abode, attend the Assignees, to settle any Accounts between his Estate and any Debtor to or Creditor thereof, or attend any Court of Record to give Evidence touching the same, or do any Act necessary for getting in the said Estate; for which Attendance he shall be paid Five Shillings per Day by the Assignees out of his Estate; and if such Bankrupt shall, after such Demand as aforesaid, not attend, or on such Attendance refuse to do any of the Matters aforesaid, without sufficient Cause shown to the Commissioners for such Refusal, and by them allowed, the Assignees making Proof thereof upon Oath before the Commissioners, the said Commissioners may, by Warrant directed to such Person as they shall think proper, cause such Bankrupt to be apprehended, and committed to the County Gaol,

to attend Assignees;

may inspect Accounts;

after Certificate to attend Assignees.

Allowance for Attendance.



Gaol, there to remain until he shall conform to the Satisfaction of the said Commissioners or of the Lord Chancellor.

CXIII. And be it enacted, That the Bankrupt shall be free from Arrest or Imprisonment by any Creditor in coming to surrender, and after such Surrender during the said Forty two Days, and such further Time as shall be allowed him for finishing his Examination, provided he was not in Custody at the Time of such Surrender; and if such Bankrupt shall be arrested for Debt, or on any Escape Warrant, in coming to surrender, or shall after his Surrender be so arrested within the Time aforesaid, he shall, on producing the Summons under the Hands of the Commissioners to the Officer who shall arrest him, and giving such Officer a Copy thereof, be immediately discharged; and if any Officer shall detain any such Bankrupt after he shall have shown such Summons to him, so signed as aforesaid, such Officer shall forfeit to such Bankrupt, for his own Use, the Sum of Five Pounds for every Day he shall detain such Bankrupt, to be recovered by Action of Debt in any Court of Record at *Westminster*, in the Name of such Bankrupt, with full Costs of Suit.

CXIV. And be it enacted, That the Commissioners may, at the Time appointed for the last Examination of the Bankrupt, or any Enlargement or Adjournment thereof, adjourn such Examination *sine Die*: and he shall be free from Arrest or Imprisonment for such Time not exceeding Three Calendar Months, as they shall, by Indorsement upon such Summons as aforesaid, appoint, with like Penalty upon any Officer detaining such Bankrupt after having been shown such Summons.

CXV. And be it enacted, That whenever any Bankrupt is in Prison or in Custody, under any Process, Attachment, Execution, Commitment or Sentence, the Commissioners may, by Warrant under their Hands directed to the Person in whose Custody such Bankrupt is confined, cause such Bankrupt to be brought before them at any Meeting either public or private; and if any such Bankrupt is desirous to surrender, he shall be so brought up, and the Expence thereof shall be paid out of his Estate, and such Person shall be indemnified by the Warrant of the Commissioners for bringing up such Bankrupt; provided that the Assignees may appoint any Persons to attend such Bankrupt from time to time, and to produce to him his Books, Papers and Writings, in order to prepare an Abstract of his Accounts and Statement, to show the Particulars of his Estate and Effects previous to his final Examination and Discovery thereof, a Copy of which Abstract and Statement the said Bankrupt shall deliver to them Ten Days at least before his last Examination.

CXVI. And be it enacted, That any Person wilfully concealing any Real or Personal Estate of the Bankrupt, and who shall not within Forty two Days after the issuing of the Commission discover such Estate to One or more of the Commissioners or Assignees, shall forfeit the Sum of One hundred Pounds, and Double the Value of the Estate so concealed; and any Person who shall, after the Time allowed to the Bankrupt to surrender, voluntarily discover to One or more of the Commissioners or Assignees any Part of such Bankrupt's Estate, not before come to the Knowledge of the Assignees, shall be allowed Five *per Centum* there-

Imprisonment on Nonattendance.

Free from Arrest during Examination.

If arrested, discharged on producing Summons

Officer detaining Bankrupt. Penalty 5*l.* per day.

Commissioners may adjourn last Examination *sine Die*.

Bankrupt in Custody to be brought before Commissioners at Creditor's Expence.

Concealing Bankrupt's Effects, Penalty 100*l.*, &c.

Allowance to Persons making Discovery thereof.

upon, and such further Reward as the major Part in Value of the Creditors present at any Meeting called for that Purpose shall think fit, to be paid out of the Estate recovered on such Discovery.

Bankrupt discharged by Certificate of Conformity.

CXVII. And be it enacted, That every Bankrupt who shall have duly surrendered, and in all Things conformed himself to the Laws in force concerning Bankrupts at the Time of issuing the Commission against him, shall be discharged from all Debts due by him when he became Bankrupt, and from all Claims and Demands hereby made proveable under the Commission, in case he shall obtain a Certificate of such Conformity so signed and allowed, and subject to such Provisions as hereinafter directed: but no such Certificate shall release or discharge any Person who was Partner with such Bankrupt at the Time of his Bankruptcy, or who was then jointly bound, or had made any joint Contract with such Bankrupt.

By Discharge of Bankrupt Partner not discharged.

Certificate to be signed by Four Fifths in Number and Value of Creditors above 20l.

CXVIII. And be it enacted, That such Certificate shall be signed by Four Fifths in Number and Value of the Creditors of the Bankrupt, who shall have proved Debts under the Commission to the Amount of Twenty Pounds or upwards, who shall thereby testify their Consent to the Bankrupt's Discharge as aforesaid: and no such Certificate shall be such Discharge unless the Commissioners shall, in Writing under their Hands and Seals, certify to the Lord Chancellor that such Bankrupt has made a full Discovery of his Estate and Effects, and in all Things conformed as aforesaid, and that there does not appear any Reason to doubt the Truth or Fulness of such Discovery, and also that the Creditors have signed in Manner hereby directed; and unless the Bankrupt make Oath in Writing that such Certificate and Consent were obtained without Fraud; and unless such Certificate shall, after such Oath, be allowed by the Lord Chancellor, against which Allowance any of the Creditors of the Bankrupt may be heard before the Lord Chancellor.

Allowance by Lord Chancellor.

Allowance of Certificates in Cases of Bankruptcy before passing this Act.

CXIX. Provided always, and be it enacted, That Certificates of Conformity which now have been or shall be signed by Three Fifths in Number and Value of such Creditors as aforesaid, of any Bankrupt against whom any Commission shall have issued before the Time of passing this Act, may be signed by the Commissioners and allowed by the Lord Chancellor: Provided also, that after Six Calendar Months from the last Examination of any Bankrupt under any Commission issued after the passing of the Act such Certificate may be signed by the Commissioners, and allowed in Manner aforesaid, and shall be such Discharge as aforesaid, if it shall have been signed by Three Fifths in Number and Value of the Creditors as aforesaid, or by Nine Tenths in Number of such Creditors.

After Six Months from the last Examination.

Allowance of Certificate after 18 Months from last Examination in respect of Signatures.

CXX. Provided also, and be it further enacted, That after Eighteen Calendar Months from the last Examination of any Bankrupt under a Commission issued, either previously to or after the passing of this Act, if Three Fifths in Number and Value of such Creditors, with the Exception of One whose Signature is necessary in respect of Number or Value, or if Nine Tenths in Number, with the Exception of One whose Signature is necessary to make up that Proportion, shall have signed the Certificate.

the Commissioners may sign the same, and the Bankrupt may thereupon petition the Lord Chancellor for the Allowance thereof, having first caused every Creditor who shall not have signed, and whose Signature shall be so necessary as aforesaid, to be served with a Copy of such Petition, who may be heard against such Allowance; and every such Certificate, if allowed by the Lord Chancellor, shall be a valid Discharge as aforesaid.

CXXI. And be it enacted, That the Commissioners shall not sign any Certificate unless they shall have Proof by Affidavit in writing of the Signature of the Creditors thereto, and of any Person thereto authorized by any Creditor, and of the Authority of which such Person shall have so signed the same; and if any Creditor reside Abroad, the Authority of such Creditor shall be attested by a Notary Public; and every such Affidavit, Authority and Attestation shall be laid before the Lord Chancellor, with the Certificate, previous to the Allowance thereof.

Proof of Signature of Creditors.

CXXII. And be it enacted, That any Contract or Security made or given by any Bankrupt or other Person unto or in Trust to any Creditor, or for securing the Payment of any Money due to such Bankrupt at his Bankruptcy, as a Consideration or with Intent to persuade such Creditor to consent to or sign such Certificate, shall be void, and the Money thereby secured or to be paid shall not be recoverable, and the Party sued under such Contract or Security may plead the General Issue, and in this Act and the Special Matter in Evidence.

Contracts and Securities to induce Creditors to sign, void.

CXXIII. And be it enacted, That any Bankrupt who shall, after his Certificate shall have been allowed, be arrested or have any Execution brought against him for any Debt due by him before his Bankruptcy, shall be discharged upon Common Bail, and may plead in general that the Cause of Action accrued before he became Bankrupt, and may give this Act and the Special Matter in Evidence; and such Bankrupt's Certificate, and the Allowance thereof, shall be sufficient Evidence of the Trading, Bankruptcy, Commission and other Proceedings precedent to the obtaining such Certificate; and if any such Bankrupt shall be taken into Execution or detained in Prison for any Debt owing before he became Bankrupt, where Judgment has been obtained before the Allowance of his Certificate, any Judge of the Court wherein Judgment has been so obtained may, on such Bankrupt's producing his Certificate, order any Officer who shall have such Bankrupt in Custody by virtue of such Execution to discharge such Bankrupt without exacting any Fee, and such Officer shall be thereby indemnified for so doing.

Bankrupt having obtained his Certificate, free from Arrest.

Certificate Evidence of Proceedings.

CXXIV. And be it enacted, That if any Person who shall have been so discharged by such Certificate as aforesaid, or who shall be compounded with his Creditors, or who shall have been discharged by any Insolvent Act, shall become Bankrupt and obtain a new Certificate as aforesaid, unless his Estate shall produce, in full Charges, sufficient to pay every Creditor under the Commission Fifteen Shillings in the Pound, such Certificate shall only protect his Person from Arrest and Imprisonment, but his future Estate and Effects (except his Tools of Trade and necessary household Furniture, and the Wearing Apparel of himself, his Wife and Children) shall vest in the Assignees under the said Commission,

Bankrupt in Execution may be discharged.

In what Cases future Effects shall be liable, unless 15s. in the Pound is paid.

Commission, who shall be entitled to seize the same in like Manner as they might have seized Property of which such Bankrupt was possessed at the issuing the Commission.

Allowance to Bankrupt. if 10s. paid.

CXXV. And be it enacted, That every Bankrupt who shall have obtained his Certificate, if the net Produce of his Estate shall pay the Creditors who have proved under the Commission Ten Shillings in the Pound, shall be allowed Five *per Centum* out of such Produce, to be paid him by the Assignees, provided such Allowance shall not exceed Four hundred Pounds; and every such Bankrupt, if such Produce shall pay such Creditors Twelve Shillings and Sixpence in the Pound, shall be allowed and paid as aforesaid Seven Pounds Ten Shillings *per Centum*, provided such Allowance shall not exceed Five hundred Pounds; and every such Bankrupt, if such Produce shall pay such Creditors Fifteen Shillings in the Pound, shall be allowed and paid as aforesaid Ten Pounds *per Centum*, provided such Allowance shall not exceed Six hundred Pounds; but if such Produce shall not pay such Creditors Ten Shillings in the Pound, such Bankrupt shall only be allowed and paid so much as the Assignees and Commissioners shall think fit, not exceeding Three Pounds *per Centum*.

if 12s. 6d.

if 15s.;

if under 10s.

Partner may receive Allowance though the others are not entitled.

CXXVI. And be it enacted, That in all joint Commissions under which any Partner shall have obtained his Certificate, if a sufficient Dividend shall have been paid upon the joint Estate, and upon the separate Estate of such Partner, he shall be entitled to his Allowance, although his other Partner or Partners may not be entitled to any Allowance.

In what Cases Bankrupt not entitled to Certificate or Allowance, and Certificate void.

CXXVII. And be it enacted, That no Bankrupt shall be entitled to his Certificate, or to be paid any such Allowance, and that any Certificate, if obtained, shall be void, if such Bankrupt shall have lost by any Sort of Gaming or Wagering, in One Day. Twenty Pounds, or within One Year next preceding his Bankruptcy, Two hundred Pounds; or if he shall within One Year next preceding his Bankruptcy have lost Two hundred Pounds by any Contract for the Purchase or Sale of any Government or other Stock where such Contract was not to be performed within One Week after the Contract, or where the Stock bought or sold was not actually transferred or delivered in pursuance of such Contract; or shall, after an Act of Bankruptcy committed, have destroyed, altered, mutilated or falsified, or caused to be destroyed, altered, mutilated or falsified, any of his Books, Papers, Writings or Securities, or made or been privy to the making of any false or fraudulent Entries in any Book of Account or other Document, with Intent to defraud his Creditors, or shall have concealed Property to the Value of Ten Pounds or upwards; or if any Person having proved a false Debt under the Commission, such Bankrupt being privy thereto, or if he shall afterwards know the same, not disclosing the same to his Assignees within One Month after such Knowledge.

Bankrupt not liable upon Promise to pay Debt discharged by Certificate, unless it be in Writing.

CXXVIII. And be it enacted, That no Bankrupt after his Certificate of Conformity shall have been allowed under any Commission of Bankrupt already issued, or hereafter to be issued, shall be liable to pay or satisfy any Debt, Claim or Demand from which he shall have been discharged by virtue of such Certificate, or any Part of such Debt, Claim or Demand, upon any Contract, Promise

promise or Agreement made or to be made after the suing out of the Commission, unless such Promise, Contract or Agreement be made in Writing, signed by the Bankrupt, or by some Person thereto lawfully authorized, in Writing, by such Bankrupt.

CXXIX. And be it enacted, That the Assignees shall, upon request made to them by the Bankrupt, declare to him how they have disposed of his Real and Personal Estate, and pay the Surplus, if any, to such Bankrupt, his Executors, Administrators or Assigns; and every such Bankrupt, after the Creditors who have proved under the Commission shall have been paid, may recover the Remainder of the Debts due to him; but the Assignees shall not pay such Surplus, until all Creditors who have proved under the Commission shall have received Interest upon their Debts, to be calculated and paid at the Rate and in the Order following; (that is to say), all Creditors whose Debts are now by Law entitled to carry Interest in the Event of a Surplus, shall first receive Interest on such Debts at the Rate of Interest reserved or by Law payable thereon, to be calculated from the Proof thereof; and after such Interest shall have been paid, all other Creditors who have proved under the Commission shall receive Interest on their Debts from the Proof at the Rate of Four *per Centum*.

CXXX. And be it enacted, That at any Meeting of Creditors after the Bankrupt shall have passed his last Examination, whereof and of the Purport of which Twenty one Days' Notice shall have been given in the *London Gazette*, if the Bankrupt or his Friends shall make an Offer of Composition, or Security for such Composition, which Nine Tenths in Number and Value of the Creditors assembled at such Meeting shall agree to accept, or other Meeting for the Purpose of deciding upon such Offer shall be appointed, whereof such Notice as aforesaid shall be given; and if at such Second Meeting Nine Tenths in Number and Value of the Creditors then present shall also agree to accept such Offer, the Lord Chancellor may, upon such Acceptance being testified by them in Writing, supersede the same.

CXXXI. And be it enacted, That in deciding upon such Offer as aforesaid, any Creditor whose Debt is below Twenty Pounds shall not be reckoned in Number, but the Debt due to such Creditor shall be computed in Value; and that any Creditor to the amount of Fifty Pounds and upwards, residing out of *England*, shall be personally served with a Copy of the Notice of the Meeting to decide upon such Offer as aforesaid, and of the Purpose which the same is called, so long before such Meeting as that he may have Time to vote thereat, and such Creditor may vote by Letter of Attorney executed and attested in Manner hereby required for such Creditors voting in the Choice of Assignees; and if any Creditor shall agree to accept any Gratuity or higher Composition for assenting to such Offer, he shall forfeit the Debt due to him, together with such Gratuity or Composition; and the Bankrupt shall, if thereto required, make Oath before the Commissioners that there has been no such Transaction between him, or any Person with his Privy, and any of the Creditors, and that he has not used any undue Means or Influence with any of them to attain such Assent as aforesaid.

Assignees, in case of Surplus, shall account and pay it to the Bankrupt.

In case of a Surplus all Debts to carry Interest.

Nine Tenths in Number and Value of Creditors may accept a Composition which shall bind the rest.

Mode of voting in deciding upon such Composition.

CXXXII. And

Construction of  
Act for Benefit  
of Creditors,  
&c.

Powers of  
Lord Keeper,  
&c.

Subsisting  
Commissions  
valid.

Act not to extend to Scot-  
land or Ireland.

Commence-  
ment of Act.

CXXXII. And be it enacted, That this Act shall be construed beneficially for Creditors, and that nothing herein contained shall alter the present Practice in Bankruptcy, except where any such Alteration is expressly declared; and that it shall extend to Aliens, Denizens and Women, both to make them subject thereto, and to entitle them to all the Benefits given thereby; and that all Powers hereby given to or Duties directed to be performed by the Lord Chancellor, shall and may be exercised or performed by a Lord Keeper or Lords Commissioners of the Great Seal; and all Powers given to or Duties directed to be performed by the Commissioners or Assignees, may be exercised or performed respectively by the major Part of the Commissioners, or by One Assignee where only One shall have been chosen; that nothing herein contained shall render invalid any Commission of Bankruptcy now subsisting, or which shall be subsisting at the Time this Act shall take Effect, or any Proceedings which may have been had, or affect or lessen any Right, Claim, Demand or Remedy which any Person now has thereunder, or upon or against any Bankrupt against whom any Commission has or shall have issued, except as is herein specifically enacted; and that this Act shall not extend either to *Scotland* or *Ireland*, except where the same are expressly mentioned.

CXXXIII. And be it enacted, That this Act shall not, as to any Enactments therein contained, take Effect before the First Day of *May* One thousand eight hundred and twenty five; save that so many of such Enactments as relate to the Certificates of Persons becoming Bankrupts before this Act passed, or who shall become Bankrupts before the said First Day of *May*, shall take effect upon the passing of this Act.

### C A P. XCIX.

An Act for dividing, allotting and inclosing that Portion of the Forest of *Whittlewood* called *Hasleborough Walk* in the Parish of *Whitfield* and Liberties or Precincts of *Silton* otherwise *Silverston* otherwise *Silveston Burnham* in the County of *Northampton*, and of the open Fields of *Silton* otherwise *Silverston* otherwise *Silveston Burnham* aforesaid.

[21st June 1824.]

[*Allotment to His Majesty of the Coppice Lands, &c. in the Parish of Whitfield, and to be divided and inclosed as herein mentioned.*

§ 24. *Allotment to be made to the Duke of Grafton, out of His Majesty's Proportion of the said Coppice Lands, &c.* § 25. *His Majesty's Forestial Rights in the Coppice Lands in Silton to be ascertained, and a proportionate Allotment to be made to His Majesty out of the Duke of Grafton's Three Fourths of the said Coppice Lands, &c.* § 27. *In making Allotments to be made to the King and the Duke of Grafton, those Parts are to be selected which are best adapted to the Growth of Timber,* § 30. *Timber and Woods reserved to His Majesty and the Duke of Grafton for a limited Time, as herein mentioned,* § 32. *Commissioners of Woods may with Consent of the Treasury, purchase, &c. Allotments,* § 41. *Boundary Fences between Shorebrook Walk and Hasleborough*

*Hasleborough Walk, to be made and maintained at His Majesty's Expence. Boundary Fences of Allotments to be at the joint Expence of His Majesty and the Duke of Grafton, § 42. Rectors, Vicars, &c. Right to Tithes not to be prejudiced, nor the Manner of Payment affected by this Act, § 47. Duke of Grafton and the Commissioners empowered to agree for the Discharge from Tithes, § 48. Compensation to Rectors for Great and Small Tithes by a Corn Rent, § 79. Annual Payments may be regulated by the Price of Wheat, § 80. For apportioning Tithe Rent, § 81. For regulating Yearly Tithe Rents. Commissioners to make Schedules of Allotments, § 82. Corn Rent to be in lieu of Tithes, § 83. Tithes payable till the Allotments shall be made, § 84. Extract of Award to be transmitted to Surveyor General of Land Revenue, § 102.]*

## C A P. C.

1 Act for more effectually paving, lighting, watching, cleansing and regulating the *Regent's Park*, together with the New Street from the *Regent's Park* to *Pall Mall*, and the new Streets and Improvements in the Neighbourhood of *Parliament Street* and *Privy Gardens*; and for maintaining a convenient Sewage for the same. [21st June 1824.]

## C A P. CI.

1 Act to enable His Majesty to grant certain Advowsons, Rectories and Vicarages in the several Counties of *Carmarthen*, *Cardigan* and *Pembroke*, in the Principality of *Wales*, to a College to be incorporated by Charter, to be called *Saint David's College*. [21st June 1824.]

WHEREAS certain Edifices and Premises, situate in the County of *Cardigan* and Diocese of *Saint David's*, intended for a College, to be incorporated by Royal Charter, for the Education of Persons destined for Holy Orders, and to be called *Saint David's College*, are now in progress, and will shortly be completed: And whereas His Majesty hath been graciously pleased to consent to the Annexation in Perpetuity to the said College, as an Endowment thereof, of the Advowson, Right of Nomination, Presentation, Collation, Donation, Patronage and free Disposition of, in and to the Rectory, Parsonage or Parish Church of *Llangoedmawr* alias *Llandgoedmore* in the County of *Cardigan*, and of, in and to the Rectory, Parsonage or Parish Church of *Llanedi* in the County of *Carmarthen*, and of, in and to the Vicarage of *Saint Peter's* in the Town of *Carmarthen* in the said County of *Carmarthen*; and of, in, and to the Sinecure Rectory or Parsonage of *Llangeler* in the County of *Carmarthen*; and also the Sinecure Rectory or Parsonage of *Llanddewiwilfrid* alias *Llanddewi Wilfrid* in the County of *Pembroke*; and of, in, and to the Sinecure Rectory or Parsonage of *Angulo* alias *Angle* in the said County of *Pembroke*; and all Manner of Rectorial Tithes, Dues, Profits and Emoluments to the said several Sinecure Rectories appertaining, all of or belonging

Power for His Majesty to grant certain Advowsons to St. David's College, and for vesting the same.

'longing to His Majesty, His Heirs and Successors; and that the same should be vested in the said College so to be incorporated, upon such Trusts, for the Benefit of the said College, as shall be declared thereof in and by His Majesty's Charter, under the Great Seal of the United Kingdom of *Great Britain* and *Ireland*, for the Erection and Incorporation of the said College: Therefore, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in case His Majesty shall be pleased to grant His Charter under the Great Seal of the United Kingdom of *Great Britain* and *Ireland*, for the Erection and Incorporation of the said College, to be called *Saint David's College*, it shall be lawful for His Majesty, His Heirs and Successors, in and by the said Charter, to grant the Advowson, Right of Nomination, Presentation, Collation, Donation, Patronage and free Disposition of, and in and to the several Rectories, Parsonages and Parish Churches of *Llangoedmawr* alias *Llangoedmore* in the said County of *Cardigan*, and of *Llanedi* in the said County of *Carmarthen*, and of, in, and to the Vicarage of *Saint Peter's* in the Town of *Carmarthen* in the said County of *Carmarthen*, and together with all Houses, Glebe Lands, Tithes, Portions of Tithes, Tenths, Oblations, Fruits, Dues, Perquisites and Emoluments, Rights, Members, and Appurtenances to such Advowsons, Rectories, and Vicarage in any wise belonging to the said College so to be incorporated as aforesaid, and the same shall by such Grant become and be absolutely vested in the said College, upon such Trusts, for the Benefit of the said College, as shall be declared thereof in and by the said Charter.

Power for His Majesty to grant the Sinecure Rectories to the said College, and for vesting the same.

II. And be it further enacted, That it shall be lawful for His Majesty, His Heirs and Successors, in and by His said Charter, to grant the Sinecure Rectory or Parsonage of *Llangeler* in the County of *Carmarthen*, the Sinecure Rectory or Parsonage of *Llanddewiwlfrai* alias *Llandde wi Wilfrai* in the said County of *Pembroke*, and the Sinecure Rectory or Parsonage of *Angle* alias *Angle* in the same County of *Pembroke*, and all and all Manner of Rectorial Lands, Tithes, Hereditaments, Dues, Profits, Emoluments, Rights, Members, and Appurtenances to the said Sinecure Rectories in any wise belonging to the said College; and the same respectively shall, by such Grant, become and be absolutely vested in the said College, upon such Trusts, for the Benefit of the said College, as shall be declared thereof by the said Charter.



## C A P. CII.

An Act to amend an Act of the Forty eighth Year of the Reign of His late Majesty for the more effectual Administration of the Office of a Justice of the Peace, and for the more effectual Prevention of Felonies within the District of *Dublin Metropolis*. [21st June 1824.]

WHEREAS by virtue of an Act made in the Forty eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the more effectual Administration of the Office of a Justice of the Peace, and for the more effectual Prevention of Felonies within the District of Dublin Metropolis, His Majesty's Castle of Dublin, and all Places within Eight Miles thereof, have been united in and now form One District, called 'The Police District of Dublin Metropolis; and conformably to the Provisions of the said Act in such Behalf, the said District hath been divided into and consists of Six Divisions, in each of which Divisions One Public Office is established, and to each of which Offices are attached Three Divisional Justices, making in the whole Eighteen Divisional Justices, appointed and acting as such Justices, under the Authority of the said recited Act: And Whereas it may be expedient that the Number of the said Divisions and Police Offices, and the Number of the said Divisional Justices respectively, should be reduced: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That at any time after the passing of this Act, it shall and may be lawful and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, if he or they shall think so to do, by Warrant under Hand and Seal, to divide the whole of the said Police District of *Dublin Metropolis* into Four Divisions, in lieu of the Six Divisions into which such District at present divided, and to ascertain, direct, declare and define the Limits of such Four Divisions respectively, and to cause in or near each of such Four Divisions, One thereof in and near each of such Four Divisions, and to cause such Four Divisions, and the Limits thereof, and the Offices therein, to be changed from time to time, as such Lord Lieutenant or other Chief Governor or Governors shall think fit and proper, at his and their Will and Pleasure.*

II. And be it further enacted, That in case and whenever the said Police District shall be divided into Four Divisions in Manner aforesaid, it shall and may be lawful for and for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, and he and they is and are hereby empowered and required, to select from and out of the Divisional Justices appointed or who may be appointed under the Authority and Provisions of the said recited Act, and who shall be acting as such Justices at the Time of such Division, such Twelve of the said Divisional Justices, consisting of Four Barristers, Four Aldermen

48 G. 3. c. 140.

§ 2.

Lord Lieutenant empowered to divide Police District into Four Divisions and to establish Four Police Offices.

Lord Lieutenant to select Divisional Justices, consisting of Persons herein mentioned.

of

One attached to each of the Four Offices.

How the Two Aldermen and Sheriffs Peers to be selected.

Justices, Clerks, &c. may be superseded by Lord Lieutenant, on Two Thirds of Salaries; or attached to the Four Offices with full Salary.

Vacancies of Justices filled up out of Supernumerary Magistrates, or otherwise supplied by Lord Lieutenant or Election of Corporation under 48 G. 3. c. 140.

of the City of *Dublin*, and Four Sheriffs Peers or Members of the Common Council of the said City, as such Lord Lieutenant or other Chief Governor or Governors, in the Exercise of his or their Discretion, shall think proper; and that Three of such Divisional Justices, that is to say, One Barrister, One Alderman, and One Sheriffs Peer or Member of the Common Council shall be attached to each of the said Four Police Offices to be established under this Act: Provided always, that Two of the said Four Aldermen, and Two of the said Four Sheriffs Peers or Members of the said Common Council, so to be selected, shall be such Aldermen and Sheriffs Peers or Members of the said Common Council as were originally elected by the Corporation of the City of *Dublin*, under the Provisions of the said recited Act.

III. And be it further enacted, That upon such Reduction it shall and may be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, and he and they is and are hereby authorized and empowered, in the Exercise of his or their Discretion, either to dismiss altogether and to supersede any Six of the Justices of the said Police District of *Dublin* Metropolis, that is to say, any Two Barristers, Two Aldermen and Two Sheriffs Peers or Members of the Common Council, and also to dismiss or supersede the Clerks and Chief Constables of the Offices belonging to Two of the present Six Divisions of the said Police District, and to direct that any of such Justices, Clerks and Chief Constables respectively, shall be allowed and shall receive Two Thirds of their present Salaries respectively, for the Period of their several natural Lives, or otherwise to attach all or any of such Justices, Clerks and Chief Constables to some One or more of such Divisional Offices as shall remain or be established by virtue of this Act, to attend and act therein as Supernumerary Magistrates' Clerks and Chief Constables, retaining their full Salary; and the Vacancies in the Offices of the Twelve selected Divisional Justices shall, from time to time as they occur, be filled up from and out of such Supernumerary Magistrates, so that finally there shall be but Twelve Divisional Justices: Provided always, that whenever any such Vacancy shall arise, from the Death, Resignation or Removal of a Barrister, and there shall not be any Barrister amongst such Supernumerary Magistrates, or from the Death, Resignation or Removal of an Alderman, and there shall not be any Alderman amongst such Supernumerary Magistrates, or from the Death, Resignation or Removal of a Sheriffs Peer or Common Councilman, and there shall not be any Sheriffs Peer or Common Councilman amongst such Supernumerary Magistrates, then and in every such Case such Vacancy shall be filled up within One Calendar Month, by the Appointment of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, or by Election and Approbation in Manner in the said recited Act mentioned; and such Appointment shall be made by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, whenever the Vacancy is occasioned by the Death, Removal or Resignation of any Person originally appointed by him or them, or by his or their Predecessors: and

such Election shall be made by the Corporation of the City of *Dublin*, in Manner directed by the said recited Act, whenever the Vacancy shall be occasioned by the Death, Removal or Resignation of any Person originally elected by them respectively; it being the true Intent and Meaning of this Act, that the Twelve Divisional Justices of such Four Divisions shall be appointed by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, and elected by the Corporation of the City of *Dublin* respectively, in the same Proportions as the Eighteen Divisional Justices under the said recited Act are directed to be appointed and elected, that is to say, that the Lord Lieutenant or other chief Governor or Governors of *Ireland* for the Time being shall appoint Eight out of such Twelve Divisional Justices, namely, Four Barristers of at least Six Years Standing, Two Aldermen of the City of *Dublin*, and Two Persons being Sheriffs Peers or Members of the Common Council of the said City; and that the said Corporation of the City of *Dublin* shall elect the other Four Divisional Justices, to wit, Two Aldermen and Two Sheriffs Peers or Common Councilmen; and any Vacancies in the Offices of Clerks or Chief Constables, at any of such Four Divisional Offices, shall from time to time as they occur, be filled up from and out of the Supernumerary Clerks and Chief Constables acting under the Provisions of this Act.

IV. Provided always, and be it enacted, That all Allowances of any Proportion of Salary to any Justices, Clerks or Chief Constables, superseded under or by virtue of this Act, shall be charged and chargeable on the Funds applicable to the Establishment of the said Police; and that the Payment of any and every such annual Allowance shall altogether cease and be suspended during any Period while the Person to whom such Allowance shall be granted shall hold any Office, Place or Employment under His Majesty, or under the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, the Salary or Profits whereof shall be equal to or shall exceed the Salary which was enjoyed by such Person as such Justice, Clerk or Chief Constable at the Time of his vacating such Office respectively; and that the Payment of a proportional Part of such annual Allowance shall cease and be suspended during any Period while the Person to whom the same shall be granted shall hold any Office, Place or Employment under His Majesty, or under the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, the Salary or Profits hereof shall be less than the Salary which was enjoyed by such Person as such Justice, Clerk or Chief Constable, so that the Amount of such annual Allowance, together with the Salary and Profits of any such Office, Place or Employment, shall not together exceed the Amount of the Salary enjoyed by such Person at the Time of his being superseded as aforesaid.

V. And be it declared and enacted, That from and after the Time when the Divisions of the said Police District of *Dublin* Metropolis shall be reduced from Six to Four, and the Divisional Justices shall be reduced from Eighteen to Twelve, in Execution of the Powers hereinbefore for that Purpose given, all and singular Enactments, Provisions, Clauses, Articles, Matters and things contained in the said recited Act made in the Forty

The Twelve Justices to be appointed by Lord Lieutenant and Corporation, as 18 Justices under 48 G.3. c.140.

How Vacancies of Clerks, &c. supplied.

Allowances to Justices, &c. charged on Police Establishment; suspended on Appointment to any Office with an equal Salary, and in Proportion if to an Office with a less Salary.

On Reduction of Police Divisions, 48 G.3. c.140. to continue in force with respect to reduced Divisions.

eighth Year of His said late Majesty's Reign, shall be and continue to be in full Force, Operation and Effect, to all Intents and Purposes whatever, as if the said recited Act had originally directed the Distribution of the said District into Four Divisions, instead of Six, and the Establishment of Four Public Offices, One thereof in each of the said Four Divisions, instead of Six Public Offices, and had likewise originally directed the Appointment and Election in Manner provided by the said recited Act, of Twelve Divisional Justices within the said District, instead of Eighteen Divisional Justices.

So much of  
48 G 3. c. 140.  
§ 29. as relates  
to Recovery of  
Fines, Penalties,  
&c. before  
Two Divisional  
Justices, re-  
pealed.

‘ VI. And Whereas it is by the said recited Act of the Forth-  
‘ eighth Year of His late Majesty's Reign enacted, that in all  
‘ Cases where any Fines, Penalties or Forfeitures, or Shares of  
‘ Fines, Penalties or Forfeitures, were by any Law then in force,  
‘ or should thereafter be limited and made payable to His said  
‘ late Majesty, His Heirs and Successors, or to any Description  
‘ of Persons other than the Informer or Informers who should  
‘ sue for the same, or the Party grieved, and which should be  
‘ recoverable in a summary Way before a Justice or Justices  
‘ of the Peace, the same should and might, within the Police  
‘ District of *Dublin* Metropolis, be sued for and recovered at  
‘ some of the Police Offices to be established under the Author-  
‘ ity of the said recited Act, before any Two of the Divisional  
‘ Justices in such Act mentioned and described, and not before  
‘ any Justice or Justices of the Peace out of the said Offices :  
‘ And Whereas it was also by the said recited Act enacted, that in  
‘ all Cases not therein otherwise particularly described, all Trials  
‘ and Convictions for any Offences or Offence against that Act,  
‘ which should be committed within the said Police District of  
‘ *Dublin* Metropolis, should be had and made respectively in the  
‘ Offices of the Divisions in which they should respectively be  
‘ committed, before not less than Two of the said Divisional  
‘ Justices in such Divisions respectively : And Whereas the said  
‘ Provisions in the said recited Act have been found inconve-  
‘ nient ; Be it therefore enacted, That so much and such Parts  
‘ of the said recited Act as direct or require that in the Cases  
‘ and upon the Occasions hereinbefore mentioned there shall be  
‘ Two Divisional Justices, shall be and the same is and are hereby  
‘ repealed.

All Fines,  
Penalties, &c.  
recoverable in a  
summary Way,  
and all Trials  
for Offences  
(not otherwise  
directed) to be  
recovered and  
had before One  
Divisional  
Justice.

VII. And be it further enacted, That from and after the pas-  
sing of this Act, in all Cases where any Fines, Penalties or For-  
feitures are by any Law in force, or shall hereafter be limited  
and made payable to His Majesty, His Heirs and Successors, or  
to any Description of Persons other than the Informer or Informers  
who shall sue for the same, or the Party aggrieved, and  
which shall be recoverable in a summary Way before a Justice or  
Justices of the Peace, the same shall and may, within the Police  
District of *Dublin* Metropolis, be sued for and recovered at some  
One of the Police Offices within such District, before any One of  
the Divisional Justices at such Office, and not before any Justice  
or Justices of the Peace out of the said Offices ; and that all Trials  
and Convictions for any Offence against the said recited Act or  
this Act, in all Cases not therein or herein otherwise particu-  
larly directed, and which Offence shall be committed within the  
Police

§ 118.

Police District of *Dublin* Metropolis, may be had and made respectively in the Offices of the Divisions in which any such Offence shall respectively be committed, before any One of the said Divisional Justices in such Divisions respectively; and the Proceedings in such respective Cases, by and before such One Divisional Justice, shall be as effectual to all Intents and Purposes, and shall have the same Consequence and Results as to Fines, Penalties or Forfeitures, or Shares of Fines, Penalties or Forfeitures, and the Appropriation thereof, and the accounting for and paying the same into the Hands of the Receiver of the Public Offices, and in every other respect whatever, as if had before Two Divisional Justices in Manner directed by the said recited Act, or as if the Jurisdiction herein given with respect to such Cases to the Divisional Justice, had been expressly so given in and by and had constituted Part of the said recited Act; any Thing in the said recited Act to the contrary thereof in any wise notwithstanding.

VIII. 'And Whereas it will be advantageous that the Jurisdiction of the Divisional Justices of the Castle Division of the said Police District of *Dublin* Metropolis should be in all respects co-extensive with the Whole of the said Police District; Be it therefore enacted, That all the Powers, Jurisdictions and Authorities, of every Nature and Kind whatsoever, vested in or granted to the Divisional Justices of Police by virtue of the said recited Act of the Forty-eighth Year of His said late Majesty's Reign, or by virtue of this present Act, or of any other Act or Acts, or otherwise in any Manner whatsoever, and which are or may be exercised by the Divisional Justices of the Division in which His Majesty's Castle of *Dublin* shall be situate, touching and in respect to Offences, Breaches of the Law, Disputes, Matters or Things committed, arising or taking place, or alleged to have been committed, or to have arisen or taken place within the Limits of the said Castle Division, shall and may be exercised by the said Divisional Justices of the said Castle Division or any of them, over, upon and in respect to such Offences, Breaches of the Law, Disputes, Matters and Things, in whatever Part of the Police District of *Dublin* Metropolis such Offences, Matters or Things shall have been committed, or shall have arisen or taken place, or shall be alleged to have been committed, arisen or taken place, although such Part of the said Police District shall not be locally situate within the Limits of the said Castle Division, and to all Intents and Purposes in every respect, as if such Offences, Matters or Things had been committed, or had arisen or taken place, or were alleged to have been committed, arisen or taken place, within the local Limits of the said Castle Division; any Thing in the said recited Act or in this Act, or in any other Act to the contrary thereof in any wise notwithstanding.

IX. And Whereas the Apprehension of Traitors, Felons and other Offenders against the Law would be facilitated, and thereby the Administration of Justice be in many Instances rendered more certain, if the Divisional Justices of the Castle Division should have and exercise the Authority and Power of Justices of the Peace for the Counties immediately adjoining the said Police District of *Dublin* Metropolis; Be it therefore enacted,

Powers and Jurisdiction of the Justices of the Castle Division extended to the whole Police District of the Dublin Metropolis.

Justices of Castle Division to be Justices for Dublin, Wicklow, Kildare, and Meath.

That from and after the passing of this Act, each and every of the Divisional Justices for the Time being of the Division of the said Police District in which His Majesty's Castle of *Dublin* shall be situate, shall be to all Intents and Purposes, and shall be deemed and taken to be, and is hereby declared to be a Justice of the Peace within and for the Counties of *Dublin, Wicklow, Kildare and Meath*.

Constables, &c. of Police District may execute Warrants of Justices of Castle Division in those Counties.

X. And be it further enacted, That all Constables and Peace Officers of, for and within the Police District of *Dublin* Metropolis, appointed and acting as such under the Authority of the said recited Act of the Forty eighth Year of His late Majesty's Reign, or of this Act, shall for the Time being have full Authority and Power to execute, in the Counties of *Dublin, Wicklow, Kildare and Meath*, any Warrant or Warrants which may be made and granted by the Divisional Justices of the said Castle Division, or any of them, under the Authority and Power vested in them by this present Act, with respect to the said Counties of *Dublin, Wicklow, Kildare and Meath*, to all Intents and Purposes as if such Warrant or Warrants were executed or to be executed within the Limits of the Police District of *Dublin* Metropolis; and any and every Person obstructing or hindering such Constables or Peace Officers in the Execution of any such Warrant or Warrants, in any of the said Counties of *Dublin, Wicklow, Kildare or Meath*, shall be and are hereby declared to be liable to the same Pains and Penalties for such Obstruction and Hindrance, as if such Offence had been committed within the said Police District of *Dublin* Metropolis.

Informations taken by the Justices of the Castle Division, as Justices of the Forty Counties, shall be returned to the Clerk of the Crown, &c.

XI. And be it further enacted, That in every Case where any Divisional Justice or Justice of the Castle Division of the Police District of *Dublin* Metropolis shall take any Information or Informations, under the Authority by this Act given to them as Justices of the Peace in or for the said Counties of *Dublin, Wicklow, Kildare and Meath*, such Divisional Justice or Justice shall in due Time before the Assizes then next ensuing, or before the then next Sitting of the Court of Quarter Sessions, as the Case may be or require, return all and every such Informations or Information to the Clerk of the Crown or Clerk of the Peace, or other proper Officer for the particular County where the Offence stated in any such Information shall be alleged to have been committed; and such Clerk of the Crown or Clerk of the Peace, or other proper Officer, shall thereupon give a Receipt in Writing, under his Hand, for such Information or Informations: Provided always, that no Justice or Justices of the said Castle Division shall in any Instance be compellable to act as a Justice or Justices of the Peace for the said Counties of *Dublin, Wicklow, Kildare and Meath*, or any of them, at any Place out of the Public Office of the said Castle Division, nor to act as such Justice or Justices for the said Counties, or any of them, upon any Information or Informations tendered or offered to be sworn, where the Offence charged shall not amount to Treason or to Felony.

How far Justices of Castle Division compellable to act.

Divisional Justices of the Castle empowered to direct Rewards for the

XII. And be it further enacted, That in all Cases where any Treason or Felony shall have been or shall be committed in any Part of the Police District of *Dublin* Metropolis, whether within or without the local Limits of the Castle Division, it shall and may be

be lawful to and for the Divisional Justices of the said Castle Division, or any Two of them, by Warrants under their Hands and Seals, to direct that such Rewards or Recompence as they shall think proper shall be given to any Person or Persons who shall apprehend or prosecute, or who shall give Information tending to the Conviction of any Person or Persons who shall be accused of such Offences; and such Rewards shall be paid out of the Funds applicable to the Expences of the Police Establishment, provided that the Sum to be so given shall not in any Case exceed Twenty Pounds.

Apprehension  
of Offenders.

' XIII. And Whereas under and by virtue of the said recited Act of the Forty eighth Year of the Reign of His said late Majesty, it is necessary that Warrants granted by the said Divisional Justices, to break open any Dwelling House, Out-house, Shop, Warehouse, Cellar or other Place named in such Warrants, as shall not be opened on Demand after due Notice of such Warrants, in order to search for Traitors or Felons, or Accessories to any Traitors or Felons, or Receivers of stolen Goods, or to search for any Goods, Chattels or other Things stolen or feloniously taken or carried away, should respectively be so granted by Two Divisional Justices, and that One of such Divisional Justices should be an Alderman: And Whereas the Provisions of the said Act in such Respects have been found to be productive in many Instances of great Delay to public Justice; Be it therefore enacted, That from and after the passing of this Act it shall and may be lawful for any and every Constable appointed or to be appointed under the said recited Act, or who may be appointed under this Act, being duly authorized thereto by the Warrant of any One Divisional Justice of the said Police District of *Dublin* Metropolis, and which Warrant any One such Divisional Justice, whether he be an Alderman or not, on Information on Oath to him given, is hereby authorized to grant, to break open any Dwelling House, Outhouse, Shop, Warehouse, Cellar or other Place named in such Warrant, as shall not be opened on Demand after due Notice of such Warrant, in order to search for any Traitor or Felon, or for any accessory to any Traitor or Felon, or for any Receiver of stolen Goods, or to search for any Goods, Chattels or other Things stolen or feloniously taken or carried away; and any and every Warrant so to be granted by any such One Divisional Justice shall to all Intents and Purposes be as valid and effectual in the Law as any Warrant in any such Case by Two Divisional Justices, one thereof being an Alderman, have been or could have been under the said recited Act; and the Divisional Justice who shall grant, and the Constable or Constables who shall execute any such Warrant so herein and hereby authorized, shall respectively have the same Privileges, Benefits, Advantages and Defences, as by virtue or on the Foot of any such Warrant, and upon any Proceedings whatever brought, had or instituted against them by any of them, on account of the issuing or execution of any such Warrant, and in every other respect whatever, as the Divisional Justices or Constables respectively have heretofore respectively had or could have had under the said recited Act, in Cases where, conformably with the Provisions thereof in that

Constables em-  
powered to  
break open  
Dwelling  
Houses, &c. on  
the Warrant of  
One Divisional  
Justice, to  
search for  
Traitors,  
Felons, &c.

Three Divisional Justices, constituted as herein mentioned, empowered to appoint and swear in Special Constables, to act without Emolument.

Powers of such Special Constables.

Justices may annul such Appointment.

48 G. 3. c. 140.  
§ 54.

Behalf, such Warrants should or might have been granted by Two Divisional Justices, One thereof being an Alderman.

‘ XIV. And Whereas Occasions may arise where the Services of Special Constables, in addition to those ordinarily attached to the Establishment of the Police District of *Dublin* Metropolis, may be deemed necessary to the due Maintenance and Execution of the Law, and the effectual Preservation of the Public Peace within the said District;’ Be it therefore enacted, That from and after the passing of this Act it shall and may be lawful to and for any Three Divisional Justices of the said Police District, of whom One or more of the Divisional Justices of the said Castle Division shall constitute Part, in all Cases of actual Tumult, Riot or Felony, in any Part of the said Police District of *Dublin* Metropolis, or upon reasonable Apprehension thereof, grounded upon Information on Oath, and if the Exigency of the Occasion shall in the Judgment of such Divisional Justices so require, and such Justices are hereby authorized and empowered to appoint any Number of Persons to be Special Constables, to act as Constables within the said District for a certain Time to be limited by such Justices, without Fee or Reward, and to administer to such Persons so appointed the usual Oath administered to Constables appointed under the said recited Act of the Fourth eighth Year of His late Majesty’s Reign; and such Special Constables when so appointed and sworn in shall, during the Time so to be limited by such Justices, have all the same Powers, Authorities, Privileges, Protections and Advantages, and shall be subject to all the same Rules, Orders, Commands and Regulations, as Constables duly appointed under the said recited Act: Provided always, that no such Special Constable shall be so appointed or sworn in, unless he shall consent to act as Constable without any Emolument, Fee or Reward whatsoever: Provided also, that it shall and may be lawful to and for the Divisional Justices who shall have appointed such Special Constables, or the Majority of such Justices, before the Expiration of the Term during which such Constables shall have been authorized to act, to annul the Appointments made of such Constables either in the Whole or in Part, or to remove such Constables or any of them from the Office and Authority of Constables, and thereupon and after Notice given in that Behalf, all the Authorities, Powers and Privileges of any such Special Constable so removed, shall cease and determine to all Intents and Purposes whatsoever, and as if no such Appointment had ever been made.

‘ XV. And Whereas it is by the said recited Act among other Things enacted, that it shall be lawful for the Constables to be appointed under the Provisions of the said Act, or any of them, at all Times to enter into any Dwelling House or Place kept by any Victualler or Victuallers, or other Person or Persons selling or having Licence or Licences to sell Ale or Spirituous Liquors within the said Police District of *Dublin* Metropolis, and to apprehend and take into Custody every Journeyman, Apprentice, Servant, Artificer or Labourer, who shall be found therein drinking, tipping or gaming, at any Hours or Times which are or shall be prohibited by Law, not being a Lodger or Inmate in such House or Place, and to carry and convey such Persons so apprehended



' apprehended to the Public Office of the Division ; and that  
 ' every such Person, being duly convicted in a summary Way of  
 ' such Offence, be set in the Public Stocks for Two Hours, or be  
 ' committed to the House of Correction for any Time not ex-  
 ' ceeding One Month, at the Discretion of the Divisional Jus-  
 ' tices before whom such Person shall be so convicted : And  
 ' Whereas it is by the said recited Act further enacted, that if  
 ' any Victualler or other Person selling or licensed to sell Beer,  
 ' Ale or Spirituous Liquors, or any Person or Persons aiding or  
 ' assisting such Victualler or Person licensed as aforesaid, shall  
 ' prevent or endeavour to prevent, by Threats or Violence, the  
 ' said Divisional Justices respectively or any of them, or such  
 ' Chief Constable or other Constable, as in the said recited Act  
 ' mentioned, from entering any such Dwelling House or Place,  
 ' and searching for such idle and disorderly Persons, or shall  
 ' assault or otherwise resist such Divisional Justices, or any of  
 ' them, or such Chief or other Constable, every such Person so  
 ' offending shall, upon Conviction of every such Offence at the  
 ' Sessions for the proper County, forfeit and pay the Sum of One  
 ' hundred Pounds, or be committed to the House of Correction  
 ' for any Time not exceeding One Month, at the Discretion of  
 ' the Court before which such Person shall be so convicted : And  
 ' Whereas it is by the said recited Act further enacted, that  
 ' every such Victualler or Person licensed to sell Beer, Ale or  
 ' Spirituous Liquors, in whose Dwelling House or other Place  
 ' such Person or Persons as aforesaid, or any Soldier, or any  
 ' Person of the Female Sex, shall be found drinking, tipping or  
 ' gaming as aforesaid, shall, upon Conviction thereof, forfeit the  
 ' Sum of Two Pounds for the First Offence, and shall for the  
 ' Second Offence forfeit the Sum of Twenty Pounds, and shall  
 ' for the Third Offence forfeit such Licence altogether, and that  
 ' the same shall be null and void ; and that it shall not be neces-  
 ' sary, in order to warrant any such Conviction, that the Person  
 ' or Persons so found drinking, tipping or gaming, be previously  
 ' or at all convicted thereof : And Whereas the said recited Pro-  
 ' visions have not been found to be sufficiently effectual for the  
 ' Purposes intended ; Be it therefore enacted, That all and sin-  
 ' gular the said several last recited Provisions of the said recited  
 ' Act shall be and the same are hereby repealed, save only except  
 ' so far as relates to any Act, Matter or Thing done previous to the  
 ' passing of this Act, or to any Proceeding had or taken, or to be  
 ' had or taken, with regard to any Act, Matter or Thing under the  
 ' said recited Act.

§ 55.

§ 56.

repealed.

XVI. And be it further enacted, That from and after the  
 passing of this Act it shall and may be lawful for the Divisional  
 Justices of the Police District of *Dublin* Metropolis, or any One  
 of them, or for any Chief Constable, or for any Constable au-  
 thorized for the Purpose by any One Divisional Justice within  
 the Division for which such Justice shall be then acting, or by  
 any One Divisional Justice of the Castle Division, to enter into  
 any Dwelling House or Place kept by any Victualler or other  
 Person selling or having a Licence or Licences to sell Beer or  
 Ale or Spirituous Liquors within the said Police District of  
*Dublin* Metropolis, and to apprehend and take into Custody any

Divisional Jus-  
 tices, Consta-  
 bles, &c. em-  
 powered to  
 enter Dwelling  
 House kept by  
 Victualler, &c.  
 and to appre-  
 hend Journey-  
 men, Appren-  
 tices, &c. tip-  
 pling or gaming  
 therein at prohi-  
 bited Hours, not

being Lodgers or Inmates, and on Conviction before a Divisional Justice, the Party to be committed to the House of Correction for any Time not exceeding One Calendar Month.

Provido when Offender is a Soldier on Full Pay and attached to a Regiment.

Victuallers, &c. opposing the Entry of any Divisional Justice, &c. and Persons aiding and assisting, Penalty not exceeding 10*l*.;

and every Journeyman, Apprentice, Servant, Artificer, Labourer, Sailor, Seafaring Man or Soldier, or any Person of the Female Sex, who shall be found in such Dwelling House or Place, and who shall appear to be or to have recently been drinking, tipping or gaming therein, at any Hour or Time which is or shall be prohibited by Law, or after the Hour of Twelve o'Clock at Night, not being a Lodger or Inmate of such House or Place, and to carry and convey, or cause to be carried and conveyed, every and any such Person so apprehended to the Public Office of the Division in which such Dwelling House or Place shall be situate; and every such Person being duly convicted in a summary Way of such Offence, before any One or more of the Divisional Justices of such Division, or of the Castle Division, shall thereupon, for every such Offence, forfeit any Sum not exceeding Twenty Shillings nor less than Five Shillings, as such Divisional Justice or Justices shall think fit; and if any Offender so convicted shall not forthwith pay the Sum so forfeited, such Offender shall be committed to the House of Correction for any Time not exceeding One Calendar Month, at the Discretion of such Justice or Justices: Provided always, that upon every such Proceeding any and every Person apprehended and charged before such Justice or Justices as a Servant, Artificer, Labourer, Sailor, Seafaring Man or Soldier, shall be deemed and taken to be such respectively, unless satisfactory Evidence to the contrary thereof be given on his Behalf before such Divisional Justice or Justices; and that in all such Cases the Proof that the Person so apprehended and charged was a Lodger or Inmate in such House or Place where such Person shall have been apprehended, shall lie upon such Person respectively, and in the Absence of such Proof such Person shall be presumed not to have been such Lodger or Inmate: Provided also, that if any Offender convicted in Manner aforesaid shall be a Soldier on Full Pay, and attached to any Regiment in His Majesty's Service within the said Police District, a Communication shall be forthwith made thereof by the Justice or Justices before whom such Conviction shall have taken place, to the Commanding Officer of such Regiment; and the Offender so convicted shall be detained until delivered over to such Commanding Officer, or his Order, to be amenable to Military Discipline.

XVII. And be it further enacted, That if any Victualler or other Person selling or licensed to sell Beer, Ale or Spirituous Liquors, or any Person or Persons aiding or assisting such Victualler or Person selling or licensed to sell as aforesaid, shall prevent or endeavour to prevent, by Threats or Violence, any such Divisional Justice or Justices, or any Chief Constable or other Constable or Constables as aforesaid, from entering any such Dwelling House or Place, and searching for such Person or Persons as aforesaid, or shall assault or otherwise resist any such Divisional Justice or Justices, or any such Chief or other Constable or Constables as aforesaid, every such Person so offending shall, upon Conviction of any such Offence before any One Divisional Justice of the District in which such Dwelling House shall be situate, or before any One Justice of the Castle Division, forfeit and pay any Sum not exceeding Ten Pounds; the same.

in Default of Payment on Demand, to be levied by Distress and Sale of the Offender's Goods, and when levied to be paid over to the Receiver of the Public Offices of the said Police District; and in Default of a sufficient Distress for such Purpose, then it shall and may be lawful for such Divisional Justice to commit such Offender to the House of Correction, for any Space of Time not exceeding One Calendar Month, or until such Penalty shall be sooner paid.

Distress, and in Default Offender committed for One Month.

XVIII. And be it further enacted, That if any Victualler or other Person selling or licensed to sell Beer, Ale or Spirituous Liquors, shall not on Demand made of Entrance, by knocking or otherwise, so as to be heard within, admit any Divisional Justice or Justices, or any Chief or other Constable or Constables as aforesaid, into any Dwelling House or Place of such Victualler or other Person, for the Purpose of making such Search as aforesaid; or if such Victualler or other Person selling or licensed to sell as aforesaid, shall neglect or delay, for an unreasonable Time after such Demand of Entrance, to admit any Justice or Justices, or any Chief or other Constable or Constables as aforesaid, into any Dwelling House or Place of such Victualler or other Person, in order thereby to defeat or counteract the Object of such Search or intended Search as aforesaid, such Victualler or other Person so offending shall, upon due Proof hereof before any One Divisional Justice of the Division in which such Dwelling House or Place shall be situate, or before any One Justice of the Castle Division, forfeit and pay for every such Offence any Sum not exceeding Five Pounds, at the Discretion of such Justice; the same, in Default of Payment on Demand, to be levied by Distress and Sale of the Offender's Goods, and when levied to be paid over to the Receiver of the Public Offices; and in Default of a sufficient Distress, then it shall and may be lawful for such Divisional Justice to commit the Offender to the House of Correction, for any Space of Time not exceeding Fourteen Days, or until such Penalty shall be sooner paid.

Victuallers, &c. refusing to admit such Justices or Constables, Penalty not exceeding 5*l*.;

Distress.

XIX. And be it further enacted, That every Victualler or other Person selling or licensed to sell Beer, Ale or Spirituous Liquors, within the Police District of *Dublin* Metropolis, in whose Dwelling House or other Place any Journeyman, Apprentice, Servant, Artificer, Labourer, Sailor, Seafaring Man or Soldier, or any Person of the Female Sex, shall be found, or shall appear to be to have recently been drinking, tippling or gaming therein, at any Hour or Time which is or shall be then prohibited by Law, after the Hour of Twelve of the Clock at Night, not being a Lodger or Inmate in such House or Place, shall upon Conviction thereof in a summary Way, before any One of the Divisional Justices of the Division in which such Dwelling House or Place shall be situate, or before any One Justice of the Castle Division, forfeit and pay the Sum of Two Pounds for the First Offence, and shall for the Second Offence forfeit and pay the Sum of Twenty Pounds, and shall for the Third Offence forfeit and pay the Sum of Fifty Pounds; and upon Conviction for such Third Offence, the Licence of such Victualler or other Person shall be forfeited, and shall be and become absolutely null and void;

Victuallers, &c. in whose Houses Persons shall be found tippling or gaming, Penalty First Offence, 2*l*.; Second, 20*l*.; Third Offence 50*l*. and Forfeiture of Licence;

**Distress ;**

or Imprisonment, not exceeding One Month.

Proof to be on Victualler that Parties tippling were not Apprentices, &c. or were Lodgers.

48 G. S. c. 140.  
§ 75, 74.  
repealed.

Justices of Castle Division may make Rules for Stands and Drivers of hired Carriages, &c. to be approved of by Recorder.

void; and the said Penalties of Two Pounds, Twenty Pounds, and Fifty Pounds, in Default of Payment on Demand, shall be levied by Distress and Sale of the Offender's Goods, and when levied shall be paid over to the Receiver of the Public Offices; and in Default of sufficient Distress, it shall and may be lawful for the convicting Justice to commit the Offender to the House of Correction, for any Space of Time not exceeding One Calendar Month: Provided always, that upon the Trial of any Information or Complaint for any such Offence, any Person having been in such Dwelling House or Place, and who in or by such Information or Complaint shall be stated to be a Journeyman, Apprentice, Servant, Artificer, Labourer, Sailor, Seafaring Man or Soldier, shall be deemed and taken to be such respectively, unless satisfactory Evidence to the contrary thereof be given before such Justice; and that Proof that any Person so found was a Lodger or Inmate in such House or Place, shall lie upon such Victualler or other Person selling or licensed to sell as aforesaid: and in the Absence of such Proof, any such Person shall be presumed not to have been a Lodger or Inmate: Provided also, that it shall not be necessary in order to warrant any Conviction of any such Victualler or Person selling or licensed to sell as aforesaid, for any such Offence as aforesaid, that any Person or Persons so found in such House or Place, under such Circumstances as aforesaid, be previously or at all convicted of any such Offence.

XX. And be it further enacted, That so much of the said recited Act of the Forty eighth Year of His said late Majesty's Reign, as requires any Person opening or keeping an Hotel or Public House for the Entertainment of nightly Lodgers, to take out any Licence or to pay any Duty, or as imposes any Forfeiture or Penalty for or in respect of such Hotel or Public House for the Entertainment of nightly Lodgers, not being so licensed, shall be and the same is hereby repealed; save and except only so far as relates to any Proceeding had or taken or to be had or taken for the Recovery of any Duty for a Licence for keeping such Hotel or Public House, due and demandable at any Time before the passing of this Act, under the Provisions of the said recited Act; or for the Recovery of any Penalty legally incurred under the said recited Act at any Time before the passing of this Act.

XXI. And be it further enacted, That from and after the passing of this Act, it shall and may be lawful to and for the Divisional Justices of the Castle Division of the said Police District for the Time being, or any Two of them, from time to time to make such Rules and Regulations with respect to the Stands and Stations, and the orderly and regular Conduct of the Drivers of all Carriages (save and except Mail and Stage Coaches), Horses, Chaises, Jaunting Carts, Caravans and other Vehicles whatsoever, publicly plying or carrying Passengers in Hire to or from the City of Dublin, whether licensed or not, whenever such Carriages or other Vehicles respectively shall have arrived or shall be within the Police District of Dublin Metropolis, as to such Divisional Justices of the Castle Division shall seem fitting and expedient; provided always, that such

Rules

Rules and Regulations shall be sanctioned and approved of by the Recorder of the City of *Dublin*; and if any Driver of any such Carriage shall not duly conform to such Rules and Regulations so to be made and approved as aforesaid, or any of them, or shall be guilty of any Offence contrary thereto, such Driver shall, upon Conviction before the Divisional Justices of the said Castle Division, or any One of them, in a summary Way, forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, and in Default of Payment thereof upon Demand, shall be committed to the Common Gaol or House of Correction for a Period not exceeding Fourteen Days, or until such Fine shall be sooner paid.

Drivers not conforming, Penalty.

or Imprisonment.

‘ XXII. And Whereas by the said recited Act of the Forty eighth Year of the Reign of His late Majesty King *George* the Third, and certain Acts therein recited and referred to, the Provisional Justices of the Police District of *Dublin* Metropolis have now vested in them full Power and Authority to hear and determine in a summary Way all Disputes which may arise between any Pawnbroker and any Borrower touching or concerning any Pawn or Pledge; but the said Divisional Justices have not Power or Authority to enforce the due Performance of such Determination or Adjudication, by reason whereof divers ill-disposed Persons are enabled to avoid Justice; Be it therefore enacted, That from and after the passing of this Act, whenever any Dispute between any Pawnbroker and any Borrower, touching or concerning any Pawn or Pledge, shall be determined by the said Divisional Justices or any Two of them, and any Sum of Money shall be awarded to be paid, it shall be lawful, in case of Non-payment of any such Sum of Money, for such Divisional Justices making such Determination, by Warrant under their Hands and Seals, to cause the Amount of any Sum of Money so awarded to be paid, to be levied by Distress and Sale of the Goods and Chattels of the Persons who shall be ordered to pay the same; and for want of sufficient Goods to satisfy such Sum, it shall be lawful for such Divisional Justices, by like Warrant, to commit the Person against whom any such Order or Award shall be made to any House of Correction within the said Police District, for any Period not exceeding One Calendar Month, or until such Sum shall be sooner paid and satisfied.

Two Divisional Justices empowered to hear and determine between Pawnbrokers and Borrowers;

and to levy Money awarded by Distress;

If no Distress Imprisonment.

‘ XXIII. And Whereas under and by virtue of a certain Provision in the said recited Act, passed in the said Forty eighth Year of the Reign of His said late Majesty, it is required that the same Watch Constables and Watchmen should not be Two succeeding Nights in the same Watch House; and such Regulation has been found inconvenient in Practice; Be it therefore enacted, That so much of the said recited Act as enjoins such Dispositions of the Watch Constables and Watchmen, shall be and the same is hereby repealed; and that from and after the passing of this Act, the Arrangement in all respects of the said Watch Constables and Watchmen, with reference to the Watch-houses, shall be and the same is hereby committed to the Superintendance and Direction of the Divisional Justices of the Castle Division; and it shall be lawful for such Justices, or any Two of them, and they are hereby authorized, empowered and required from

48 G. S. c. 148, § 99. repealed.

Divisional Justices to make Rules for Management of the Watch.

from time to time to make such Rules as shall appear to such Justices to be expedient or necessary in that Behalf.

Constables of Nightly Watch, between Eight in the Afternoon and Six in the Forenoon, may take Bail, &c. from Persons in Custody charged with petty Misdemeanors.

Recognizances to be taken and entered into a Book.

In Default of Appearance Recognizance to be estreated.

Divisional Justices may enlarge Recognizance.

XXIV. And for the better Administration of the Police within that Portion of the Police District of *Dublin* Metropolis consisting of the City of *Dublin* and those Parts of the County of *Dublin* which are contiguous thereto; Be it therefore enacted, That it shall and may be lawful for the Constables of the Nightly Watch, and each of them, appointed or to be appointed under the Authority of the said recited Act of the Forty eighth Year of the Reign of His said late Majesty King *George* the Third. in the respective Watchhouses which they shall or may be appointed to attend, between the Hours of Eight in the Afternoon and Six in the Forenoon, to take Bail by Recognizance, without Fee or Reward, from any Person who shall be brought into the Custody of them or any of them within the said Hours, without the Warrant of a Divisional or other Justice of the Peace, charged with any petty Misdemeanor, if such Constable shall deem it prudent to take such Bail, for the Appearance of such Person before the Divisional Justices, or One of them, at One of the said Public Offices, to be specified in the Recognizance, for Examination, at the Hour of Nine in the Forenoon next after such Recognizance shall be taken, unless that Hour shall fall on a *Sunday*, and in that Case at the like Hour on the succeeding *Monday*; and that every Recognizance so to be taken shall be of equal Obligation on the Parties entering into the same, and liable to the same Proceedings for the estreating thereof, as if the same had been taken before One of the said Divisional Justices; and every such Constable respectively shall enter in a Book, to be kept for that Purpose in every Watchhouse, the Name, Residence and Occupation of any Party, and his or her Sureties, entering into such Recognizance, together with the Condition thereof, and the Sums respectively acknowledged, and shall lay the same before such Divisional Justices or Justice as shall be present at the Time and Place when and where the Party is required to appear; and if the Party does not appear at the Time and Place required, or within One Hour after, the said Divisional Justices or Justice shall cause a Record of the Recognizance to be drawn up, to be signed by such Constable as aforesaid, and shall return the same to the next General or Quarter Sessions of the Peace for the City of *Dublin*, or for the County of *Dublin* respectively, as the Case may require, in which the Offence charged should be brought to Trial, with a Certificate at the Back thereof, signed by such Divisional Justice or Justice, that the Party has not complied with the Obligation therein contained, and the Clerk of the Peace shall make the like Estreats and Schedules of every such Recognizance, as of Recognizances forfeited in the Sessions of the Peace; and if the Party not appearing shall apply by any Person on his Behalf to postpone the Hearing of the Charge against such Party, and the Divisional Justices or Justice shall think fit to consent thereto, the said Justices or Justice shall be at liberty to enlarge the Recognizance to such further Time as they or he shall appoint; and when the Matter shall be heard and determined, either by the Dismissal of the Complaint, or by binding the Party over to answer the

the Matter thereof at the Sessions, or other Court of competent Jurisdiction for the Trial thereof, the Recognizance for the Party's Appearance before the Divisional Justices or Justice shall be discharged without Fee or Reward.

How discharged.

XXV. And be it further enacted, That in any Proceeding by or before any Divisional Justice or Justices of the District of *Dublin* Metropolis, or by or before any Divisional Justice or Justices of the Castle Division, acting in pursuance of any special Authority or Jurisdiction as such Justices or Justice of the said Castle Division, it shall not be necessary for the summoning of any Witness under the said recited Act of the said Forty eighth Year of His said late Majesty's Reign, or under this Act, that any Summons or Notice or Order whatsoever shall be personally served on any such Witness, but it shall in all such Cases be sufficient that such Summons, Notice or Order be served Twenty or Hours previous to the Time appointed for hearing or proceeding on any Process to which such Summons shall relate, at the Place or Places of Abode of any such Witness or Witnesses.

Service of Summons on Witnesses sufficient, if left at the Place of Abode.

XXVI. And be it further enacted, That if any Person or Persons shall be summoned as a Witness or Witnesses to give Evidence before any Divisional Justice or Justices of the Police District of *Dublin* Metropolis, touching any Offence or other Matter or Thing to be determined under the said recited Act of the Forty eighth Year of His late Majesty's Reign, or this Act, and on the Part of the Prosecutor 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 Neglect or Refusal, to be allowed of by such Justice or Justices, or appearing shall refuse to be examined

Witnesses not attending, &c. Penalty, leviable by Distress or Imprisonment, not exceeding 14 Days, or till Penalty sooner paid.

Oath, and to give Evidence before such Justice or Justices before whom the Prosecution or Proceeding shall be depending, every such Person so offending shall, upon due Proof thereof before such Justice or Justices, forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, at the Discretion of such Justice or Justices; the same, in Default of Payment on Demand, to be levied by Distress and Sale of the Goods and Chattels of the Offender, and when levied to be paid over to the Receiver of the Public Offices; and in Default of sufficient Distress, it shall be lawful for such Justice or Justices to commit the Offender to the House of Correction for any Space of Time not exceeding Fourteen Days, or until such Penalty shall be sooner paid.

XXVII. And be it further enacted, That at any Time after the passing of this Act it shall and may be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, to direct any Yearly Sum, not exceeding the Sum of Six hundred Pounds, clear of all Taxes and Deductions, to be paid out of the Funds applicable to the Expence of the said Office Establishment to the Recorder of the City of *Dublin*, from Time to Time for the Time being, in Augmentation of his Salary, over and above and in addition to any Yearly and other Sum of Money to which such Recorder is or may be entitled under the said recited Act of the Forty eighth Year of His said late Majesty, or otherwise howsoever: Provided always, that it shall not

Lord Lieutenant may increase Recorder's Salary.

be

Recorder not to practise in any Court in District of Metropolis.

be lawful for any Person who now holds, or who shall hereafter hold the Office of Recorder of the said City, to act or practise as Counsel in any Criminal or Civil Court within the Police District of the said Metropolis of *Dublin*, at any Time after the Expiration of One Calendar Month next after the passing of this Act.

Application of Penalties.

XXVIII. And be it further enacted, That all Fines, Penalties and Forfeitures payable under this Act, shall, when the same shall be imposed on the Prosecution of an Informer, be paid, after deducting the necessary Costs of recovering the same, One Moiety to the Receiver of the Public Offices in the said Police District of *Dublin* Metropolis, and the other Moiety to the Informer or Person who shall sue for the same; and that all Fines, Penalties and Forfeitures payable under this Act, other than such as last before mentioned, shall be paid to the said Receiver: and all Sums so paid to the said Receiver shall go in Aid of the Funds of the Police District of *Dublin* Metropolis.

Informer a competent Witness.

XXIX. And be it further enacted, That in all Cases of Complaints or Informations under this Act, or by virtue thereof, for any Offence for which any Fine or pecuniary Penalty is to be imposed, the Informer or Prosecutor shall be deemed a competent Witness to prove the Offence, and his Testimony, if believed, shall be sufficient for that Purpose, without any other Evidence.

Form of Conviction.

XXX. And be it further enacted, That all Convictions for any Offence or Offences under or by virtue of this Act, may be in the same summary Form as is allowed by the said recited Act of the Forty eighth Year of His said late Majesty's Reign, for Convictions under that Act, with the like Benefit of Appeal, in all Respects, as under the said recited Act; and no Conviction to be had before any of the said Divisional Justices under or by virtue of this Act, or the said Act passed in the said Forty eighth Year of the Reign of His said late Majesty, shall be quashed for any Defect of Form, nor shall any Conviction under this Act, or the said recited Act, nor any Affirmation or Reversal thereof under Appeal, be removed, by *Certiorari* or otherwise, into any of His Majesty's Superior Courts.

No Conviction quashed for want of Form.

No Certiorari.

Reputation that Persons hold Office under this Act sufficient Evidence of Appointment.

XXXI. And be it further enacted, That if it shall become necessary to prove the Power, Office, Authority or Appointment of any of the Divisional Justices or Constables, or of the Receiver, or of any other Officer or Person appointed or acting under or by virtue of this Act as aforesaid, it shall in all Cases be sufficient, to all Intents and Purposes, to prove that the said Person or Persons, at the Time in question, was or were commonly known or reputed to hold such Office or Situation respectively; and it shall not in any such Case be necessary to produce or prove any Appointment or Qualification whatsoever of such Person or Persons.



## C A P. CIII.

An Act to make further Provision, and to amend and render more effectual Three Acts, passed in the Fifty eighth and Fifty ninth Years of His late Majesty, and in the Third Year of His present Majesty, for building and promoting the building of additional Churches in populous Parishes.

[24th June 1824.]

WHEREAS an Act passed in the Fifty eighth Year of the Reign of His late Majesty, intituled *An Act for building and promoting the building of additional Churches in populous Parishes*: And Whereas another Act passed in the Fifty ninth Year of the Reign of His late Majesty, intituled *An Act to amend and render more effectual an Act passed in the last Session of Parliament, for building and promoting the building of additional Churches in populous Parishes*: And Whereas another Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend and render more effectual Two Acts passed in the Fifty eighth and Fifty ninth Years of His late Majesty, for building and promoting the building of additional Churches in populous Parishes*: And Whereas the Sums issued and applied under the Provisions of the said recited Acts have been found inadequate; and it is therefore expedient that a further Sum should be issued for the Purposes of the said Acts, and that further and additional Provisions should be made for rendering the said recited Acts more effectual: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the King's most Excellent Majesty, by Warrant or Warrants under His Royal Sign Manual, to authorize and empower the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, now or for the Time being, or any Three or more of them, or the Lord High Treasurer of the United Kingdom of *Great Britain and Ireland* for the Time being, to cause or direct any Number of Exchequer Bills to be made out at His Majesty's Exchequer at *Westminster*, not exceeding in the Whole the Sum of Five hundred thousand Pounds, in the same or like Manner, Form and Order, and according to the same or like Rules and Directions (except where other Directions for making the same are contained and particularly expressed in the said recited Acts or either of them, or this Act), as in and by an Act made in the Forty eighth Year of His late Majesty, intituled *An Act for regulating the issuing and paying off of Exchequer Bills*, as enacted and prescribed.

II. And be it further enacted, That all and every the Clauses, Powers, Authorities, Provisions, Regulations, Privileges, Advantages, Penalties and Forfeitures contained in the said recited Acts the Forty eighth and Fifty eighth and Fifty ninth Years of His Majesty's Reign, shall be applied and extended to the Exchequer

58 G.S. c.45.

59 G.S. c.134.

3 G.4. c.72.

His Majesty may authorise Commissioners of Treasury to issue Exchequer Bills to the Amount of 500,000*l*.

48 G.S. c.1.

Powers of recited Acts to extend to Exchequer Bills made out under this Act.

chequer Bills to be made out in pursuance of this Act (except so far as the same or any of them may be altered by this Act, as fully and effectually to all Intents and Purposes as if the said Clauses, Powers, Authorities, Provisions, Regulations, Privileges, Advantages, Penalties and Forfeitures had been particularly repeated and re-enacted in the Body of this Act.

Exchequer Bills issued in pursuance of this Act to bear a certain Rate of Interest.

III. Provided always, and be it further enacted, That the Exchequer Bills to be made out in pursuance of this Act shall and may bear such Interest as may be directed by the Lord High Treasurer or Lords Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, not exceeding the Rate of Two Pence *per Centum per Diem* upon or in respect of the Whole of the Monies respectively contained therein; and that all such Bills as shall be advanced for the Purposes of carrying the said Acts or this Act into Execution, shall be made payable at such Periods, and together with the Interest that shall be due thereon shall be paid off and discharged out of such Aids and Supplies granted by Parliament for the Service of any Year, as in each and every Exchequer Bill so made forth shall be particularly specified and expressed, pursuant to such Directions as shall be given in that Behalf to the Auditor of the Receipt of Exchequer, by Warrant or Warrants from the said Commissioners of His Majesty's Treasury, or any Three or more of them for the Time being.

Commissioners under recited Acts to apply for Exchequer Bills.

IV. And be it further enacted, That from time to time, as the Commissioners appointed for the Execution of the said recited Acts shall find it necessary to apply to the Purposes thereof and of this Act any Amount of such Bills to be advanced under the Provisions of the said recited Acts or of this Act, the said Commissioners shall forthwith represent the same to the said Commissioners of the Treasury of the United Kingdom of *Great Britain and Ireland*, and the said Commissioners, or any Three or more of them for the Time being, shall thereupon, if satisfied of such Necessity, direct the said Commissioners to issue a Certificate to be signed by any Three or more of them, to such Person or Persons as may be authorized to receive the same, containing the Amount so by the said Commissioners intended to be advanced by Exchequer Bills; which Certificate shall and may be presented to the Auditor at the Receipt of Exchequer at *Westminster*, and the said Auditor shall, immediately upon the Receipt of such Certificate, deliver to the Bearer thereof a like Amount in Exchequer Bills, to be made out in pursuance of the said recited Act or of this Act, and payable at such Period as shall in such Exchequer Bills be specified and expressed, provided that the total Amount so to be issued by virtue of such Certificates shall not at any Time exceed the Amount directed to be advanced under the Provisions of this Act; and every such Exchequer Bill shall bear Date on the Day on which such Certificate shall be so received by the said Auditor, or on such other Day as in such Certificate shall be specified, any Thing in the said recited Act, to the contrary notwithstanding; and all such Exchequer Bills so to be delivered shall and may be signed by the said Auditor, or in his Name, by any Person duly authorized to sign Exchequer Bills.

Date of such Exchequer Bills.

Delivery and signing thereof.

V. And

V. And Whereas in many Parishes and Extra parochial Places in which the Churches and Chapels are inadequate to the Accommodation of One Fourth of the Parishioners, and to which Sums may not be granted under the Provisions of this or any other former Act for building additional Churches or Chapels, or in which the additional Churches or Chapels for which Sums may have been or may be granted may not afford Accommodation for One Fourth of the Inhabitants of such Parish, Chapelry, Township or Extra parochial Place, there may be Persons belonging to the Church of *England* who may be desirous of building or purchasing Churches or Chapels for the Performance of Divine Service according to the Rites of the Church of *England*: And Whereas it is highly desirable that every Facility should be afforded for the Execution of so laudable a Purpose; Be it therefore enacted, That whenever any twelve or more substantial Householdors of any Parish, Township or Extra parochial Place, shall certify in Writing to the Bishop of the Diocese within which such Parish, Chapelry, Township or Extra parochial Place shall be situate, that there is not Accommodation for more than One Fourth of the Inhabitants thereof for the Attendance upon Divine Service according to the Rites of the Church of *England*, and that they or some of them, either by themselves or with the Assistance of other Persons belonging to the Church of *England*, are desirous of raising or private Subscription such Sum as may be necessary for building or purchasing a Church or Chapel, or any Building or Buildings to be used as a Church or Chapel for the Performance of the said Service, and to provide out of Pew Rents of such Church or Chapel a competent Stipend for the Spiritual Person who may officiate therein, and for a Clerk thereof, and for all other Expences incident to the Performance of Divine Service, and for maintaining the said Church or Chapel, and the said Bishop shall be satisfied of the several Particulars contained in such Application, it shall be lawful for such Bishop, if he shall think fit, to signify his Consent to the building or purchasing of such Church or Chapel, as the Case may be, according to such Plan, and upon such Site as shall be submitted to and approved by him for that Purpose.

VI. And be it further enacted, That the several and respective Persons proposing to build or purchase any such Church or Chapel, or any such Building as aforesaid, and their Assigns, respectively subscribing for that Purpose Sums of not less than fifty Pounds each, shall elect Three Trustees from amongst themselves, for the Management and general Regulations of the temporal Affairs of such Church and Chapel, and for the Nomination to the Bishop, for a limited Period, of a Spiritual Person to serve the same; and such Trustees shall be called Life Trustees of such Church or Chapel, and shall continue such Trustees so long as any Spiritual Person nominated by them under the Provisions of this Act shall serve such Church or Chapel.

VII. And be it further enacted, That in case any of the Persons first appointed Life Trustees of any such Church or Chapel, shall during the Period above mentioned happen to die, or shall signify to the other Life Trustees his Resignation of such Trust,

Bishops may consent to building of additional Churches or Chapels, or to Purchase of Buildings for that Purpose, upon Application and Certificate, and at the Expence of Persons herein mentioned.

Subscribers may elect Three Life Trustees for Management of Church, &c. and Nomination of Spiritual Person to serve it.

Upon Death or Resignation of Life Trustees, new ones may

be chosen to supply the Vacancy.

it shall be lawful for the Majority of the Persons who have subscribed towards the building or purchasing such Church or Chapel Sums, not less than Fifty Pounds each, and being Owners or Renters of Pews in the same, who shall be present at any Meeting to be called for that Purpose, and which Meeting any One or more of such Trustees are hereby authorized and required to call and appoint, upon Fourteen Days' Notice at the least being affixed to the Door of such Church or Chapel, upon the Two *Sundays* next preceding the Day on which such Meeting is intended to be held, from time to time to nominate and appoint, by Writing under their Hands, any other Person having subscribed a Sum not less than Fifty Pounds, and being an Owner or Renter of a Pew in such Church or Chapel, and a Member of the Church of *England*, a Life Trustee in the Place of the Life Trustee so dying or resigning; and every such new Life Trustee shall in every respect be vested with such and the like Powers and Authorities, to all Intents and Purposes, as the Person to whose Place he may be nominated and appointed as aforesaid.

Subscribers not exceeding Three deemed Trustees, and may by Deed or Will appoint Successors.

VIII. And be it further enacted, That if the Number of Persons subscribing to build or purchase such Church or Chapel shall not exceed Three, such Person or Persons shall be and be deemed to be the Life Trustee or Life Trustees of such Church or Chapel, under the Provisions of this Act, and shall have, use and exercise all such and the like Powers and Authorities to all Intents and Purposes, as any such Life Trustees as aforesaid, chosen under the Provisions of this Act, may use and exercise; and in case of the Death or Resignation of any such Life Trustee, the Person nominated by him, being a Member of the Church of *England*, by his last Will and Testament, or by any Instrument signed by him, shall be a Life Trustee in his Place.

Bishop may consent upon Application herein mentioned, to build a Church or Chapel by Subscription, &c.

IX. And be it further enacted, That in any Case in which Application shall be made to the Bishop of any Diocese for his Consent to the building or purchasing any Church or Chapel, or Buildings to be used as a Church or Chapel, in any Parish, Chapelry, Township or Extra parochial Place, situate within the said Diocese, for the Purpose aforesaid, by any Person or Persons belonging to the Church of *England*, who may be willing to subscribe One half Part at the least of the Money necessary for building or purchasing the same, jointly with the Parishioners of such Place, who may be willing to raise the Remainder of the Money by Rates, or to raise and borrow such Sum upon the Credit of the Rates of such Place, and the said Bishop shall be satisfied of the several Particulars contained in such Application, it shall be lawful for such Bishop, if he shall think fit, to signify his Consent thereunto.

Application to Bishop to state certain Particulars as to Service and Free Seats.

X. Provided always, and be it further enacted, That every Application which shall be made under the Provisions of this Act to the Bishop of any Diocese, shall state that the Church or Chapel is to be appropriated to the Performance of Divine Service according to the Rites of the Church of *England*, and shall offer to set apart such Number or Proportion of Free Seats as is required by the said recited Acts in Cases in which Churches or Chapels are built or purchased under the Provisions of the said recited Acts, with any Money advanced by the Commissioners under

under the said recited Acts, and shall also offer to provide out of the Pew Rents arising from the remaining Part of the Seats of such Church or Chapel, a competent Salary for the Spiritual Person who may officiate therein, and for all other Expences incident to the Performance of such Divine Service, and for maintaining the said Church or Chapel: Provided also, that no Pew Rents shall be taken, nor any Service performed in such Church or Chapel, whether built or purchased by Subscription only, or jointly by Subscription and by Rates, before the same shall have been duly consecrated, and a Duplicate Copy of such Application, with the Assent of the Bishop of the Diocese to the same, shall be deposited in such Church or Chapel.

XI. And be it further enacted, That the Persons or Parishioners of any Parish or Place as aforesaid, making such Application to the Bishop, shall in every such Case, at the Time of making the same, give Notice in Writing thereof to the Patron and Incumbent of the Church of the Parish, Chapelry, Township or Extra parochial Place in which it is proposed to build or purchase any such Church or Chapel, in order to afford to such Patron or Incumbent the Opportunity of laying before the Bishop any Statement in Writing relating thereto, and that the said Bishop shall not signify his Consent to such Application within three Calendar Months from the Time when he shall have received the same, together with a Certificate that the said Notice as been given.

XII. And be it further enacted, That the Life Trustee or Trustees of any such Church or Chapel which shall be built or purchased by private Subscription, may nominate for the first two Turns which shall occur after the Consecration of the Church or Chapel, or for any Number of Turns which may occur during the Space of Forty Years after the same, to the Bishop of the Diocese, for his Approbation and Licence, a spiritual Person to serve the same; and all subsequent Nomination shall be in the Incumbent of the Parish or Extra parochial Place in which such Church or Chapel shall be built or purchased; unless in case of such Chapel being made a District Church as hereinafter mentioned, in which Case such subsequent Nomination shall be in the Patron of the Church of the original Parish; and in case of any Neglect of any Trustee or Trustees, Patron or Incumbent respectively, to make such Nomination, the same shall lapse, as in the Case of actual Benefices; and if all the Subscribers entitled to elect Trustees shall die before such Nominations shall have been made, or such Forty Years shall be elapsed as aforesaid, then and in every such Case the Nomination shall be made by the Incumbent during such Period: Provided also, that if all such Subscribers shall die, so that no such Election of any Trustee can be made, and any One of the Trustees for the Time shall die or vacate, then and in every such Case the Incumbent for the Time being shall be and become a Trustee, and use and exercise all Powers and Authorities given to Trustees under the Provisions of this Act.

XIII. Provided always, and be it further enacted, That in any Case in which any such Church or Chapel shall be built or purchased in Part by Means of any Rates to be raised in any Parish, Chapelry,

In every such Case, Notice of Application to Bishop to be given to Patron and Incumbent.

Life Trustees to nominate as herein mentioned a Minister of Church, &c.; subsequent Nominations to be by Incumbent; Exception.

To lapse if Trustees do not nominate.

If Church or Chapel built in part by Rates, Incumbent to

nominate;  
Exception.

Church or  
Chapel and  
Ground, &c. to  
vest in such  
Persons as shall  
be specified in  
Sentence of  
Consecration.

Life. Trustees  
or Church-  
wardens may  
dispose of  
Vaults, &c. and  
after paying the  
Dues to which  
the Incumbent  
is entitled, the  
Remainder  
shall form a  
Fund for sup-  
plying Defi-  
ciencies in  
Minister's  
Salary, and for  
Repairs.

Chapelry, Township or Extra parochial Place, the first and subsequent Nominations of the Minister of such Church or Chapel shall be in the Incumbent of the Church of the original Parish in which the same shall be built or purchased, except in case of such Church or Chapel being made a District Church, when the same shall vest in the Patron as aforesaid.

XIV. And be it further enacted, That from and after the Completion of every such Church or Chapel, the Land, Ground and Scite whereon the same shall be built, with the Cemetery thereto belonging, if any, and which Land, Ground and Scite shall be specified and described in the Sentence of Consecration of the Church or Chapel, shall be and the same are hereby declared to be vested in such Person or Persons and their Successors for ever, by such Name and Style as shall be specified in the Sentence of Consecration of the Church or Chapel; and such Person or Persons shall in every such Case have perpetual Succession in the Name and Style specified in the Sentence of Consecration, and shall hold the Lands, Grounds and Scites so vested in them as Bodies Corporate, by such Name and Style, without incurring or being subjected to any of the Penalties or Forfeitures of the Statute of Mortmain, or of any other Law or Statute whatsoever, to the Use, Intent and Purpose that every such Church or Chapel, with the Cemetery to the same, if any, shall, when consecrated, be for ever thereafter set apart and dedicated to the Service of Almighty God, as a Place of Divine Worship, according to the Liturgy and Usages of the United Church of *England* and *Ireland* as by Law established, and be subject to the Bishop of the Diocese as such.

XV. And be it further enacted, That it shall be lawful for the Life Trustees or Churchwardens respectively of any such Church or Chapel, and their Successors, and they are hereby authorized and empowered to sell and dispose of the Vaults or Burial Places under any such Church or Chapel, and of Vaults or Burial Grounds in the Cemetery or Yard of the Church or Chapel, if there shall be any Cemetery or Burial Ground thereto: and such Life Trustees or Churchwardens respectively are hereby empowered and required to pay to the Incumbent of the Parish such Dues or Sums as such Incumbent would be entitled to and have, of Vaults or Burial Places of a like Description in the Church of the Parish, and shall, after making such Payments, invest or lay out the Remainder of the Monies thence arising in some Public Funds, Stocks or Securities, from time to time, and also from time to time in like Manner to lay out the Interest, Dividends or Proceeds of such Public Funds, Stocks or Securities, or such Part thereof as shall not be applied under the Provisions of this Act, in like Funds, Stocks or public Securities; and such Life Trustees or Churchwardens shall, out of such Interest, Dividends or Proceeds, from time to time make good any Deficiencies, if any shall arise, in the Payment of the Stipends or Salaries of the Minister or Clerk of the Church or Chapel, or any other Payments or incidental Expences to be paid from the Produce of the Rents of Pews or Seats, by reason of the Rents of Pews not being adequate to the Payment of such Stipends, Salaries or Expences; and in the next Place shall apply such Interest,

Interest, Dividends and Proceeds in the maintaining, supporting and repairing the Church or Chapel: Provided always, that if by reason of any such Funds, or if the Produce of Pew Rents being more than sufficient for all the Purposes to which the same are made applicable under the Provisions of this Act, there shall be a Surplus of annual Income, then and in any such Case such Surplus shall be applied in subsequent Years to the Purposes to which Pew Rents are applicable; and the Pew Rents shall in every such Case be reduced rateably and in equal Proportions, or a larger Number of Free Seats shall be opened, as the Bishop of the Diocese shall order and direct.

Application of Surplus Income.

XVI. And be it further enacted, That it shall be lawful for the said Commissioners, with Consent of a Majority of the Subscribers entitled to elect the Trustees of any such Church or Chapel, and of the Bishop, and of the Patron and Incumbent, to make any such Church or Chapel a District Church or Chapel, under the Provisions of the said recited Acts and this Act.

Churches, &c. may by Consent be made District Churches.

XVII. And be it further enacted, That at the Expiration of the Forty Years all such Churches and Chapels shall become in all respects District Churches, without any Consent being obtained for that Purpose, if His Majesty in Council shall have made a Division of the Parish or Extra parochial Place for that Purpose, in Manner directed by the said recited Acts, or shall remain Parochial Chapels if no such Division and Appropriation of any such Churches or Chapels to a District shall have been made.

In what case at Expiration of 40 Years to become District Churches without Consent.

XVIII. And be it further enacted, That all the Powers, Authorities, Provisions, Regulations, Clauses, Penalties and Forfeitures in the said recited Acts or any or either of them contained, for the securing, recovering and paying the Salaries of Spiritual Persons, and for the Recovery of Pew Rents, and all Regulations as to the Number or Proportions of Free Seats in Churches or Chapels built or purchased wholly or in part with Money advanced by the Commissioners under the Provisions of the said recited Acts, shall extend and be in full force, and be applied in all Cases of any such Churches or Chapels as aforesaid, being built or purchased by Subscription or by Rates, under the Provisions of this Act, as fully and effectually, to all Intents and Purposes, as if the same and each and every of them were severally and separately re-enacted and repeated in this Act.

Powers of recited Acts for Recovery of Salary of Minister and Pew Rents, to apply to Churches and Chapels built by Subscription, &c.

XIX. And Whereas Doubts are entertained whether, since the Duchy of Cornwall became vested in His Majesty, any Lands, Grounds, Tenements or Hereditaments, Parcel of the said Duchy, can be granted, conveyed or enfranchised under the Provisions of the said Acts for the Purposes thereof: And Whereas an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act to enable His Majesty to make Leases, Copies and Grants of Offices, Lands and Hereditaments, Parcel of the Duchy of Cornwall, or annexed to the same;* Be therefore enacted, That it shall be lawful for any Three or more of the regular Officers of the said Duchy, who by virtue of their several Offices are concerned in the general Superintendance and Management of the Revenue and Affairs of the said Duchy,

Certain Officers of the Duchy of Cornwall empowered to grant Lands for and

the Purposes of  
the recited Acts.  
3 G. 4. c. 78.

and duly authorized by His Majesty, under the Provisions of the said last recited Act, by any Deed or Instrument under their Hands and Seals in the Form prescribed by the said recited Act of the Third Year of His present Majesty, or as near thereto as Circumstances will permit, to grant, convey or enfranchise Lands, Grounds, Tenements or Hereditaments for any such Purposes of the said recited Acts, or any or either of them, as are in the said Acts or any or either of them specified, in relation to Grants to be made by Public Departments under the said Acts.

C A P. CIV.

An Act to amend an Act of the Third Year of His present Majesty, respecting Superannuation Allowances.

[24th June 1824.]

3 G. 4. c. 113.  
§ 10.

WHEREAS an Act was passed in the Third Year of the Reign of His present Majesty King George the Fourth, intituled *An Act to amend an Act passed in the Fiftieth Year of His late Majesty, for directing that Accounts of Increase and Diminution of public Salaries, Pensions and Allowances shall be annually laid before Parliament, and for regulating and controlling the granting and paying such Salaries, Pensions and Allowances*: And Whereas it is expedient that certain of the Provisions in the said Act passed in the Third Year of His present Majesty, relative to a Fund towards the Payment of Superannuation Allowances, and also relative to the charging One Moiety only of such Superannuation Allowances on the Funds of Departments, should be repealed: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, all such Parts of the said Act of the Third Year of His present Majesty as charge the Salaries and Emoluments of Persons to whom Superannuation Allowances may be granted under the Provisions of that Act, with any Deductions or Payment by way of Contribution for the Purpose of creating, raising and maintaining a Superannuation Fund towards the Payment of such Superannuation Allowances, and all Regulations and Provisions whatever relative to such Deductions or Payments, or to the Management thereof, and also all such Parts of the said Act as charge the Funds of Public Departments or Offices with One Moiety only of such Superannuation Allowances as may be granted to any Officers or Persons serving therein, or belonging thereto respectively, shall be and the same are hereby repealed and made void.

Such Parts of  
recited Act as  
charge Salaries  
with Contribu-  
tions for main-  
taining a Su-  
perannuation  
Fund, repealed.  
§ 15.

On what Funds  
Superannuation  
Allowances  
shall be charged  
in future.

II. And be it further enacted, That from and after the passing of this Act the Whole of every such Superannuation Allowance, as may have been or may be granted under the Provisions of the said recited Act, shall be charged upon and made payable out of the Funds of the respective Departments or Offices in which the Persons receiving such Allowances shall have served, in such and the same Manner as the Moieties of such Superannuation



annuation Allowances are, by the same Act, charged and made payable.

III. And be it further enacted, That all and every Sum and Sums of Money which, under the Provisions of the said recited Act, shall have been contributed and paid by, or which shall have been deducted from the Salaries or Emoluments of any such Officers or Persons, shall be repaid to all such Officers and Persons respectively, or to the Executors or Administrators of such of them as may be deceased, in such Manner and Form as the Commissioners of His Majesty's Treasury, or any Three or more of them, shall from time to time direct; and the Commissioners for the Reduction of the National Debt, and the Heads of all Offices and Departments respectively, shall duly observe and perform all such Orders, Rules and Regulations, as the Commissioners of His Majesty's Treasury, or any Three or more of them, may from time to time prescribe for their Guidance in repaying to the several Officers or Persons aforesaid, or the Executors or Administrators of such of them as may be deceased, all such Sum and Sums of Money as they may be respectively entitled to receive under the Provisions of this Act.

Contributions made under recited Act to be repaid to Contributors.

#### C A P. CV.

An Act further to continue and to amend an Act made in the Third Year of His present Majesty's Reign, for suppressing Insurrections and preventing Disturbances of the public Peace in *Ireland*. [24th June 1824.]

WHEREAS an Act was passed in the Third Year of the Reign of His present Majesty, 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 by an Act passed in the last Session of Parliament was continued until the First Day of August One thousand eight hundred and twenty four: And Whereas it is expedient that the said Act should be further continued and amended: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said 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 four until the First Day of August One thousand eight hundred and twenty five, as the same is amended by this Act.

3 G. 4. c. 1. as continued by 4 G. 4. c. 58.

continued till Aug. 1, 1825, and amended.

II. And be it further enacted, That in all Cases whenever any Persons shall be apprehended under or by virtue of the said recited Act of the Third Year of His present Majesty's Reign, it shall and may be lawful for any Two or more Justices of the Peace acting together, to admit to Bail or to refuse to admit to bail any Person so apprehended; and in case such Justices shall think fit to admit any such Person to Bail, such Person shall be

Power to Two Justices to admit or refuse to Bail Persons apprehended under recited Act.

admitted to Bail to take his or her Trial for the Offence with which such Person shall be charged, at the next Special Sessions which shall be held under the Provisions of the said recited Act for the County or Place within which such Offence was committed.

‘ III. And Whereas by the said recited Act it is enacted, that the Assistant Barrister of any County which, or any Part of which, shall be proclaimed under the said recited Act, shall repair to such County and shall continue in the said County, and be present at the Sessions to be held in such County, so long as such County or any Part thereof shall continue to be so proclaimed, so as that so long as such County or any Part thereof shall be proclaimed there shall always be therein an Assistant Barrister or Person duly empowered to discharge the Duties of the said Office: And Whereas it is expedient that the said last mentioned Provision should be repealed; Be it therefore enacted, That from and after the passing of this Act the said Provision shall be and the same is hereby repealed accordingly; and that every such Special Sessions, as in the said recited Act is directed to be holden for the Purposes of the said recited Act, shall and may be holden without the Presence of such Assistant Barrister thereat; and all Proceedings at such Session shall be as valid to all Intents and Purposes as if such Assistant Barrister had attended thereat; any Thing in the said recited Act to the contrary in any wise notwithstanding: Provided always that whenever such Assistant Barrister shall be specially directed so to do by any Order or Orders of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, to be signified by his or their Chief Secretary, such Assistant Barrister shall repair to such County, and shall be present at such Sessions whenever and in such Manner and for such Time as shall be specified in any such Order or Orders.

Special Sessions may be held without the Presence of an Assistant Barrister.

But Lord Lieutenant may order his Attendance.

Special Sessions may be adjourned without Attendance of the Serjeant, King's Counsel, or Assistant Barrister.

IV. And be it further enacted, That in any Case in which there shall not be any Prisoners remaining for Trial under the said Act as idle and disorderly Persons in any County, County of a City or County of a Town, it shall and may be lawful to and for the Justices of the Peace for such County, County of a City or County of a Town to adjourn the Court of Special Sessions without the Attendance of the Serjeant, King's Counsel or Assistant Barrister, and in like Manner as if such Serjeant, King's Counsel or Assistant Barrister were present at such Special Sessions.

#### C A P. CVI.

An Act to enlarge and extend the Power of the Judges of the several Courts and Great Sessions in *Wales*, and to amend the Laws relating to the same. [24th June 1824.]

‘ WHEREAS Difficulties have arisen in His Majesty's Courts of Great Sessions in *Wales* from a Want of Power in the Judges of such Courts respectively to compel any Person residing out of the Jurisdiction of any such Courts respectively, to attend as a Witness on any Trial or Cause therein: And Whereas Inconvenience has been experienced for Want of Power in the Judges of the said Courts of Great Sessions to issue Commissions

missions for the taking of Answers, Examinations and Affidavits, and for the Examination of Witnesses, at Places out of the respective Jurisdictions of the said Courts, and of administering Oaths to the Persons putting in such Answers and Examinations, and making such Affidavits, and being examined as Witnesses: And Whereas Difficulties have arisen in His Majesty's Courts of Great Sessions in *Wales* with respect to enforcing Rules, Orders and Decrees of the said Courts, against Persons who have entered Appearances in Suits instituted in such Courts, or have come in as Creditors or Purchasers, and submitted to the Jurisdiction thereof, but by reason of their Residence being out of the Limits of the Jurisdiction of the said Courts, or of their having withdrawn themselves therefrom, are not amenable to the Process thereof: And Whereas it is advisable that further Provisions be made for discouraging the Practice of commencing frivolous and vexatious Suits in His Majesty's Courts at *Westminster*, in Causes of Action arising within the Dominion and Principality of *Wales*, and also to expedite Suits in the said several Courts of Great Sessions, and provide for new Trials, and regulate the Practice therein: And Whereas it is therefore expedient that the Powers of the Judges of the said Courts should be enlarged and extended, and the Laws and Usages relating to the same be amended: And Whereas it is also expedient to regulate the Fees and King's Silver payable on Fines and Recoveries levied and suffered within the Principality of *Wales*, and to provide for the more effectually levying and suffering the same: May it please Your Majesty that it be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, when and as often as the Attendance of any Person or Persons shall or may be deemed necessary as a Witness or Witnesses to give Evidence in, about or concerning any Suit, Cause, Trial, Commission or Issue, prosecuted, brought and depending in or before any of the said Courts of Great Sessions, and such Person or Persons shall not, when his, her or their Attendance is so deemed necessary, be resident within the Jurisdiction of the said Court of Great Sessions, where such his, her or their Attendance may so be deemed necessary, but be resident at such Time in *England* or *Wales*, in all and every such Cases it shall and may be lawful for any of the Parties in the said Suits, Trial, Commission or Issue, to apply to the proper Officer of His Majesty's Courts of Exchequer at *Westminster*, and such Officer is hereby authorized and required to issue a Writ or Writs of *Subpœna ad testificandum*, or any Writ or Writs of *Subpœna duces tecum*, on Demand, in like Manner as the same is or are issuable by the said Court of Exchequer in any Cause, Trial, Suit, Commission or Issue depending therein; and such Writ or Writs of *Subpœna ad testificandum* and of *Subpœna duces tecum* shall be directed to such Person or Persons, commanding such Person or Persons to attend and give Evidence as a Witness or Witnesses in such Court of Great Sessions, upon such Cause, Trial, Commission, Suit or Issue so prosecuted and depending

Witnesses residing out of the Jurisdiction of the Courts of Great Sessions may be subpoenaed by the Exchequer Writs to attend such Courts.

Remedy in  
Default of  
Obedience.

Certain Writs  
may be issued  
by the Marshal  
of the Court of  
Great Sessions.

New Trials to  
be moved for  
before the  
Courts of  
King's Bench,  
Common Pleas,  
or Exchequer.

In what case  
Proceedings  
upon former  
Verdict to  
cease.

depending therein; and such Person or Persons shall be compelled and compellable to attend the same, in like Manner and under such Penalties as if the said Writ or Writs had issued to command his, her or their Attendance in the said Court of Exchequer, in, upon or concerning any Suit, Cause, Trial, Commission or Issue depending therein; and any such Party, on whose Behalf any such Writ or Writs shall be issued, in Default of Obedience to any such Writ or Writs by the Person or Persons to whom the same may be directed, and on whom the same shall be served, shall have the like Remedy against such Person or Persons for such Default, as if the said Writ or Writs had issued from the said Court of Exchequer, to compel and require such Person or Persons to attend and give Evidence there: Provided always, that in every Case where a new Cause or Issue is commenced, it shall and may be lawful for the Marshal of the said Court of Great Sessions in which such new Cause or Issue is commenced, in the Name of a Justice of such Court, to issue such Writs of *Subpoena ad testificandum* or of *Subpoena duces tecum*, as either of the Parties to the said Suit shall require; and in case of Disobedience to any such Writ, the Parties shall have the like Remedy in the said Court of Exchequer as if the said Writ or Writs had been directly issued out of that Court.

II. And Whereas it may be expedient, for the better and more perfect Administration of Justice in *Wales*, that the Courts of King's Bench, Common Pleas and Exchequer should in certain Cases have the Power of granting new Trials of Causes which have been commenced and been tried in the said Courts of Great Sessions; Be it therefore enacted by the Authority aforesaid, That from and after the passing of this Act, it shall and may be lawful for any Party or Parties, who shall be dissatisfied with any Verdict given or obtained, or Nonsuit entered against him, her or them, in any Action which shall have been tried in any of the said Courts of Great Sessions, to apply by Motion to any of the said Courts of King's Bench, Common Pleas or Exchequer sitting *in Banco*, for a Rule to show Cause why a new Trial of such Action should not be granted, or Nonsuit set aside and a new Trial granted, or a Verdict entered for the Plaintiff or Defendant, or a Nonsuit entered, as the Case may be, in the same Manner as hath been usually heretofore done in Actions depending in the said Courts, and tried at *Nisi Prius* before any Judge of Assize, by virtue of any Record issuing out of the said Courts: and that thereupon it shall and may be lawful for the said Courts to grant such Rule, and proceed to hear and determine the Merits of the same, in such Manner and Form as hath been heretofore done in Actions depending in the said last mentioned Courts, and tried as aforesaid; and in case the Courts shall make the said Rule absolute, which they are hereby authorized and empowered to do, and order a new Trial to be had between the Parties in such Action, that upon the Party or Parties who shall have obtained such Rule delivering an Office Copy of such Rule so made absolute, to the proper Officer of the Court of Great Sessions where such Cause was tried, all Proceedings upon the former Verdict or Nonsuit so obtained in the said Courts of Great Sessions shall cease, and the said Actions shall proceed to Trial at the

next or some other Great Sessions, to be holden in and for the County in which the same was tried as aforesaid, in like Manner as if no Trial had been had therein ; or in case of a Verdict being ordered to be entered for the Plaintiff or Defendant, or a Nonsuit being ordered to be entered, as the Case may be, Judgment shall be entered accordingly.

In what case Judgment to be entered.

III. And be it further enacted by the Authority aforesaid, That Transcript of the Record for which such new Trial shall be moved, or Motion made for altering the Verdict, or entering or setting aside a Nonsuit, certified by the Prothonotary of the said Courts of Great Sessions respectively, or his Deputy, shall be transmitted to the Court to which such Application shall be made as aforesaid, for the Purpose of such Motion for a new Trial, or setting aside such Nonsuit and granting a new Trial thereon, or entering a Verdict for the Plaintiff or Defendant, or entering a Nonsuit, and which Transcript the said Prothonotary or his Deputy is hereby authorized and required to deliver on Demand, on Payment of the usual Fee ; and that the Costs of such Application for a new Trial and setting aside such Nonsuit, or entering a Verdict for Plaintiff or Defendant, or entering a Nonsuit, shall be in the Discretion of the said Court to award and order to and for which Party to such Motion the same shall be paid : Provided always, that nothing herein contained shall be deemed or taken to prevent any of the said Courts of Great Sessions from granting any new Trial, or setting aside any Nonsuit, or entering a Nonsuit, or altering a Verdict, according to any Rule established therein.

Transcript of Record for which new Trial moved to be transmitted to Court to which Application made.

IV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Court, to which such Applications shall be made, or any Commissioner appointed to take Affidavits therein, to administer an Oath to any Person or Persons making an Affidavit either to obtain such Rule, or to show Cause against the same as aforesaid ; and every Person or Persons forswearing him, her or themselves in such Affidavit or Affidavits, shall incur and be liable to the same Penalties as if such Affidavit or Affidavits had been made and sworn in any Action depending in the said Court : Provided always, that nothing in this Act contained shall extend or be construed to tend to stay or delay the entering up Judgment which shall have been given or obtained in any Action in any of the said Courts of Great Sessions, and suing out Execution thereon, unless the Party or Parties intending to apply under the Provisions of this Act for a new Trial thereof, or for Alteration of the Verdict, or entering or setting aside a Nonsuit, with Two sufficient Sureties, such as the Court of Great Sessions wherein such Action shall be depending shall allow of, shall first before such Application made be bound unto the Party or Parties for whom such Verdict or Nonsuit shall have been given or obtained, by Recognizance to be acknowledged in the same Court, in such reasonable Sum as the same Court of Great Sessions shall think fit, to prosecute and prosecute such Application for such new Trial or Alteration of Verdict, or entering or setting aside a Nonsuit, and to satisfy and pay, if such Application shall be refused, all the singular the Debts, Damages and Costs adjudged and to be

Not to prevent Courts of Great Sessions from granting new Trials, &c.

Oaths to be administered by the Court, &c.

Execution not to be stayed unless Bail be given to answer Damages, &c.

Judgment in Dower or Ejectment not stayed unless Party moving for New Trial be bound as before is mentioned.

On Failure of Application, a Writ shall issue to inquire into Mesne Profits and Damages.

Time of returning Writs of Execution upon Judgments obtained in the Courts of Great Sessions appointed.

be adjudged in consequence of the said Verdict or Nonsuit, in the said Court of Great Sessions, and all Costs and Damages to be also awarded for the delaying of Execution thereon; and upon such Recognizance being entered into, the said Court of Great Sessions is hereby authorized to stay all Proceedings in such Action: And further, that the entering up of Judgment, in any of the said Courts of Great Sessions, in any Writ of Dower or Action of Ejectment, and suing out Execution thereon shall not be stayed, unless the Party or Parties intending to apply for a new Trial, or to alter the Verdict, or enter and set aside a Nonsuit therein under the Provisions of this Act shall be bound in Manner aforesaid unto the Party or Parties in whose Favour such Verdict or Judgment of Nonsuit shall have been given or obtained, in such reasonable Sums as the Court of Great Sessions in which such Action shall be depending shall think fit, with Condition, that if such Application shall not be made and prosecuted, or shall be refused, the Party or Parties so intending to make such Application shall pay such Costs Damages and Sum or Sums of Money as shall be awarded by the said Court of Great Sessions, in case no such Application shall have been made and prosecuted, or after such Application shall have been refused; and upon such Recognizance being entered into, the said Court of Great Sessions is hereby authorized to stay all Proceedings in such Action.

V. And to the End that the same Sum and Sums and Damages may be ascertained, it is further enacted, That the Court of Great Sessions wherein such Action shall be depending, upon such Failure to make and prosecute such Application, or such Refusal as aforesaid, shall issue a Writ (if necessary) to inquire as to the Mesne Profits as of the Damages by any Waste committed after such Verdict or Nonsuit in such Writ of Dower or Action of Ejectment shall have been given or obtained; and upon the Return thereof, Judgment shall be given, and Execution awarded for such Mesne Profits and Damages, and also for Costs of Suit.

VI. And Whereas all Writs of Execution issued upon Judgments obtained in the said Courts of Great Sessions in Writs are now returnable only at the Great Sessions held for the respective Counties; and Sheriffs frequently delay executing the same for many Months, and often refuse to make Returns to such Writs, or to pay over the Money received by them: and Sheriffs may also refuse to return bailable Processes, returnable in the Vacation, until the following Great Sessions, to the great Prejudice of the Suitors of the said Court; For Remedy whereof, and facilitating the Proceedings of the said Courts, be it enacted by the Authority aforesaid, That from and after the passing of this Act all Writs of Execution upon Judgments obtained in the said Courts of Great Sessions shall and may be made returnable before the Judges of such Courts respectively, on the common Day in each of the Two Vacations annually between the Two Sessions (being the First Days of Trinity Term after the Spring Sessions, and the First Day of Hilary Term after the Autumn Sessions), or on the First Day of the next Sessions, at the Election of the Party or Parties obtaining such Judgment, by her or their Attorney, who shall sue out the same; and that the Sheriffs

heriffs to whom any such Writ of Execution, or bailable Writ sued out of the said Courts, returnable in the Vacation, shall be delivered, shall make due Returns of such Writs at the Time the same shall be returnable, and file such Writs and Returns with the proper Officer of such Courts, or as soon afterwards as such Sheriff shall be called upon by a Rule of the same Courts.

VII. And be it further enacted by the Authority aforesaid, That from and after the passing of this Act it shall and may be lawful to and for the respective Prothonotaries of the said Courts, or such other Officers as the Judges of the said Courts respectively shall appoint, to grant Rules for the Sheriffs in the Vacation to return such Writs of Execution and bailable Processes as shall be returnable in the Vacation, in such Manner and under such Regulations as the said Justices of the said Court shall appoint for that Purpose; and in case any Sheriff shall refuse or decline to return any Writ within Six Days after the Service of such Rule upon him or his Deputy, such Sheriff shall be in the like Contempt, and answerable in the same Manner as if such Rule had been made by the said Judges at Sessions.

Prothonotaries to grant Rules for the Sheriffs in Vacation to return Writs.

Sheriff neglecting, Contempt.

VIII. And be it further enacted, That after the passing of this Act it shall and may be lawful to and for the said Prothonotaries, or such other Officer as aforesaid, to grant Rules in the Vacation for a Particular of the Plaintiff's Demand, and of Defendant's Set Off, and for Leave to plead several Matters, or to stay Money in Stay of Proceedings, or to sign Judgment for Want of a Plea, in any Action depending in the said Court, under such Regulations as the said Judges shall appoint for that Purpose.

Rules made in Vacation as to Plaintiff's Demand and Defendant's Set-off, &c.

IX. And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, it shall and may be lawful to and for the Judges of the said Courts of Great Sessions respectively, and the Judges of such Courts are hereby authorized and empowered, to issue Commissions to Persons resident out of the Jurisdiction of such Courts, for the Purpose of taking Answers, Examinations and Affidavits, and for the Examinations of Witnesses in Causes in Equity, and also for the taking of Affidavits and the Examination of Witnesses at Law, in such Manner and under such Cases as the said Court of Exchequer has been used to do the same, as Occasion shall require, and of administering Oaths to the Persons putting in such Answers and Examinations, and making such Affidavits, and being examined as Witnesses.

Power to issue Commissions directed to Persons out of the Jurisdiction for taking Examinations, &c.

X. And it is hereby further enacted by the Authority aforesaid, That all and every Person or Persons forswearing him, herself or themselves in any Answer or Affidavit, or in any Deposition or Examination, taken and sworn before any Commissioner appointed by virtue of this Act, shall incur and be liable to the same Penalties as if such Answer or Affidavit, Deposition or Examination, had been taken and sworn in any Suit in Equity depending in the said Court of Exchequer, or in any Action depending in the said Court.

Persons forswearing before a Commissioner liable as if sworn in Court.

XI. And it is hereby further enacted, That from and after the passing of this Act it shall and may be lawful for the Judges of the said Courts of Great Sessions, and they are hereby authorized and empowered, in all Cases at Law, when the said Courts shall be sitting, in any County within the Limits of such Courts respectively,

Power to Judges to make Orders in Actions in any County within the Jurisdiction.

respectively, to make such Rules and Orders in Suits at Law, instituted and depending in the other Counties within their Jurisdiction, as to them the said Judges shall seem meet, and Occasion shall require; and such Rules and Orders shall be as valid and effectual in the Law, and as binding upon the Parties, as if the same had been made in the particular County in which such Suits were instituted.

Power to Judges to make Orders out of the Jurisdiction of the Courts in the Vacation.

XII. And it is hereby further enacted, That from and after the passing of this Act it shall and may be lawful for the Judges of the said Courts of Great Sessions, and they are hereby authorized and empowered, in all Cases, both at Law and in Equity, when the said Courts shall not be sitting in *Wales*, to hear Motions and Petitions, and make such Rules and Orders thereon in Vacation, and out of the Jurisdiction of the said Courts, as to them the said Judges shall seem meet, and Occasion shall require; and such Rules and Orders shall be as valid in the Law, and as binding upon the Parties, as the same would or might have been in case the same had been made in *Wales*, within the Jurisdiction of the said Courts, and during the Sitting thereof.

Writs may issue from one County to another.

XIII. And Whereas Doubts and Difficulties arise as to serving Process in Actions within the respective Courts of Great Sessions, where the Cause of Action arise in one County, and the Defendant or Defendants reside in another County, each such Counties being within the same Jurisdiction of such Court of Great Sessions respectively; Be it declared and enacted by the Authority aforesaid, That from and after the passing of this Act, whenever a Cause of Action shall arise in one County and the Defendant or Defendants shall reside in another County, such Counties as last aforesaid being within the same Jurisdiction of the said Courts of Great Sessions respectively, it shall and may be lawful that any Writ or Writs to commence any Action within any of the Courts of Great Sessions shall and may issue directed to the Sheriff of such County wherein such Defendant or Defendants may reside, such last mentioned County being within the same Jurisdiction of the said Courts of Great Sessions respectively, Notice being indorsed on such Writ of the County wherein such Action is brought, and which said Writ or Writs shall be deemed legal Process to compel such Defendant or Defendants to appear to such Action or Actions.

Notice indorsed on Writ.

Prothonotaries may issue testatum Executions against Defendants in any County within the Jurisdiction.

XIV. And be it further enacted, That from and after the passing of this Act, in all Cases in which Judgments shall have been obtained in the Courts of Great Sessions respectively, it shall and may be lawful for the Prothonotary of the Circuits of the said Courts of Great Sessions within which such Judgment has been obtained, and he is hereby required, upon the Application of the Person or Persons so obtaining the same, to issue a *testatum* Execution against the Defendant or Defendants, his, her or their Goods and Chattels, directed to the Sheriff of any of the Counties within the same Jurisdiction of such Court of Great Sessions, although such County is not the County within which such Judgment was obtained, in such and the same Manner, and with the same Force and Effect as *testatum* Executions are issued from the Courts at *Westminster* into any County on Judgments in Actions where the Venue is laid in another County.

XV. And



XV. And be it further enacted by the Authority aforesaid, that in all Cases in which any Person shall have commenced any Suit, or have entered any Appearance in any Suit at Law or Equity instituted in any of the said Courts of Great Sessions, shall have come in as a Creditor or Purchaser, or otherwise admitted to the Jurisdiction of the said Courts of Great Sessions, it by reason of his or her Residence out of the Jurisdiction of such Courts, or having withdrawn therefrom, his or her Person or Goods cannot be made amenable to the Process thereof, it shall and may be lawful for the said Court of Exchequer in all its Suits and Matters in Equity, and in all Suits and Matters at Law in the said Court of Exchequer, and also for the said Courts of King's Bench and Common Pleas, upon a Certificate from the proper Officer of the said Courts of Great Sessions, of such Commencement of Suit, or of such Appearance having been entered, and upon such Submission made, and upon a Transcript or Office Copy of such Rule, Order or Decree being duly certified to the said Court of Exchequer in Matters of Equity, or in Matters of Law in the said Court of Exchequer or the said Courts of King's Bench and Common Pleas, together with an Affidavit of due Service of a Copy of such Rule, Order or Decree, and of the Nonperformance thereof, to issue an Attachment or other Process for enforcing Obedience to the same, in such Manner as is usual for the Purpose of enforcing Obedience to the Rules, Orders and Decrees of such Court.

Power to enforce Orders, &c. against Persons removing out of Jurisdiction by Process from the Courts at Westminster.

XVI. And Whereas it is expedient that the Judges of the said Courts of Great Sessions should have full Power over the Officers thereof; Be it therefore enacted by the Authority aforesaid, That from and after the passing of this Act it shall and may be lawful for the Judges of the said Courts, and they are hereby authorized to remove any Officer of the said Courts, his Deputy, for Peculation, Extortion or other Misconduct, and to appoint a new Officer or Deputy in the Room of the Person so removed; any Law, Usage or Custom to the contrary notwithstanding: Provided always, that nothing in this Clause contained shall authorize such Judges to dismiss on their own Authority any Officer of the said Courts nominated and appointed by the Crown.

Power to Judges of Great Sessions to dismiss Officers in certain Cases.

XVII. And Whereas it is expedient that Security shall hereafter be given for any Sum or Sums of Money paid into any of the said Courts of Great Sessions for and on account of any Party or Parties to any Suit therein; Be it further enacted, That from and after the passing of this Act the Judges of the said several Courts of Great Sessions shall and may, within their respective Jurisdictions, have and take, and are hereby required to have and take, from any Officer or Officers of such Courts respectively, and hereafter to be appointed, within Three Calendar Months next after such Appointment, and as often after as Occasion may require, such Security as to such Judges shall seem proper for and concerning the accounting for all and every Sum or Sums of Money which such Officer or Officers shall receive by Cause or Suit at Law or in Equity pending in any such Court of Great Sessions, and which said Sum or Sums of Money shall be paid into any such Court by any Person in any Suit therein,

Officers of the Court to find Security as herein mentioned.

therein, and received by any such Officer or Officers as is or are or shall be accustomed or authorized to receive the same; such Security to be given by Recognizance, or otherwise, as the said Judges shall direct, binding every such Officer or Officers, together with Two or more sufficient Sureties, in such penal Sum or Sums as to the said Judges shall seem proper, for the due accounting for all and every such Sum or Sums of Money so paid.

Power to secure the Suitors' Money by paying same into the Bank in the Name of the Accountant General of the Court of Exchequer.

XVIII. And it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful for the Judges of the said Courts of Great Sessions, and they are hereby authorized and empowered, in all Cases in which they shall think fit, to order and direct any Sum or Sums of Money belonging to the Suitors of the said Courts of Great Sessions to be paid into the Bank of England, in the Name and with the Privity of the Accountant General of His Majesty's Court of Exchequer at Westminster, subject to the Order and Decree of the Court of Great Sessions at the Instance of which it shall be so paid in; and the said Accountant General is hereby directed to obey the Orders and Decrees of such Court of Great Sessions in regard thereto, in like Manner as he obeys the Orders and Directions of the said Court of Exchequer, and to act and do all Matters and Things relating to the delivering, securing and investing of the Money so ordered to be paid, and the Payment, selling and transferring of the same, and the keeping the Accounts with the Bank of England, and other Matters relating thereto, in the like Manner as he acts and does all Matters and Things relating to the Delivery, securing and investing of the Money and Effects of the Suitors of the said Court of Exchequer, and the Payment, selling and transferring of the same, and the keeping the Accounts or other Matters relating thereto.

13 G. 3. c. 51.  
§ 1. repealed.

XIX. And Whereas by an Act of Parliament made in the Thirteenth Year of His late Majesty's Reign, intituled *An Act to discourage the Practice of commencing frivolous and vexatious Suits in His Majesty's Courts at Westminster, in Causes of Action arising within the Dominion of Wales, and for further regulating the Proceedings in the Courts of Great Sessions in Wales*, it is enacted, that in case the Plaintiff in any Action upon the Case for Words, Action of Debt, Trespass on the Case, Assault and Battery, or other personal Action, where the Cause of such Action shall arise within the Dominion of Wales, and which shall be tried at the Assizes at the nearest English County to that Part of the said Dominion of Wales in which the Cause of Action shall be laid to arise, shall not recover by Verdict Debt or Damages to the Amount of Ten Pounds, in such Case, if the Judge who tried the Cause, on Evidence appearing before him, shall certify on the Back of the Record of *Nisi Prius*, that the Defendant or Defendants was or were resident in the Dominion of Wales at the Time of the Service of the Writ or other Mesne Process served on him, her or them in such Action, on such Fact being suggested on the Record or Judgment Roll, Judgment of Nonsuit shall be entered against the Plaintiff; and such Defendant or Defendants shall be entitled to and have like Judgment and Remedy thereon, to recover such and the like Costs against the Plaintiff or Plaintiffs in every such

such Action, as if a Verdict had been given by the Jury for the Defendant or Defendants, unless the Judge before whom such Cause shall be tried shall certify on the Back of the Record that the Freehold or Title of Land was chiefly in question, or that such Cause was proper to be tried in such *English* County: And Whereas it is expedient that so much of the said Act as is herein recited should be repealed, and other Provisions be made in lieu thereof; Be it therefore enacted, That so much of the said Act as has been herein recited be and from henceforth shall stand absolutely repealed, and is hereby repealed.

XX. And Whereas it is also expedient that so much of the said Act of the Thirteenth Year of His late Majesty's Reign which relates to prevent transitory Actions, where the Cause of Action does not amount to Ten Pounds, arising within the said Principality, from being brought in any of His Majesty's Courts of Record out of the said Principality, be repealed, and other and further Provisions substituted in lieu thereof; Be it therefore enacted by the Authority aforesaid, That so much of the said last mentioned Act be and is hereby repealed. 13 G. 3. c. 51.  
§ 2. repealed.

XXI. And be it further enacted, That in all Actions upon the Case for Words, Action of Debt, Trespass on the Case, Assault and Battery, or other personal Action, and all transitory Actions, which from and after the Sixth Day of *November* which shall be the Year of our Lord One thousand eight hundred and twenty four, shall be brought in any of His Majesty's Courts of Record out of the Principality of *Wales*, and the Debt or Damages found by the Jury shall not amount to the Sum of Fifty Pounds, and it shall appear upon the Evidence given on the Trial of the said Cause, that the Cause of Action arose in the said Principality of *Wales*, and that the Defendant or Defendants was or were resident in the Dominion of *Wales* at the Time of the Service of any writ, or other Mesne Process, served on him, her or them in such Actions, and it shall be so testified under the Hand of the Judge who tried such Cause, upon the Back of the Record of *his Prius* (on such Facts being suggested on the Record or Judgment Roll), a Judgment of Nonsuit shall be entered thereon against the Plaintiff or Plaintiffs, and the Plaintiff or Plaintiffs shall pay to the Defendant or Defendants in such Action, his, her or their Costs of Suit, and the Defendant and Defendants shall have like Remedy to recover the same as in the Case of a Verdict given for the Defendant or Defendants in such Action; and in Taxation of all Costs allowed and given to the Defendant or Defendants, the proper Officer shall allow to the Plaintiff or Plaintiffs, out of the Defendant's Costs, the full Sum given by Verdict to the Plaintiff or Plaintiffs for his, her or their Debt or Damages; and although no Judgment shall be entered for the Plaintiff or Plaintiffs upon such Verdict, yet nevertheless such Verdict, without any Judgment entered thereon, shall be an equal Bar to any Action or Actions commenced in any Court whatsoever by the Plaintiff or Plaintiffs for the same.

XII. Provided always, and be it further enacted, That nothing in this Act contained shall bar or preclude any Person or Persons from commencing and carrying on any Action, and which may be tried at the Assizes at the nearest *English* County to that Part of *5 Geo. IV.* R r  
of

Actions brought out of the Principality of *Wales*, where the Debt or Damage found shall not amount to 50*l.* and where the same shall be proved to have arisen in *Wales*, Defendants to recover Costs.

Certificate to be made by Judge where Cause of Action has

commenced in  
Wales and tried  
in England.

of the said Dominion of *Wales* in which the Cause of Action shall be laid, to arise against any Defendant or Defendants so resident in the Dominion of *Wales*, and obtaining full Costs in such Action, if the Judge before whom the Cause shall be tried shall certify on the Back of the Record that the Title or Freehold of Land was chiefly in question, or that such Cause was proper to be tried in such *English* County.

No Certiorari  
without Notice.

XXIII. And for better preventing vexatious Delays and Expences occasioned by the suing forth Writs of *Certiorari* for the Removal of Actions, Suits, Causes or other Proceedings at Law commenced and carried on in any of His Majesty's Courts or Great Sessions in *Wales*, and for regulating in future the issuing of such Writs; Be it further enacted, That from and after the Sixth Day of *November* which shall be in the Year of our Lord One thousand eight hundred and twenty four, no Writ of *Certiorari* shall be granted, issued forth or allowed, to remove any Action, Bill, Plaint, Cause, Suit or other Proceeding at Law whatsoever, originated in or commenced, carried on or had in any of His Majesty's Courts of Great Sessions in *Wales*, unless it be duly proved upon Oath that the Party or Parties suing forth the same hath or have given Seven Days' Notice thereof in Writing to the other Party or Parties concerned in the Action, Bill, Plaint, Cause, Suit or other Proceeding sought to be so removed, and unless the Party or Parties so applying or suing forth such Writ shall, upon Oath, show to the Court in which Application shall be made sufficient Cause for issuing such Writ, and so that the Party or Parties therein concerned may have an Opportunity to show Cause, if he or they shall so think fit, against the issuing or granting such *Certiorari*, and that the Costs of such Application be in the Discretion of the Court wherein such Application shall be made for such *Certiorari*.

Fees and King's  
Silver on Fines  
and Recoveries,  
same as in  
Common Pleas,  
at Westminster.

XXIV. And Whereas the Sum or Sums of Money now demandable and payable for Fines and Recoveries levied and suffered at the several Courts of Great Sessions in *Wales*; and are unequal and uncertain in the Amount; Be it further enacted, That from and after the passing of this Act, the Fees to be paid on any Fine or Recovery so levied or suffered, and the Amount of King's Silver to be paid thereon, shall be in the same Proportion, and ascertained and calculated in the same Manner by the proper Officer, as the Fees and King's Silver now usually payable on Fines and Recoveries levied and suffered in His Majesty's Courts of Common Pleas at *Westminster*, and shall not exceed the same.

The present  
Fees continued  
till the Termin-  
ation of the  
Patents.

XXV. Provided always, and be it further enacted, That in all and every Case where such Fees and King's Silver are now payable to any Person or Persons duly authorized to receive and compound for the same, under and by virtue of any Patent or Patents for any Term or Terms now in Existence, within the respective Courts of Great Sessions in *Wales*, the same Sum or Sums as is or are now demandable and payable under and by virtue of such Patent or Patents, shall be hereafter paid during the Term or Terms granted by such Patent or Patents; but that when and as often as such Term or Terms shall respectively cease, expire and determine, the said Sum or Sums of Money thereafter payable

upon levying or suffering of any such Fines and Recoveries, as King's Silver or Fees thereon, within the Limits of the Jurisdiction of the Court or Courts of Great Sessions in such Patent or Patents named, and the Term or Terms whereof shall have so ceased, expired and determined, shall immediately after any such Expiration and Determination be thenceforth in the same Proportion, and be ascertained and calculated in the same Manner by the proper Officer, as the Fees and King's Silver now usually payable on Fines and Recoveries levied and suffered in the said Court of Common Pleas, and shall not exceed the same.

XXVI. And Whereas Fines can now be levied in the said Courts of Great Sessions within the Dominion of *Wales* Twice only in the Year, and it is expedient to give to His Majesty's Subjects possessing Lands, Tenements and Hereditaments within *Wales*, the Power of levying such Fines Four Times in the Year, in like Manner as the Subjects of the Realm of *England* can now levy the same; Be it therefore further enacted, That from and after the passing of this Act it shall and may be lawful for the Cursitor of each and every Court of Great Sessions in *Wales*, to issue any Writ or Writs of Covenants, for the Purpose of levying any Fine or Fines within the Jurisdiction of such Courts respectively, such Writs to be issued and be tested, and bear Date fourteen Days at least before the First Day of *Hilary* Term, or fourteen Days at least before the First Day of *Trinity* Term in each and every Year; and the several Cursitors, and each and every of them, are hereby required so to do as often as applied for that Purpose, on Payment of the usual Fee or Fees now commandable on any Writ of Covenant; and that all and every Writ or Writs so tested or bearing Date as aforesaid be made returnable on the said First Day of *Hilary* Term, and the said First Day of *Trinity* Term respectively, in each and every such Year; and that upon an Acknowledgment of such Fine or Fines by the proper Parties to the same, taken before a Judge of such Court respectively, or by virtue of any *Dedimus Potestatem*, which the said Cursitor or Cursitors is and are hereby also required to grant, often as the same be necessary, and on the *Allocatur* of a Judge of the Court of Great Sessions within whose Jurisdiction the same may be so levied, in like Manner in which such *Allocatur* given when a Fine is acknowledged on any *Dedimus Potestatem* otherwise during the Sitting of such Courts of Great Sessions, shall on a Certificate made on the Back of any such Writ or Writs of Covenant by the proper Officer of such Court, of the actual Payment of King's Silver payable upon every such Fine or Fines, in which Certificate such proper Officer is hereby required to make upon Payment of such King's Silver, at the Costs and Charges of any Person or Persons paying the same, such Fine or Fines shall have full Force and Effect, and be deemed to be fully completed from the said First Day of *Hilary* Term, or the said First Day of *Trinity* Term, on which the said Writ or Writs shall be made returnable as aforesaid; and Proclamation, if necessary, shall be made of such Fine or Fines at the next ensuing Great Sessions, and at the Two following Great Sessions, according to the Statute in that behalf made; and all such Fine and Fines shall operate and enure, and shall be equally binding upon all Lands, Tenements and Hereditaments,

Regulations as  
to the levying  
of Fines in  
*Wales*.

taments, and upon all Parties privy thereto, from the said First Day of *Hilary* Term, and the said First Day of *Trinity* Term, in like Manner as if the same was or were levied during the Sitting of the Court of Great Sessions, within the Jurisdiction of which such Lands, Tenements and Hereditaments are situated.

Fines to take  
Effect from  
Date of  
Caption.

XXVII. And be it further enacted, That all and every Fine and Fines hereafter levied in *Wales* shall take effect and enure, and be deemed complete from the Date of the Caption of the Acknowledgment taken in such Fine or Fines, and on the Payment of King's Silver due thereon, notwithstanding the Death or Deaths of any Party or Parties to such Fine or Fines after such Acknowledgment.

Persons herein  
described au-  
thorized to take  
Affidavits.

XXVIII. And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, any Person authorized to take Affidavits as a Commissioner in the Courts of King's Bench, Common Pleas and Exchequer, or a Master Extraordinary in the High Courts of Chancery in the United Kingdom, are hereby authorized to take any Affidavit of and concerning any Matter or Matters arising, or Fines or Recoveries levied or suffered within the said respective Courts of Great Sessions, in like Manner as any Affidavit is now taken in the said last mentioned Courts of King's Bench, Common Pleas, Exchequer or Chancery, of and concerning any Fines or Recoveries levied or suffered, or any Cause, Matter or Thing depending or in any way concerning any of the Proceedings arising or being within the last mentioned Courts.

Qualification of  
Jurymen.

XXIX. And for the better Regulation of Persons hereafter serving as Petit Jurymen at any of the said Courts of Great Sessions; Be it further enacted, That from and after the First Day of *July* which shall be in the Year One thousand eight hundred and twenty four, no Person shall be compellable to serve on any Petit Jury at any such Court of Great Sessions, unless he possess an Estate of Freehold or Copyhold of the clear yearly Value of Eight Pounds or upward, or any Estate for the Term of any Life or Lives, or for the Term of Ninety nine Years from the Commencement of such Estate, of the clear yearly Value of Fifteen Pounds.

### C A P. CVII.

An Act to prevent the illegal pawning of Clothes and Stores belonging to *Chelsea* Hospital; to give further Powers to the Treasurer and Deputy Treasurer of *Chelsea* and *Greenwich* Hospitals; to punish Persons fraudulently receiving Prize Money or Pensions; and to enable the Commissioners of *Chelsea* Hospital to hold Lands purchased under the Will of Colonel *Drowly*. [24th June 1824]

WHEREAS several of the Pensioners of the Royal Hospital for Soldiers at *Chelsea*, and other Persons, have at various Times pawned or illegally disposed of Clothes, Linen, Stores and other Goods delivered to them to wear or use, and it is expedient to prevent the unlawful pawning and disposing of the like Goods in future; Be it therefore enacted by the

King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Commissioners of the said Royal Hospital, and their Successors, shall and may and they are hereby authorized and empowered to cause the Clothes, Linen, Stores and other Articles belonging to the said Hospital capable of being marked, to be from time to time marked, stamped or branded with the Words "Chelsea Hospital;" and if any Pensioner or other Person or Persons shall pawn, sell or illegally dispose of, or if any Pawnbroker or other Person or Persons shall take in pawn, buy, exchange or receive any Clothes, Linen or other Goods marked, stamped or branded as aforesaid, upon any Account or Pretence whatever (such Mark, Stamp or Brand thereon to be considered and taken as sufficient Evidence, without further Proof, that the Articles so marked, stamped or branded, are the Property of the said Commissioners), or if any Pensioner or other Person or Persons shall cause such Mark or Stamp, Marks or Stamps, to be taken out, obliterated or defaced from any of the Articles belonging to the said Royal Hospital, the Person or Persons so offending shall forfeit for every such Offence the Sum of Ten Pounds, upon Conviction thereof by the Oath of One or more credible Witness or Witnesses before any One or more of His Majesty's Justices of the Peace of the County wherein the said Offence or Offences shall be committed; which Penalty shall be levied by Warrant under the Hand and Seal or Hands and Seals of the said Justice or Justices of the Peace by Distress and Sale of the Goods and Chattels of the said Offender or Offenders, One Moiety of which said Penalty or Penalties shall be paid to the Informer or Informers, and the other Moiety shall go and be paid to the Use of the said Hospital; and in case any Offender who shall be convicted as aforesaid of having pawned, sold or illegally disposed of, or bought, exchanged, received or taken in pawn any such Clothes, Linen or other Goods as aforesaid, or if having caused such Mark or Stamp, Marks or Stamps as aforesaid to be taken out or defaced, shall not have (or shall at the Time of Conviction declare that he or she has not) sufficient Goods and Chattels whereon Distress may be made to the Value of the said Penalty or Penalties recovered against him or her for such Offence or Offences; or in case it shall be considered by the Justice or Justices before whom such Offender shall be convicted, that the Offender so convicted is likely to abscond before the said Penalty or Penalties can be levied by Distress, then and in every such Case such Justice or Justices of the Peace shall and may, by Warrant under his or their Hand and Seal or Hands and Seals, commit the Offender to the Common Gaol of the County where such Offence or Offences shall be committed, there to remain without Bail or Mainprize for the Space of Three Calendar Months, or until the said Penalty or Penalties shall be paid.

II. And be it further enacted, That all Actions and Suits to be brought or commenced by or on Behalf of the Commissioners of the said Royal Hospital for Soldiers at *Chelsea*, shall be brought, commenced and prosecuted in the Name of the Treasurer or Deputy Treasurer of the said Royal Hospital for the Time being;

Clothes and other Articles to be marked 'Chelsea Hospital.'

Persons pawning or receiving in pawn such Articles, or defacing the Marks, Penalty 10l.

How such Penalty shall be levied and applied.

Actions to be brought in Name of Treasurer of Royal Hospital of Chelsea.

and upon the Trial or Hearing of any such Action or Suit, it shall not be necessary to produce the Commission appointing the Commissioners of the said Royal Hospital, nor the Warrant or Authority appointing the said Treasurer or Deputy Treasurer to their respective Offices, but the general acting of the said Treasurer or Deputy Treasurer in their said respective Offices of Treasurer or Deputy Treasurer shall be deemed sufficient Proof of the due Appointment of them respectively to their said respective Offices: and in all Indictments, Informations and other Proceedings against any Person or Persons for feloniously stealing or taking away, or pawning, or unlawfully disposing of, or buying, exchanging, receiving or taking in pawn any of the Goods or Property belonging to the said Royal Hospital or the Commissioners of the same, it shall be sufficient to charge the same as being the Property of the Commissioners of the Royal Hospital for Soldiers at Chelsea.

‘ III. And Whereas divers Questions and Doubts have arisen  
 ‘ as to the Right of the Treasurer or Deputy Treasurer for the  
 ‘ Time being of the said Royal Hospital for Soldiers at Chelsea  
 ‘ to come in and prove Debts and receive Dividends, and otherwise  
 ‘ to act as a Creditor against the Estate and Effects of any  
 ‘ Bankrupt or Bankrupts, under any Commission or Commissions  
 ‘ of Bankrupt, or against the Estate or Effects of any Insolvent  
 ‘ Debtor or Insolvent Debtors taking the Benefit of the several  
 ‘ Acts for the Relief of Insolvent Debtors, upon the Amount or  
 ‘ for or in respect of any Prize, Grant, Bounty or other Monies  
 ‘ belonging to or given or appropriated to the said Hospital, or  
 ‘ to the Army generally, or to any Divisions, Battalions, Regiments  
 ‘ or Individuals of the Army, under the several Acts of  
 ‘ Parliament for the Appropriation and Distribution of such Prize,  
 ‘ Bounty, Grant or other Monies respectively: And Whereas it  
 ‘ is expedient to put an End to all such Questions and Doubts,  
 ‘ but without Prejudice to any Questions now depending in any  
 ‘ Petition or Petitions in any Matters or Matter of Bankruptcy,  
 ‘ or any Questions which may arise out of or in consequence of  
 ‘ such Petition or Petitions; Be it therefore enacted, That it  
 ‘ shall and may from time to time and at all Times hereafter be  
 ‘ lawful to and for the said Treasurer or Deputy Treasurer for the  
 ‘ Time being of the aforesaid Hospital, or either of them, by themselves  
 ‘ or himself, or by their or either of their Deputy or Deputies,  
 ‘ to be by them or either of them for such Purposes or any  
 ‘ of them nominated or appointed by any Deed or Writing, Deeds  
 ‘ or Writings, under their or either of their Hands or Hand, for  
 ‘ and on Behalf and in the Name of the said Treasurer or Deputy  
 ‘ Treasurer for the Time being, or either of them, or for and on  
 ‘ Behalf and in the Name or Names of the Commissioners for the  
 ‘ Time being of the said Hospital, or any of them, to appear before  
 ‘ the major Part of the Commissioners named or to be named in  
 ‘ any Commission or Commissions of Bankrupt, in any public or  
 ‘ private Meetings of such Commissioners under any such Commission  
 ‘ or Commissions of Bankrupt, and to prove the Amount  
 ‘ of all Prize or Bounty Money, Grant or Monies or Balances of  
 ‘ Prize or Bounty Money, Grant or Monies or other Allowances of  
 ‘ Money in the Nature thereof, in the Hands, Custody or Power of  
 ‘ or unpaid by such Bankrupt or Bankrupts respectively, at the  
 ‘ Date

Treasurer or  
 his Deputy empowered  
 to prove Amount  
 of Prize or  
 Bounty Monies  
 in which the  
 Hospital or the  
 Army may be  
 interested in  
 Cases of Com-  
 missions of  
 Bankrupt or of  
 Insolvency;



Date and issuing of every such Commission of Bankrupt, either as original Agent or Agents, or as substituted Agent or Agents, or under or by virtue of any Order or Orders of the Person or Persons entitled to the same, or otherwise howsoever, in or to which the said Hospital or the Army generally, or any Division or Divisions, Battalion or Battalions, Regiment or Regiments, Individual or Individuals of the Army shall be interested or entitled under the several Acts of Parliament already enacted and now in force, or at any Time or Times hereafter to be enacted or become in force, for the Appropriation and Distribution of Prize, Bounty, Grant or other Monies as aforesaid, or any Part thereof respectively, or otherwise howsoever, and whether such Prize or Bounty Monies, Grant or Balances of Prize or Bounty Monies, or other Monies in the Nature thereof, or any Part thereof, shall or shall not have been notified for Distribution, or shall or shall not be payable to the said Treasurer or Deputy Treasurer of the said Hospital, or such Person or Persons as either of them shall appoint or depute to receive the same, previously to the Date and issuing of such Commission or Commissions of Bankrupt; or whether the same or any Part thereof shall or shall not be actually liable to Distribution under the said Acts or any of them as a Debt due from such Bankrupt or Bankrupts to the said Treasurer or Deputy Treasurer, or to the Commissioners of the said Hospital, or any of them; and to make every such Proof and Proofs of Debt upon the Oath or Affirmation, as the case may require, of such Treasurer or Deputy Treasurer of the said Hospital for the Time being, or of any Clerk or Clerks, or other Officer or Officers of the said Hospital, conversant or acquainted with the Books and Affairs of the said Hospital, who shall swear or affirm as to the Amount of such Prize, Bounty, Grant or other Monies or Balances of Prize, Bounty, Grant or other Monies, of which such Proof shall be so tendered, to the best of his or their Knowledge and Belief, after an Examination of the Books of the said Hospital relating thereto, or by a Production of the Books of the said Hospital, or the Production of a Certificate of the Examiner of Prize Accounts, or by a Production and Examination of the Book or Books of such Bankrupt Bankrupts, or the personal Examination on Oath of such Bankrupt or Bankrupts respectively, under such Commission or Commissions of Bankrupt; and which Production and Examination of the Bankrupt's Books and Accounts, and of such Bankrupt or Bankrupts themselves, the said Treasurer or Deputy Treasurer, such other Person or Persons as they or either of them shall appoint as aforesaid, are hereby authorized and empowered to require, or in Default of such Evidence, then by such other Evidence as to the said Commissioners named and authorized in every such Commission of Bankrupt, under which such Proof shall be tendered, or the major Part of them, shall under the Circumstances seem reasonable, the making of every such Proof, nevertheless, to be liable to such Opposition, and every such Proof, when made, liable to be expunged in the same Way and upon the same Evidence as any other Proof or Proofs of Debt by any other Person or Persons claiming to prove or having proved under such Commission or Commissions of Bankrupt respectively; and also

Whether such Money be or be not notified for Distribution, or liable or not to Distribution.

Proof made upon Oath as herein mentioned;

or by such other Evidence as the Commissioners of Bankrupt shall think reasonable.

Treasurer, &c. may give Discharges; and vote for Assignees; and assent to allowing of Certificates.

Treasurer also to act in behalf of the Hospital in Cases of Insolvency as herein mentioned.

to receive and take, and to give good and effectual Discharges for all and every Dividend and Dividends payable or to become payable by or out of the Estate and Effects of such Bankrupt or Bankrupts, or any Part thereof, upon the Amount of any and every such Proof of Debt under such Commission or Commissions; and also to vote in the Choice of any Assignee or Assignees of the Estate and Effects of any and every such Bankrupt and Bankrupts for the whole Sum proved; and also to assent to or dissent from the signing and allowing the Certificate or Certificates of every such Bankrupt and Bankrupts; and further to have, use and exercise all and every other Rights, Authorities and Powers whatsoever, in respect of the Estate and Effects of any and every such Bankrupt or Bankrupts, or the Sale or Disposition thereof, and otherwise to act therein, or in any Matter relating thereto, in the same Manner and to the same Extent as any other Creditor or Creditors of such Bankrupt or Bankrupts, proving a Debt to a like Amount under such Commission or Commissions of Bankrupt respectively might or could do or use or exercise; and also to come in and receive and give a legal and effectual Discharge or legal and effectual Discharges for any Sum or Sums of Money as or in the Nature of a Dividend or Dividends, payable or to become payable by or out of the Estate and Effects of any Insolvent Debtor or Insolvent Debtors, who, at the Time of his or their presenting any Petition or Petitions for his or their Discharge or Discharges from Prison under the several Acts of Parliament now in force for the Relief of Insolvent Debtors, or hereafter to come in force and be enacted, or any of them, shall have any such Prize, Bounty, Grant or other Money or Monies, or Balances of Prize, Bounty, Grant or other Money or Monies, in his or their respective Hands, in or to which the said Hospital or the Army generally, or any Division or Divisions, Battalion or Battalions, Regiment or Regiments, Individual or Individuals of the Army, shall be so interested or entitled as aforesaid, and whether the same shall or shall not have then been previously notified for Distribution, and shall or shall not then be payable over to the said Treasurer or Deputy Treasurer of the said Hospital, or such Person or Persons as either of them shall appoint or depute to receive the same, upon and for the Amounts of all such Prize, Bounty or other Money or Monies, or Balances of Prize, Bounty, Grant or other Money or Monies respectively, which, at the Time or respective Times of such Insolvent Debtor or Insolvent Debtors respectively presenting his or their aforesaid Petition or Petitions of Discharge, shall be in his or their respective Hands, Custody or Power; and also to appear upon and oppose, or consent to any such Petition or Petitions of Discharge, and in all other respects to have and exercise and use all and every Rights, Powers and Authorities in respect of the Estate and Effects of such Insolvent Debtor or Insolvent Debtors, and the Sale, Disposition and Distribution thereof, and to do and act in all other Matters in any wise relating thereto, in the same Manner and to the same Extent as any other Creditor or Creditors of such Insolvent Debtor or Debtors for a like Amount would have or be entitled to, or might or could use or exercise in respect of such Estate and

and Effects, or the Sale or Disposition thereof, or otherwise relating thereto.

IV. And be it further enacted, That all and every the Powers, Rights and Authorities by this Act given or directed or allowed to be used by the Treasurer or Deputy Treasurer of *Chelsea Hospital*, with respect to Army Prize Money in Cases of Bankruptcy or Insolvency, shall and may be used, exercised and employed by the Treasurer or Deputy Treasurer of *Greenwich Hospital* with respect to all Naval Prize Money, Grants, Percentage or other Allowances of Money or Shares thereof, due or payable or given to the Commissioners and Governors of *Greenwich Hospital*, or due or payable or given to His Majesty's Navy or Marines, or the Individual Officers or Privates thereof, or other Persons entitled to share therein, or in which the said Royal Hospital at *Greenwich* or such Person or Persons as aforesaid have a beneficial Interest, in as full and ample a Manner as if the said Powers and Authorities were herein particularly repeated and specified: Provided that nothing hereinbefore contained shall in any Manner affect any Questions depending at the Time of passing his Act in any Matter or Matters in Bankruptcy, in any Petition or Petitions presented before the passing of this Act, or on any Questions which may arise out of or in consequence of such Petition or Petitions; but all Matters so depending in such Petition or Petitions, or so arising, shall be decided and determined as if his Act had not passed.

Powers in respect of the Matters aforesaid given to Treasurer and Deputy of *Chelsea Hospital* extended to the Treasurer and Deputy of *Greenwich Hospital*.

V. And Whereas it is expedient that the Crimes of personating and falsely assuming the Name and Character of any Person entitled to Prize Money or Pension, for the Purpose of fraudulently receiving the same, should no longer be punished with Death; Be it further enacted, That from and after the passing of this Act, whosoever shall willingly and knowingly personate or falsely assume the Name or Character of any Officer, Soldier, Seaman, Marine or other Person entitled or supposed to be entitled to any Wages, Pay, Pension, Prize Money or other Allowance of Money for Service done in His Majesty's Army or Navy, or shall personate or falsely assume the Name or Character of the Executor or Administrator, Wife, Relation or Creditor of any such Officer or Soldier, Seaman, Marine or other Person, in order fraudulently to receive any Wages, Pay, Pension, Prize Money or other Allowances of Money due or supposed to be due for or on Account of the Services of any such Officer or Soldier, Seaman or Marine, or other Person, every such Person being thereof convicted, shall be liable, at the Discretion of the Court, to be transported beyond Seas for Life, or for any Term of Years not less than Seven, or to be imprisoned only, or imprisoned and kept to hard Labour in the Common Gaol or House of Correction for any Time not exceeding Seven Years.

Punishment of personating Persons entitled to Prize Money or Pensions changed to Transportation, &c.

VI. And Whereas by an Act passed in the Fifty eighth Year of the Reign of His late Majesty, intituled *An Act for regulating the Payment of Regimental Debts, and the Distribution of the Effects of Officers and Soldiers dying in the Service, and the Receipt of such Sums due to Soldiers*; it is enacted, that no Person not being an Agent of some Regiment, Battalion or Corps of His Majesty's Army, or of the Militia, shall receive for any

58 G.3. c.73.

§ 4.

Non-

§ 7.

Commissioners  
of Chelsea Hos-  
pital may order  
Payment of  
Prize Orders  
made in favour  
of other Per-  
sons than Regi-  
mental Agents.

‘ Non-commissioned Officer or Soldier, or for any Representative  
‘ or Representatives of, for any Non-commissioned Officer or  
‘ Soldier, any Pay or Arrear of Pay, or any Effects or Proceeds  
‘ of any Effects of any deceased Non-commissioned Officer or  
‘ Soldier dying while in His Majesty’s Service, unless such  
‘ Person shall be entitled to receive such Pay or Effects or Pro-  
‘ ceeds, or any Part thereof, as a Devisee or next of Kin, or  
‘ Executor or Administrator of such Non-commissioned Officer  
‘ or Soldier: And it is by the said Act further enacted, that it  
‘ shall not be lawful for any Agent or Agents appointed for the  
‘ Distribution of Army Prize or Bounty Money, Grant or other  
‘ Allowances of Money in the Nature thereof, or for the Treasurers  
‘ of *Chelsea Hospital*, to pay the Share of any Non-commissioned  
‘ Officer or Soldier to any Person or Persons whatsoever, other  
‘ than the Non-commissioned Officer or Soldier entitled to the  
‘ same, or to the next of Kin, or Executor or Administrator of  
‘ such Non-commissioned Officer or Soldier, or to the Agent of  
‘ any Regiment, Battalion or Corps of His Majesty’s Army or  
‘ Militia, duly authorized by the Party entitled thereto to  
‘ receive the same: And Whereas it is expedient that the Com-  
‘ missioners of the said Royal Hospital shall have Power, under  
‘ special Circumstances, to authorize the Treasurer and Deputy  
‘ Treasurer of the said Royal Hospital to pay Shares and Balances  
‘ upon Prize Orders to Persons not coming within the Descrip-  
‘ tion of Agents as in the said Act mentioned; Be it therefore  
‘ enacted, That in all Cases in which Non-commissioned Officers  
‘ or Soldiers shall previously to the passing of this Act have made  
‘ their Prize Orders in favour of other Persons than Regimental  
‘ Agents, either from the Circumstance of there having been no  
‘ Agent for the Regiment, Battalion or Corps to which such Non-  
‘ commissioned Officers and Soldiers belonged or were attached  
‘ at the Date or making of such Prize Orders respectively, or from  
‘ any other Causes which shall seem reasonable and sufficient to  
‘ the Commissioners of *Chelsea Hospital*, and in all Cases in which  
‘ Non-commissioned Officers or Soldiers shall hereafter make their  
‘ Prize Orders in favour of other Persons than Regimental Agents,  
‘ from the Circumstance of there being no Agent appointed for  
‘ the Regiment, Battalion or Corps to which such Non-commis-  
‘ sioned Officers and Soldiers respectively belong or are attached  
‘ at the Time of making their Prize Orders, it shall be lawful for  
‘ the Commissioners of the Royal Hospital at *Chelsea*, and they are  
‘ hereby authorized and empowered to direct Payment to be made  
‘ upon such Orders by the Treasurer or Deputy Treasurer of the  
‘ said Royal Hospital to the Persons named as the Payee therein,  
‘ or to the legal Representative of such Payee, any Thing in the  
‘ said Act of the Fifty eighth Year of His late Majesty contained  
‘ in any wise notwithstanding.

‘ VII. And Whereas Colonel *John Drouly*, by his Will, gave  
‘ all his residuary Estate, after Payment of certain Legacies, to  
‘ be equally divided between the Royal Hospitals at *Chelsea* and  
‘ *Greenwich*, to be paid to the Treasurers of the said Royal  
‘ Hospitals, to be applied for the Use and Benefit of the Pa-  
‘ sioners of the said respective Hospitals in such Manner as the  
‘ Governors and Directors should order and direct: And Whereas  
‘ the

' the Commissioners of the Royal Hospital at *Chelsea* have contracted for the Purchase of a Piece of Land adjoining the said Hospital, being Part of the *Ranelagh* Estate, for the Use and Benefit of the Pensioners of the said Royal Hospital;' Be it further enacted, That any Sum not exceeding Ten thousand Pounds, Part of the residuary Estate of the said Colonel *John Drowly*, shall and may be applied in the Purchase of and Payment for the Piece of Land so contracted for by the said Commissioners; and the said Piece of Land shall and may be conveyed to and for ever thereafter be held by the Commissioners of the said Royal Hospital of *Chelsea* for the Time being, and their Successors, or conveyed to a Trustee or Trustees on Behalf of the said Commissioners for the Time being of the said Royal Hospital, for the Use and Benefit of the said Royal Hospital.

Commissioners of Chelsea Hospital may lay out 10,000*l.* Part of the Estate of Colonel Drowly, in the Purchase of a Piece of Land adjoining the Hospital.

### C A P. CVIII.

In Act for transferring to the *East India* Company certain Possessions newly acquired in the *East Indies*, and for authorizing the Removal of Convicts from *Sumatra*.

[24th June 1824.]

WHEREAS by 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*; it was enacted, that the Territorial Acquisitions mentioned in an Act passed in the Thirty 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 their exclusive Trade, under certain Limitations; for establishing further Regulations for the Government of the said Territories, and the better Administration of Justice within the same; for appropriating to certain Uses the Revenues and Profits of the said Company; and for making Provision for the good Order and Government of the Towns of Calcutta, Madras and Bombay*; together with such of the Territorial Acquisitions obtained since the passing of the said Act upon the Continent of *Asia*, or in any Islands situate to the North of the Equator, were then in the Possession of and under the Government of the United Company of Merchants of *England* trading to the *East Indies*, with the Revenues thereof respectively, should remain and continue in the Possession and under the Government of the said United Company, subject to such Powers and Authorities for the Superintendance, Direction and Control over all Acts, Operations and Concerns which relate to the Civil or Military Government or Revenues of the said Territories, and to such further and other Powers, Authorities, Rules, Regulations and Restrictions as had been made or provided by any

53 G.S. c. 155.

§ 1.

83 G.S. c. 52.

any Act or Acts of Parliament in that behalf, or were made and provided by the said Act of the Fifty third Year of the Reign of His said late Majesty, for a further Term, to be computed from the Tenth Day of April One thousand eight hundred and fourteen, until the same should be determined by virtue of a Proviso contained in the said Act: And Whereas the Island of Singapore in the East Indies has, since the passing of the said Act, been occupied by the said United Company: And Whereas by a Treaty concluded between His Majesty and the King of the Netherlands, on the seventeenth Day of March One thousand eight hundred and twenty four, the King of the Netherlands has agreed, that all his Establishments on the Continent of India, and also the Town and Fort of Malacca, and its Dependencies, shall be ceded to his Majesty; and it is by the said Treaty further stipulated, that the Factory of Bencoolen, and all the English Possessions in Sumatra, shall be ceded to His Majesty the King of the Netherlands: Be it therefore enacted by the King's most Excellent Majesty, by and with the 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 Island of Singapore, and also all the Colonies, Possessions and Establishments ceded to His Majesty by the said Treaty, shall be transferred to the United Company of Merchants of England trading to the East Indies, and holden by the said Company in such and the same Manner, to all Intents, Effects, Constructions and Purposes whatsoever, and subject to the same Authorities, Restrictions and Provisions, as the Factory of Bencoolen, and the Possessions in the Island of Sumatra, were vested in and holden by the said Company immediately before the Conclusion of the said Treaty.

The Island of Singapore ceded to His Majesty, and transferred to the East India Company.

Power given to remove Persons transported to the Island of Sumatra, or to change the Place of Transportation of such Persons as may be ordered to be transported to that Island.

Order of such Removal not to

II. And Whereas sundry Persons are or may be suffering the Punishment of Transportation in, or may be under Sentence of Transportation to the Island of Sumatra, by the Authority of Courts exercising Jurisdiction within the several British Presidencies or Governments in the East Indies; Be it therefore enacted by the Authority aforesaid, That it shall be lawful for the Government under whose Authority any such Person shall have been transported to the Island of Sumatra, to order and direct either absolutely, conditionally or provisionally, that such Person, if within the said Island, shall be removed therefrom, and transported for the Remainder of his or her Sentence to any other Place to which he or she might originally have been transported; and that it shall be lawful to and for any such Government as aforesaid, to order and direct that any Person, under Sentence of Transportation to the said Island of Sumatra, and not actually transported there, shall be transported to any other Place to which he or she might originally have been transported; and the several Governments of the said British Presidencies and Settlements in the East Indies are hereby severally required to take Order for such Removal or Change of Place of Transportation, in the same Manner as they are now required by Law to take Order for the due Performance of any Sentence of Transportation: Provided also, that no such Order for Removal, which shall be inconsistent with any Indentures or Contract of Service

Service which any Person transported may be subject to, shall be carried into Execution without the Consent of the Party or Parties entitled to the Benefit of such Indentures or Contract. affect Contracts.

## C A P. CIX.

An Act to enable the Earl Marshal and his Deputy to execute the Duties of their Office or Offices, without previously taking or subscribing certain Oaths or Declarations.

[24th June 1824.]

WHEREAS it is expedient that the Earl Marshal and his Deputy for the Time being should be enabled to execute the Duties of his or their Office or Offices, without previously taking or subscribing certain Oaths and Declarations: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall and may be lawful for the Earl Marshal or his Deputy for the Time being to execute all the Duties of his or their Office or Offices respectively, without previously taking, or subscribing any Declaration or Oath, save and except the Oath of Allegiance to His Majesty, His Heirs and Successors, and the Oath for the due Performance of the Duties of the said Office or Offices.

Earl Marshal or his Deputy may execute Office, without taking certain Oaths;

II. And be it further enacted by and with the Authority aforesaid, That all and every Act or Acts performed or executed by the Earl Marshal or his Deputy for the Time being, without or their having previously taken or subscribed any Declaration or Oath, save and except the Oath of Allegiance and the Oath of Office, shall be held, and the same is or are hereby declared and enacted to be of the same Force, Validity and Effect, to all intents and Purposes whatsoever, as if the same had been performed or executed by an Earl Marshal or his Deputy for the Time being, who had taken the Oath of Supremacy and signed the Declaration against Transubstantiation; any Law, Usage or Custom to the contrary notwithstanding.

Acts performed by them as valid as if they had taken the Oath of Supremacy, &c.

## C A P. CX.

An Act for the Indemnity of Magistrates in Proceedings against Persons using unlawful Weights in *Ireland*.

[24th June 1824.]

WHEREAS by an Act passed in the Parliament of *Ireland*, in the Fourth Year of the Reign of Queen Anne, intituled *An Act for regulating the Weights used in this Kingdom, and that Salt and Meal shall be sold by Weight*, it was amongst other Provisions therein enacted, that there should be provided, for Her Majesty's Charge, a set of just and true Weights; (that is to say), One Ounce Weight, One Pound Weight, One Four Pound Weight, One Seven Pound Weight, One Fourteen Pound Weight, One Twenty eight Pound Weight, and One Half hundred Weight or Fifty six Pounds; all which Weights were to

4 Anne, (I.)

Standard  
Weights to be  
provided by  
Lords of the  
Treasury.

‘ to be made and sized according to the true and just Avoirdupois  
‘ Weight, and to be made of Brass, and to be marked with the  
‘ Letters A. R. with the Crown over them ; and the said Weights  
‘ so made, assized, adjusted and prepared, were to be lodged in  
‘ Her Majesty’s Exchequer, in the Custody of the Lord Treas-  
‘ surer, or of the Vice Treasurer, or his Deputy or Deputies for  
‘ the Time being, there to remain as the Standard Weights for  
‘ *Ireland*: And Whereas the Standard Weights required to be pro-  
‘ vided by the said recited Act have been lost from, or are not  
‘ now to be found in the said Exchequer ; Be it therefore enacted  
by the King’s most Excellent Majesty, by and with the Advice  
and Consent of the Lords Spiritual and Temporal, and Commons,  
in this present Parliament assembled, and by the Authority of the  
same, That within One Calendar Month next after the passing of  
this Act, and afterwards from time to time, whenever Occasion  
may require, there shall be provided by the Lord High Treasurer  
or the Commissioners of His Majesty’s Treasury of the United  
Kingdom of *Great Britain* and *Ireland*, or any Three of them, a  
Set of just and true Weights ; (that is to say), One Ounce Weight,  
One Pound Weight, One Four Pound Weight, One Seven Pound  
Weight, One Fourteen Pound Weight, One Twenty eight Pound  
Weight, and One Half hundred Weight or Fifty six Pounds ; all  
which shall be made and sized according to the true and just  
Avoirdupois Weight, and shall be made with Brass, and shall  
be marked with the Seal of His Majesty’s Exchequer, and shall  
be lodged at the Receipt of His Majesty’s Exchequer in *Ireland*,  
in the Office of the Vice Treasurer of *Ireland* for the Time being,  
or in such other Place as the Lord High Treasurer or Commis-  
sioners of His Majesty’s Treasury shall from time to time direct  
there to be and remain as the Standard Weights for that Part of  
the United Kingdom of *Great Britain* and *Ireland* called *Ireland* ;  
and such Weights, when so lodged, shall be and are hereby  
declared to be the just and true Standard Weights for *Ireland* ;  
and that all such Weights so to be provided shall be, to all Intents  
and Purposes whatever, and the same are hereby declared to be  
of the same and the like Effect and Validity for the ascertaining,  
examining, trying, sizing and sealing, and regulating any other  
Weights whatever ; and with respect to all Informations, Actions,  
Suits or Proceedings whatever, had, commenced, prosecuted or  
brought at any Time before the passing of this, † or to be had,  
commenced, prosecuted or brought at any Time after the passing  
of this Act, as if such Weights were or had been the original  
Weights prescribed by the said recited Act, and as if the same  
had been and remained in the said Exchequer at and from the  
Time mentioned and directed in the said recited Act.

† *Sec.*

Powers of Act  
4 Anne (I.)  
extended to this  
Act.

II. And be it further enacted, That all the Powers, Rules and  
Regulations in the said recited Act of the Fourth Year of the  
Reign of Queen *Anne*, or in any other Act or Acts contained,  
specified and set forth, for ascertaining, examining, trying, sizing  
and sealing, and regulating of any Weights whatsoever, or for the  
seizing, breaking or destroying of any Weights not conformable  
to the Standard Weights, and for the Punishment of any Person  
or Persons having any defective Weights, shall be applied and  
put in Execution in like Manner to all Intents and Purposes as if  
the



the Weights ascertained by this Act had been specified in the said recited Act or any other such Acts, or in every of them respectively, and as if such Powers, Rules and Regulations, Provisions, Penalties and Forfeitures, and the Modes of recovering hereof, had been repeated and re-enacted in this Act, except only so far as the said Acts, or any of them, or any Part thereof, are or is expressly repealed or varied or altered by this Act.

III. And be it further enacted, That if any Action, Suit or Prosecution hath been or shall be commenced or prosecuted against any Mayor, Magistrate or other Person or Persons, for any Act, Matter or Thing whatever, done, advised or commanded under or by virtue or colour of the said recited Act of the Fourth Year of the Reign of Queen *Anne*, or under or by virtue or colour of this Act, or any other Act or Acts in force in *Ireland* relating to Weights, or for or concerning the trying, condemning, seizing, taking, carrying away or detaining of any Weights of any Merchant, Dealer or Chapman, for not being just Weights, or not being equal to the said Standard Weights, or for the taking and seizing of any fraudulent Beam and Scales, it shall and may be lawful for such Mayor, Magistrate or other Person or Persons to plead the General Issue, or in Replevin to avow generally that he the Defendant did take the Goods and Chattels in question, as Chief Magistrate, Clerk of the Market or other Officer, as the Case may be, because the said Weights were not just and true Weights, or that the said Beam and Scales were not just Beam and Scales, and shall give his Right and Authority to try, condemn, seize and take away the said Goods and Chattels, and other the special Matter and this Act in Evidence, without pleading the same; and if the Plaintiff or Plaintiffs shall become Nonsuit, or shall forbear further Prosecution, or shall offer a Discontinuance, or if a Verdict shall be given for the Defendant or Defendants, such Defendant respectively shall have and receive their Double Costs, for which such Defendants respectively shall have the like Remedy as in Cases in which Costs are by Law given to Defendants.

In Actions for executing Act.

General Issue.

Double Costs.

### C A P. CXI.

An Act to amend an Act of the Forty first Year of the Reign of His late Majesty King *George* the Third, for the more speedy and effectual Recovery of Debts due to His Majesty, His Heirs and Successors, in Right of the Crown of the United Kingdom of *Great Britain* and *Ireland*; and for the better Administration of Justice within the same. [24th June 1824.]

WHEREAS by an Act passed in the Forty first Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the more speedy and effectual Recovery of Debts due to His Majesty, His Heirs and Successors, in Right of the Crown of the United Kingdom of Great Britain and Ireland, and for the better Administration of Justice within the same*, it is enacted, that in all Cases where in any Suit between Party and Party any Decree shall be pronounced, or any Order made for Payment,

41 G.3. c.90.  
§ 6.

' Payment, or for accounting for Money by the High Court of  
 ' Chancery in that Part of the United Kingdom called *Ireland*,  
 ' the Lord Chancellor, Lord Keeper or Lords Commissioners for  
 ' the Custody of the Great Seal of *Ireland* for the Time being  
 ' respectively, shall, upon Application made to him or them  
 ' respectively, cause a Copy of such Order or Decree to be ex-  
 ' emplified and certified to the Court of Chancery in that Part  
 ' of the United Kingdom called *England*, under the Great Seal  
 ' of *Ireland*; and the Lord Chancellor, Lord Keeper or Lords  
 ' Commissioners for the Custody of the Great Seal of *England*,  
 ' shall forthwith cause such Order or Decree, when it shall be  
 ' prescribed to them respectively, so exemplified, to be enrolled  
 ' in the Rolls of the High Court of Chancery in *England*, and  
 ' shall cause Process of Attachment and Committal to issue  
 ' against the Person of the Party against whom such Order or  
 ' Decree shall have been made respectively, in order to enforce  
 ' Obedience to and Performance of the same, as fully and  
 ' effectually to all Intents and Purposes as if such Order or  
 ' Decree had been originally pronounced in the said Court of  
 ' Chancery in *England*; and it shall and may be lawful to and  
 ' for the Lord Chancellor, Lord Keeper, or Lords Commissioners  
 ' of the Great Seal of *England* for the Time being, from time to  
 ' time to make Orders upon Petition, as the Occasion may  
 ' require, for Payment of Money levied under such Process as  
 ' aforesaid into the Bank of *England*, with the Privity of the  
 ' Accountant General of the said Court, to the Credit and for  
 ' the Benefit of the Party who shall have obtained such Order or  
 ' Decree; and the Governor and Company of the Bank of *Eng-  
 ' land* are by the said Act authorized and required to receive and  
 ' hold all such Monies, subject to the Orders of the said Court of  
 ' Chancery; provided always, that no such Monies shall be  
 ' charged with or subject to Poundage when the same shall be  
 ' paid out by Order of the said Court: And Whereas similar  
 ' Provisions are contained in the said Act respecting the Execu-  
 ' tion in *Ireland* of Decrees and Orders made by the High Court  
 ' of Chancery in *England*, not only in any Suit between Party  
 ' and Party, but also in any Matter or Proceeding by Petition in  
 ' Cases of Minors, Bankrupts, Idiots or Lunatics; and it is expe-  
 ' dient that the Provisions of the said Act should be extended to  
 ' Orders in any Matter or Proceeding in *Ireland* by Petition in  
 ' Cases of Minors, Bankrupts, Idiots or Lunatics: Be it therefore  
 ' enacted by the King's most Excellent Majesty, by and with the  
 ' 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, on any Order for Payment or for accounting for Money  
 ' pronounced by the High Court of Chancery, or by the Lord  
 ' Chancellor, Lord Keeper, or Lords Commissioners for Custody of  
 ' the Great Seal, or Master of the Rolls, in *Ireland*, in any Matter  
 ' or Proceeding by Petition in Cases of Minors, Bankrupts, Idiots  
 ' or Lunatics, it shall and may be lawful for the Party obtaining  
 ' the same to take such Proceeding to enforce Obedience to and  
 ' Performance of the same in that Part of the United Kingdom  
 ' called *England*, as in and by the said Act is enacted of and  
 ' concerning

On Order of  
 Court of Chan-  
 cery in Ireland  
 for Payment of  
 Money in Cases  
 of Minors,  
 Bankrupts, &c.  
 Party obtaining  
 it may take  
 such Proceed-  
 ing to enforce  
 Obedience

concerning Decrees and Orders pronounced by said Court of Chancery in *Ireland* in any Suit pending between Party and Party; and that all such Enactments, Advantages and Provisions as are by the said Act enacted and provided touching and respecting Decrees of the Court of Chancery in *Ireland* in any Suit between Party and Party shall be and the same are hereby enacted and extended to all Orders made by said Court of Chancery, or the Lord Chancellor, Lord Keeper, or Lords Commissioners of the Great Seal, or Master of the Rolls, in *Ireland*, for Payment or for accounting for Money in any Matter or Proceeding by Petition in Cases of Minors, Bankrupts, Idiots or Lunatics, to all Intents and Purposes, as if such Orders in Cases of Minors, Bankrupts, Idiots or Lunatics, had been particularly stated and mentioned in the said Act.

thereto in England as by recited Act is provided concerning Decrees pronounced between Party and Party.

## C A P. CXII.

An Act to amend so much of an Act of the Forty ninth Year of His late Majesty as relates to the forming Tables of Manors, Parishes, Town Lands and other Subdenominations of Land, in *Ireland*, for the Purpose of providing for the future Survey and Valuation of that Part of the United Kingdom; and for settling the Boundaries of Counties, Cities and Towns, in certain Cases.

[24th June 1824.]

**W**HEREAS by an Act passed in the Forty ninth Year of the Reign of His late Majesty, intituled *An Act for amending the Irish Road Acts*, it was amongst other Things enacted, that the several Grand Juries throughout *Ireland* might at the Assizes next ensuing, or at any subsequent Assizes, proceed to form a Table of the several Manors, Parishes or Denominations: And Whereas the Provisions of the said Act have, when carried into effect, been found beneficial: Now be it 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 the same, That the several Grand Juries throughout *Ireland* shall and they are hereby directed and required at the Assizes next ensuing the passing of this Act, to form a Table of the Names of the several Parishes, Manors, Town Lands, Plough Lands, Bartrons or other Subdenominations, by what Name soever such subdenominations may be known, and the Contents of each; and the Treasurer of each County, County of a City or County of a Town, shall cause public Notice to be given thereof throughout each Barony, Half Barony or Parish, by ordering the Collector, High Constable or Sub Constable, to paste a Copy of such Table at the Door of every Church, Chapel, Court House and Market House therein, Thirty Days at the least previous to the then next ensuing Assizes, requiring all Persons who may think themselves aggrieved by such Table to appear before the Grand Jury at such their next ensuing Assizes; and such Grand Jury at such next mentioned Assizes shall proceed to examine such Persons as shall so appear, upon Oath, which Oath the Foreman of such

49 G.S. c. 84.  
§ 28.

Grand Juries to form a Table of the Names of Parishes, Manors, &c. Treasurer to give Notice thereof to Baronies, that Persons aggrieved may appear before the Grand Jury.

Grand Jury is hereby empowered to administer, respecting such Table and any Objections thereto; and such Grand Jury shall, at such last mentioned Assizes, proceed to amend such Table as they shall think fit, or to confirm such Table as originally formed, and to direct the said Table to be kept among the Records of the County, County of a City or of a Town, as the Case may be.

High Constables or other Collectors, to make a Return to Grand Juries of Names of Parishes, &c. in which they have levied County Rate, with Number of Acres rated.

II. And be it further enacted, That for the Purpose of enabling the several Grand Juries to comply with this Act, the several High Constables or other Collectors shall, at the Assizes next ensuing after the passing of this Act, make a Return to their respective Grand Juries of the Names of the several Manors, Parishes, Town Lands, Plough Lands, Cartrons or other Subdenominations, in which the said High Constables or Collectors have collected and levied the County Rate or County Cess, together with the Number of Acres at which these several Subdenominations have been rated or assessed; or in case the said County Charge or County Cess has not been rated by the Acre, then and in such Case the said High Constable or other Collector shall make a Return in Writing of the Mode and Manner in which the said Rates and Charges have been assessed, and of the Proportion in which each of the several Denominations have contributed; and in case any such Collector or High Constable shall neglect making such Return as aforesaid, it shall not be lawful to and for the Grand Jury for which such Collector or High Constable shall act, to make any Presentment for Fee or Salary for such High Constable or other Collector at such Assizes.

Sites reserved for building new Court House or Gaol considered Part of County of City or Town.

III. And be it further enacted, That whenever any Part, Parcel or Site has been reserved out of a County of a City or County of a Town, as a Place for delivering the Gaol, or holding the Assize for an adjoining County at large, and that by reason of building of a new Court House or new Gaol for such County at large, the former Court House or Gaol is no longer used for such Purposes, that then and in every such Case such Part, Parcel or Site so reserved shall be deemed and taken to be to all Intents and Purposes a Part of the County of a City or County of a Town within which the same is situate, and from which it has been so reserved.

Extended to Grand Juries of Dublin.

IV. And be it further enacted, That the several Acts which are hereby directed to be done by the several Grand Juries at Assizes, shall be performed by the Grand Juries of the City of Dublin at the Presenting Terms next ensuing the passing of this Act.

Judges to give Act in Charge at next Assizes.

V. And be it further enacted, That this Act shall be given in Charge to the several Grand Juries throughout Ireland by the Judges at the Assizes next ensuing.

### C A P. CXIII.

An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade. [24th June 1824.]

‘ WHEREAS it is expedient that the various Acts and Enactments relating to Slavery and the Slave Trade should be consolidated and amended; Be it therefore enacted by the King’s

King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *January* in the Year of our Lord One thousand eight hundred and twenty five, all the Acts and Enactments relating to the Slave Trade and the Abolition thereof, and the Exportation and Importation of Slaves, shall be and the same are hereby repealed, save and except in so far as they may have repealed any prior Acts or Enactments, or may have been acted upon, or may be expressly confirmed by this present Act. (a)

II. And be it further enacted, That it shall not be lawful (except in such special Cases as are hereinafter mentioned) for any Persons to deal or trade in, purchase, sell, barter or transfer, or to contract for the dealing or trading in, Purchase, Sale, Barter or Transfer of Slaves, or Persons intended to be dealt with as Slaves (b); or to carry away or remove, or to contract for the carrying away or removing of Slaves or other Persons, as or in order to their being dealt with as Slaves; or to import or bring, or to contract for the importing or bringing into any Place whatsoever, Slaves or other Persons, as or in order to their being dealt with as Slaves; or to ship, tranship, embark, receive, detain or confine on board, or to contract for the shipping, transshipping, embarking, receiving, detaining or confining on board of any Ship, Vessel or Boat, Slaves or other Persons, for the Purpose of their being carried away or removed, as or in order to their being dealt with as Slaves; or to ship, tranship, embark, receive, detain or confine on board, or to contract for the shipping, transshipping, embarking, receiving, detaining or confining on board of any Ship, Vessel or Boat, Slaves or other Persons, for the Purpose of their being imported or brought into any Place whatsoever, as or in order to their being dealt with as Slaves; or to fit out, man, navigate, equip, dispatch, use, employ, let or take to freight or on hire, or to contract for the fitting out, manning, navigating, equipping, dispatching, using, employing, letting or taking to freight or on hire, any Ship, Vessel or Boat, in order to accomplish any of the Objects, or the Contracts in relation to the Objects, which Objects and Contracts have hereinbefore been declared unlawful; or to lend or advance, or become Security for the Loan or Advance, or to contract for the lending or advancing, or becoming Security for the Loan or Advance of Money, Goods or Effects, employed or to be employed in accomplishing any of the Objects, or the Contracts in relation to the Objects, which Objects and Contracts have hereinbefore been declared unlawful; or to become Guarantee or Security, or to contract for the becoming Guarantee or Security for Agents employed or to be employed in accomplishing any of the Objects, or the Contracts in relation to the Objects, which Objects and Contracts have hereinbefore been declared unlawful; or in any other Manner to engage or to contract to engage directly or indirectly therein as a Partner, Agent or otherwise; or to ship, tranship, load, receive or put on board, or to contract for the shipping,

(a) [See Sections 24. 31. 37. 52. post.]  
tions 13, 14. post.]

(b) [See Sections

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All Acts relating to the Slave Trade, and the Exportation and Importation of Slaves, repealed.

Purchase, Sale or Contract for Slaves declared unlawful; as also the Exportation and Importation of Slaves;

the Shipping of Slaves in order to Exportation or Importation;

the fitting out Vessels;

making Loans or Guarantees;

the Shipping of Goods, &c.

or serving on board Ships employed for any of the aforesaid Purposes ;

or the insuring of Slave Adventures.

Dealing in Slaves, or exporting or importing them, &c.;

or shipping Slaves for the Purpose of Exportation or Importation.

Penalty 100*l.* for each Slave.

transhipping, lading, receiving or putting on board of any Ship, Vessel or Boat, Money, Goods or Effects, to be employed in accomplishing any of the Objects, or the Contracts in relation to the Objects, which Objects and Contracts have hereinbefore been declared unlawful ; or to take the Charge or Command, or to navigate or enter and embark on board, or to contract for the taking the Charge or Command, or for the navigating or entering and embarking on board of any Ship, Vessel or Boat, as Captain, Master, Mate, Petty Officer, Surgeon, Supercargo, Seaman, Marine or Servant, or in any other Capacity, knowing that such Ship, Vessel or Boat is actually employed, or is in the same Voyage, or upon the same Occasion, in respect of which they shall so take the Charge or Command, or navigate or enter and embark, or contract so to do as aforesaid, intended to be employed in accomplishing any of the Objects, or the Contracts in relation to the Objects, which Objects and Contracts have hereinbefore been declared unlawful ; or to insure or to contract for the insuring of any Slaves, or any Property, or other Subject Matter, engaged or employed, or intended to be engaged or employed, in accomplishing any of the Objects, or the Contracts in relation to the Objects, which Objects and Contracts have hereinbefore been declared unlawful.

III. And be it further enacted, That (except in such special Cases as are in and by this Act permitted) if any Persons shall deal or trade in, purchase, sell, barter or transfer, or contract for the dealing or trading in, Purchase, Sale, Barter or Transfer of Slaves, or Persons intended to be dealt with as Slaves, or shall carry away or remove, or contract for the carrying away or removing of Slaves or other Persons, as or in order to their being dealt with as Slaves, or shall import or bring, or contract for the importing or bringing into any Place whatsoever Slaves or other Persons, as or in order to their being dealt with as Slaves, or shall ship, tranship, embark, receive, detain or confine on board, or contract for the shipping, transhipping, embarking, receiving, detaining or confining on board of any Ship, Vessel or Boat, Slaves or other Persons for the Purpose of their being carried away or removed, as or in order to their being dealt with as Slaves ; or to ship, tranship, embark, receive, detain or confine on board, or contract for the shipping, transhipping, embarking, receiving, detaining or confining on board of any Ship, Vessel or Boat, Slaves or other Persons, for the Purpose of their being imported or brought into any Place whatsoever, as or in order to their being dealt with as Slaves, then and in every such Case the Person so offending, and their Procurers, Counsellors, Aiders and Abettors, shall forfeit and pay for every such Offence the Sum of One hundred Pounds of lawful Money of Great Britain for each and every Slave so dealt or traded in, purchased, sold, bartered or transferred, carried away, removed, imported, brought, shipped, transhipped, embarked, received, detained or confined on board, or so contracted for as aforesaid ; the One Moiety thereof, to the Use of His Majesty, His Heirs and Successors, and the other Moiety to the Use of any Person who shall inform, sue and prosecute for the same ; and all Property or pretended Property in such Slaves or Persons as aforesaid shall also be forfeited.

feited, and the said Slaves or Persons shall and may be seized and prosecuted as hereinafter is mentioned and provided. [See Sections 13, 14. *post.*]

IV. And be it further enacted, That (except in such special Cases or for such special Purposes as are in and by this Act permitted) if any Persons shall fit out, man, navigate, equip, dispatch, use, employ, let or take to freight or on hire, or contract for the fitting out, manning, navigating, equipping, despatching, using, employing, letting or taking to freight or on hire, any Ship, Vessel or Boat, in order to accomplish any of the Objects, or the Contracts in relation to the Objects, which Objects and Contracts have hereinbefore been declared unlawful, such Ship, Vessel or Boat, together with all her Boats, Guns, Tackle, Apparel and Furniture, and together likewise with all Property, Goods or Effects found on board, belonging to the Owner or Owners, Part Owner or Part Owners of any such Ship, Vessel or Boat, shall become forfeited, and may and shall be seized and prosecuted as hereinafter is mentioned and provided.

For fitting out Slave Ships (Exception).

Forfeiture of Ship and all Goods belonging to the Owner found on board.

V. And be it further enacted, That (except in such special Cases or for such special Purposes as are in and by this Act permitted) if any Persons shall knowingly and wilfully lend or advance, or become Security for the Loan or Advance, or shall contract for the lending or advancing, or becoming Security for the Loan or Advance of Money, Goods or Effects, employed or to be employed in accomplishing any of the Objects, or the Contracts in relation to the Objects, which Objects and Contracts have hereinbefore been declared unlawful, then and in every such Case the Persons so offending, and their Procurers, Counsellors, Aiders and Abettors, shall forfeit and pay for every such Offence double the Value of all the Money, Goods and Effects so lent, advanced or secured, or so contracted for as aforesaid, to be recovered and applied as is hereinafter mentioned and provided.

Embarking Capital in the Slave Trade.

Penalty double Value.

VI. And be it further enacted, That (except in such special Cases or for such special Purposes as are in and by this Act permitted) if any Persons shall knowingly and wilfully become Guarantee or Security, or contract for the becoming Guarantee or Security for Agents employed, or to be employed in accomplishing any of the Objects, or the Contracts in relation to the Objects, which Objects and Contracts have hereinbefore been declared unlawful, or shall in any other Manner engage or contract to engage directly or indirectly therein, as a Partner, Agent or otherwise, then and in every such Case the Persons so offending, and their Procurers, Counsellors, Aiders and Abettors, shall forfeit and pay for every such Offence double the Value of all the Money, Goods and Effects so by them secured or contracted so to be as aforesaid, to be recovered and applied as is hereinafter mentioned and provided.

Guaranteeing Slave Adventures.

Penalty double Value.

VII. And be it further enacted, That (except in such special Cases or for such special Purposes as are in and by this Act permitted) if any Person shall knowingly and wilfully ship, tranship, receive or put on board, or contract for the shipping, transshipping, lading, receiving putting or on board of any Ship, Vessel or Boat, any Money, Goods or Effects to be employed in accomplishing any of the Objects, or the Contracts in relation to the

Shipping Goods to be employed in the Slave Trade.

Penalty double Value. Objects, which Objects and Contracts have hereinbefore been declared unlawful, then and in every such Case the Persons so offending, and their Procurers, Counsellors, Aiders and Abettors, shall forfeit and pay for every such Offence double the Value of all the Money, Goods and Effects so shipped, transhipped, laden, received or put on board, or contracted so to be as aforesaid, to be recovered and applied as is hereinafter mentioned and provided.

Insuring Slave Adventures.

VIII. And be it further enacted, That (except in such special Cases or for such special Purposes as are in and by this Act permitted) if any Person shall knowingly and wilfully insure or contract for the insuring of any Slaves, or any Property or other Subject Matter engaged or employed or intended to be engaged or employed in accomplishing any of the Objects, or the Contracts in relation to the Objects, which Objects and Contracts have hereinbefore been declared unlawful, then and in every such Case the Person so offending, and their Procurers, Counsellors, Aiders and Abettors, shall forfeit and pay for every such Offence the Sum of One hundred Pounds of lawful Money of Great Britain for every such Insurance or Contract for the same, and also Treble the Amount of the Premium of any such Insurance or Contract for the same, the One Moiety thereof to the Use of His Majesty, His Heirs and Successors, and the other Moiety to the Use of any Person who shall inform, sue and prosecute for the same, and every such Insurance shall be absolutely null and void.

Penalty 100l. and Treble Amount of Premium.

Dealing in Slaves on the High Seas, &c. to be deemed Piracy.

IX. And be it further enacted, That if any Subject or Subjects of His Majesty, or any Person or Persons residing or being within any of the Dominions, Forts, Settlements, Factories or Territories now or hereafter belonging to His Majesty, or being in his Majesty's Occupation or Possession, or under the Government of the United Company of Merchants of England trading to the East Indies, shall, except in such Cases as are in and by this Act permitted, (after the First Day of January One thousand eight hundred and twenty five,) upon the High Seas, or in any Haven, River, Creek or Place where the Admiral has Jurisdiction, knowingly and wilfully carry away, convey or remove, or aid or assist in carrying away, conveying or removing, any Person or Persons as a Slave or Slaves, or for the Purpose of his, her or their being imported or brought as a Slave or Slaves, into any Island, Colony, Country, Territory, or Place whatsoever, or for the Purpose of his, her or their being sold, transferred, used or dealt with as a Slave or Slaves, or shall (after the said First Day of January One thousand eight hundred and twenty five) except in such Cases as are in and by this Act permitted, upon the High Seas, or within the Jurisdiction aforesaid, knowingly and wilfully ship, embark, receive, detain or confine, or assist in shipping, embarking, receiving, detaining or confining on board any Ship, Vessel or Boat, any Person or Persons for the Purpose of his, her or their being carried away, conveyed or removed as a Slave or Slaves, or for the Purpose of his, her or their being imported or brought as a Slave or Slaves into any Island, Colony, Country, Territory or Place whatsoever, or for the Purpose of his, her or their being sold, transferred, used or dealt with as a Slave or Slaves,



Slaves, then and in every such Case the Person or Persons so offending shall be deemed and adjudged guilty of Piracy, Felony and Robbery, (and being convicted thereof shall suffer Death without Benefit of Clergy, and Loss of Lands, Goods and Chattels, as Pirates, Felons and Robbers upon the Seas ought to suffer.)

Death, &c.

X. And be it further enacted, That (except in such special Cases as are in and by this Act permitted or otherwise provided for) if any Persons shall deal or trade in, purchase, sell, barter or transfer, or contract for the dealing or trading in, Purchase, Sale, Barter or Transfer of Slaves, or Persons intended to be dealt with as Slaves, or shall, otherwise than as aforesaid, carry away or remove, or contract for the carrying away or removing of Slaves or other Persons, as or in order to their being dealt with as Slaves; or shall import or bring, or contract for the importing or bringing, into any Place whatsoever, Slaves or other Persons, as or in order to their being dealt with as Slaves; or shall, otherwise than as aforesaid, ship, tranship, embark, receive, detain or confine on board, or contract for the shipping, transshipping, embarking, receiving, detaining or confining on board of any Ship, Vessel or Boat, Slaves or other Persons, for the Purpose of their being carried away or removed, as or in order to their being dealt with as Slaves; or shall ship, tranship, embark, receive, detain or confine on board, or contract for the shipping, transshipping, embarking, receiving, detaining or confining on board of any Ship, Vessel or Boat, Slaves or other Persons, for the Purpose of their being imported or brought into any Place whatsoever, as or in order to their being dealt with as Slaves; or shall fit out, man, navigate, equip, dispatch, use, employ, let or take to freight or on hire, or contract for the fitting out, manning, navigating, equipping, dispatching, using, employing, letting or taking to freight or on hire, any Ship, Vessel or Boat, in order to accomplish any of the Objects, or the Contracts in relation to the Objects, which Objects and Contracts have hereinbefore been declared unlawful; or shall knowingly and wilfully lend or advance, or become Security for the Loan or Advance, or contract for the lending or advancing, or becoming Security for the Loan or Advance of Money, Goods or Effects, employed, or to be employed in accomplishing any of the Objects, or the Contracts in relation to the Objects, which Objects and Contracts have hereinbefore been declared unlawful; or shall knowingly and wilfully become Guarantee or Security, or contract for the becoming Guarantee or Security for Agents employed or to be employed in accomplishing any of the Objects, or the Contracts in relation to the Objects, which Objects and Contracts have hereinbefore been declared unlawful, or in any other Manner to engage, or to † contract to engage, directly or indirectly therein, as a Partner, Agent or otherwise; or shall knowingly and wilfully ship; tranship, lade, receive or put on board, or contract for the shipping, transshipping, lading, receiving or putting on board of any Ship, Vessel or Boat, Money, Goods or Effects to be employed in accomplishing any of the Objects, or the Contracts in relation to the Objects, which Objects and Contracts have hereinbefore been declared unlawful; or shall take the Charge or Command, or navigate, or enter and embark on board, or contract

Persons dealing in Slaves, or exporting or importing Slaves;

or shipping Slaves in order to Exportation or Importation;

or fitting out Slave Ships;

or embarking Capital in the Slave Trade;

or guaranteeing Slave Adventurers;

† Sic. or shipping Goods, &c. to be employed in the Slave Trade;

or serving on board Slave Ships as Captain, Master, &c. Surgeon, &c.;

or insuring Slave Adventures;

or forging Instruments relating to the Slave Laws.

declared guilty of Felony, &c.

Seamen, &c. serving on board such Ships guilty of Misdemeanor.

Punishment.

Proviso for Option to sue for Penalties in the Vice Admiralty Courts.

for the taking the Charge or Command, or for the navigating or entering and embarking on board of any Ship, Vessel or Boat, as Captain, Master, Mate, Surgeon or Supercargo, knowing that such Ship, Vessel or Boat is actually employed, or is in the same Voyage, or upon the same Occasion, in respect of which they shall so take the Charge or Command, or navigate or enter and embark, or contract so to do as aforesaid, intended to be employed in accomplishing any of the Objects, or the Contracts in relation to the Objects, which Objects and Contracts have hereinbefore been declared unlawful; or shall knowingly and wilfully insure, or contract for the insuring of any Slaves, or any Property or other Subject Matter engaged or employed in accomplishing any of the Objects, or the Contracts in relation to the Objects, which Objects and Contracts have hereinbefore been declared unlawful; or shall wilfully and fraudulently forge or counterfeit any Certificate, Certificate of Valuation, Sentence or Decree of Condemnation or Restitution, Copy of Sentence or Decree of Condemnation or Restitution, or any Receipt (such Receipts being required by this Act), or any Part of such Certificate, Certificate of Valuation, Sentence or Decree of Condemnation or Restitution, Copy of Sentence or Decree of Condemnation or Restitution, or Receipt as aforesaid; or shall knowingly and wilfully utter or publish the same, knowing it to be forged or counterfeited, with Intent to defraud His Majesty, His Heirs or Successors, or any other Person or Persons whatsoever, or any Body Politic or Corporate; then and in every such Case the Person or Persons so offending, and their Procurers, Counsellors, Aiders and Abettors, shall be and are hereby declared to be Felons, and shall be transported beyond Seas for a Term not exceeding Fourteen Years, or shall be confined and kept to Hard Labour for a Term not exceeding Five Years, nor less than Three Years, at the Discretion of the Court before whom such Offender or Offenders shall be tried and convicted.

XI. And be it further enacted, That (except in such special Cases or for such special Purposes as are in and by this Act expressly permitted) if any Persons shall enter and embark on board, or contract for the entering and embarking on board of any Ship, Vessel or Boat, as Petty Officer, Seaman, Marine or Servant, or in any other Capacity not hereinbefore specifically mentioned, knowing that such Ship, Vessel or Boat is actually employed, or is in the same Voyage, or upon the same Occasion, in respect of which they shall so enter and embark on board, or contract so to do as aforesaid, intended to be employed in accomplishing any of the Objects, or the Contracts in relation to the Objects, which Objects and Contracts have hereinbefore been declared unlawful; then and in every such Case the Persons so offending, and their Procurers, Counsellors, Aiders and Abettors, shall be and they are hereby declared to be guilty of a Misdemeanor only, and shall be punished by Imprisonment for a Term not exceeding Two Years.

XII. Provided always, and it is hereby further enacted and declared, That nothing in this Act contained, making Piracies, Felonies, Robberies and Misdemeanors of the several Offences aforesaid, shall be construed to repeal, annul or alter the Provisions

visions and Enactments in this Act also contained, imposing Forfeitures and Penalties or either of them upon the same Offences, or to repeal, annul or alter the Remedies given for the Recovery thereof; but that the said Provisions and Enactments imposing Forfeitures and Penalties shall in all respects be deemed and taken to be in full Force, it being the true Intent and Meaning of this Act, that the Right and Privilege heretofore exercised of suing in Vice Admiralty Courts for the Forfeitures or Penalties, shall remain in full Force and Effect as before the passing of this Act; and the Jurisdiction of the said Vice Admiralty Courts in all Cases of Forfeitures and Penalties imposed by this Act is hereby established, given, ratified and confirmed.

XIII. Provided always, and be it further enacted, That nothing in this Act contained shall prevent or be construed to prevent any Persons from dealing or trading in, purchasing, selling, bartering or transferring, or from the contracting for the dealing or trading in, Purchase, Sale, Barter or Transfer of any Slaves or Slave lawfully being within any Island, Colony, Dominion, Fort, Settlement, Factory or Territory belonging to or in the Possession of His Majesty, in case such Dealing or Trading, Purchase, Sale, Barter, Transfer or Contract shall be made and entered into with the true Intent and Purpose of employing or working such Slaves or Slave within such and the same Island, Colony, Dominion, Fort, Settlement, Factory or Territory, in which they, he or she may lawfully be at the Time of the making or entering into any such Dealing or Trading, Purchase, Sale, Barter, Transfer or Contract.

XIV. Provided always, and be it further enacted, That nothing in this Act contained shall prevent or be construed to prevent any Person from carrying away or removing by Land or Coastwise, or from contracting for the carrying away or removing by Land or Coastwise, of any Slaves, lawfully being in any Part of any Island, Colony, Dominion, Fort, Settlement, Factory or Territory belonging to or in the Possession of His Majesty, to any other Part of the same Island, Colony, Dominion, Fort, Settlement, Factory or Territory: Provided always, that where Two or more Islands are comprized in the same Colonial Government, nothing in this Act contained shall prevent or be construed to prevent any Proprietor of Slaves, lawfully being in any one of such Islands, from carrying away or removing such Slaves to any other Island within the same Government, for the Purpose of cultivating any Estate or plantation belonging to such Proprietor himself, provided that such special Purpose of the Removal shall previously be made to appear to the Satisfaction of the Governor or Lieutenant Governor, or other Person having the Chief Civil Command for the Time being within such Government, who thereupon shall and may grant a Licence for such Removal, specifying therein the special use thereof; but before any Slave or Slaves shall, by virtue of any such Licence, be so removed or embarked on board of any Ship or Vessel for that Purpose, such Clearances or Permits and such Certificates shall be obtained as are hereinafter mentioned and directed in regard to Domestic Slaves attending on their Owner or Master or his Family by Sea.

Proviso for purchasing Slaves in Island, &c. belonging to His Majesty, if employed there:

And for the Removal of such Slaves in the same Island, &c.

In what case on Licence, Proprietors of Slaves may remove them to any Island within the Government.

XV. Pro-

His Majesty in Council in the Case herein mentioned may authorize, until July 31, 1827, the Removal of Slaves from any British Island in the West Indies to another British Island there.

Security.

Convict Slaves may be transported from a British Island to a Foreign Settlement.

Domestic Slaves may accompany their Masters :

Name and Occupation to be inserted in Ship's Clearance.

XV. Provided also, and 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 by him or them from time to time issued, with the Advice of His or Their Privy Council, to authorize and permit, until the Thirty first Day of July One thousand eight hundred and twenty seven, and to the End of the next ensuing Session of Parliament, and no longer, the Removal of any Slaves from any Island in the *West Indies* belonging to or in the Possession of His Majesty, to any other Island in the *West Indies* belonging to or in the Possession of His Majesty, in case it shall be made appear to His Majesty, His Heirs and Successors, and His or Their Council, that such Removal is essential to the Welfare of the Slaves proposed to be so removed : Provided also, that it shall and may be lawful for His Majesty, His Heirs and Successors, by any such Order or Orders as aforesaid, to make and establish such Stipulations, Conditions and Regulations for the Benefit of such Slaves, in the Island to which they may be so removed, as to His Majesty, His Heirs and Successors, with the Advice of His or Their Council, may seem meet, and to take Security a double the Value of the Slaves so to be removed (such Value to be estimated according to the Price of Slaves in the Island to which such Slaves are to be taken) by Bond or Recognizance to be made and entered into by the Person or Persons to or on the Application of whom such Licence may be granted, with at least Two sufficient Sureties, for the due and faithful Observance and Performance of all such Stipulations, Conditions and Regulations as aforesaid ; and all Orders in Council to be so issued as aforesaid shall be laid before both Houses of Parliament within Six Weeks next after the Commencement of each Session.

XVI. Provided also, and be it further enacted, That nothing in this Act contained shall prevent the Transportation to any Foreign Colony or Place of any Slave or Slaves that shall have been convicted in any Court of Record, by due Course of Law, in any present or future *British* Island or Colony, of any Crime to which the Punishment of Transportation is or shall be annexed by the Law of such Island or Colony ; but in every such Case a Copy of the Judgment or Sentence, certified by the Court before which the Offender was convicted, shall be put on board in the Ship or Vessel in which any such Convict shall be transported.

XVII. Provided also, and be it further enacted, That nothing in this Act contained shall prevent any Slave, who shall be really and truly the Domestic Servant of any Person residing or being in any Island, Colony, Plantation or Territory, belonging to or under the Dominion or in the Possession of His Majesty, from attending such his Owner or Master, or any Part of his Family, by Sea, to any Place whatever ; nevertheless, under the following Regulations ; that is to say, First, the Name and Occupation of every such Domestic Slave or Slaves shall be inserted in or endorsed upon the Clearance or Permit to depart of such Ship or Vessel, by or in the Presence of the Collector, Comptroller or other Chief Officer of the Customs of the Port or Place from which such Ship or Vessel shall clear outwards on any Voyage, who shall without Fee or Reward certify under his Hand, that the Slave or Slaves so embarked or carried were reported or described

cribed to him as Domestic Servants; Secondly, the Master or Owner of any such Domestic Slave or Slaves shall obtain from the Registry of the Colony to which the same shall belong, an Extract, certified by the Registrar thereof, showing that such Domestic Slave or Slaves has or have been duly entered in the Slave Registry of the said Colony, by their Name and Description or Names and Descriptions therein specified, which Extract and Certificate shall always be on board the Ship or Vessel in which any such Domestic Slave or Slaves is or are carried; and upon such Slave or Slaves being brought into or landed in any British Colony, the Extract and Certificate of his, her or their registration in the Colony from which he, she or they may have come, shall be forthwith produced to the Collector or Principal Officer of the Customs, and a Copy thereof shall be by him delivered to the Registrar of Slaves in the Colony into which he, she or they may be brought; and if the Domestic Slave or Slaves shall be again removed from the Colony into which they may have been so brought, previous to the next Period for making Returns of Slaves therein, the Collector shall, previous to the Embarkation of such Domestic Slave or Slaves, return to the Party requiring it the original Extract and Certificate of Registration delivered into his Office, to be kept on board the Ship or Vessel in which such Domestic Slave or Slaves may be carried; and if the Regulations herein contained be not complied with, the Owners of the said Slave or Slaves shall forfeit the Sum of One hundred Pounds for every such Slave or Slaves so illegally dealt with, and the Master or other Person having the Charge of such Ship or Vessel shall in every such Case forfeit the Sum of One hundred Pounds for each and every Domestic Slave so unlawfully taken on board.

XVIII. Provided also, and be it further enacted, That nothing in this Act contained shall prevent any Slave or Slaves from being employed in Navigation, in Numbers not exceeding in any One Vessel or Boat those usually employed in navigating such Vessels or Boats; nevertheless where he or they shall be designedly so employed in navigating from any British Island, Colony, Plantation or Territory, the Regulations prescribed for the Transit of Domestic Slaves as aforesaid shall be duly observed.

XIX. Provided also, and be it further enacted, That nothing in this Act contained shall prevent any Slave or Slaves from being employed in Fishing, or any other his ordinary Business or Occupation upon the Seas; nevertheless, where he or they shall be so employed in the Course of a Navigation designedly undertaken from any British Island, Colony, Plantation or Territory, the Regulations prescribed for the Transit of Domestic Slaves as aforesaid shall be duly observed.

XX. Provided also, and be it further enacted, That nothing in this Act contained shall prevent any Slave or Slaves from being taken on board any Ship or Vessel by the Order of His Majesty's Commander in Chief, either by Sea or Land, in any Island, Colony, Plantation or Territory belonging to or under the Dominion of His Majesty, in order to be employed in His Majesty's Military or Naval Service, and from being by such Order so employed, wherever or wheresoever the said Service may require.

Extract from Slaves' Registry to be put on board, and produced on Arrival.

Regulations to be observed on Re-embarkation.

Penalties, if Regulations not complied with.

Slaves may be employed in Navigation, under certain Regulations.

As also in Fishing, or other their Ordinary Occupations.

Slaves may be employed in the Military and Naval Services.

XXI. Pro-

Slaves in Vessels in Distress may be assisted.

The Manner in which captured Slaves shall be disposed of regulated.

Proviso for Order in Council.

Persons detained in Slavery escaping, any Officer may provide for and protect them.

XXI. Provided also, and be it further enacted, That nothing in this Act contained shall prevent the transshipping and assisting at Sea any Slave or Slaves which shall be in any Ship or Vessel in Distress.

XXII. And be it further enacted, That all Slaves and all Persons treated, dealt with, carried, kept or detained as Slaves, which shall be seized or taken as Prize of War or liable to Forfeiture under this Act, shall and may, for the Purposes only of Seizure, Prosecution and Condemnation as Prize or as Forfeiture, be considered, treated, taken and adjudged as Slaves and Property, in the same Manner as Negro Slaves have been heretofore considered, treated, taken and adjudged when seized as Prize of War, or as forfeited for any Offence against the Laws of Trade and Navigation respectively; but the same shall be condemned as Prize of War or as forfeited to the sole Use of His Majesty, His Heirs and Successors, for the Purpose only of divesting and barring all other Property, Right, Title or Interest whatever, which before existed or might afterwards be set up or claimed in or to such Slaves or Persons so seized, prosecuted or condemned; and the same nevertheless shall in no case be liable to be sold, disposed of, treated or dealt with as Slaves by or on the Part of His Majesty, His Heirs or Successors, or by or on the Part of any Person or Persons claiming or to claim from, by or under His Majesty, His Heirs and Successors, or under or by Force of any such Sentence or Condemnation: Provided always, that it shall be lawful for His Majesty, His Heirs and Successors, and such Officers, Civil or Military, as shall by any General or Special Order of the King in Council be from time to time appointed to receive, protect, and provide for such Persons as shall be condemned, either to enter and enlist the same or any of them into His Majesty's Land or Sea Service as Soldiers, Seamen or Marines, or to bind the same or any of them, whether of full Age or not, as Apprentices for any Term not exceeding Seven Years, to such Person or Persons, in such Place or Places, and upon such Terms and Conditions, and subject to such Regulations as to His Majesty shall seem meet, and as shall by any General or Special Order of His Majesty in Council be in that Behalf directed and appointed; and any Indenture of Apprenticeship, duly made and executed by any Person or Persons to be for that Purpose appointed by any such Order in Council for any Term not exceeding Seven Years, shall be of the same Force and Effect as if the Party thereby bound as an Apprentice had himself or herself when of full Age upon good Consideration duly executed the same; and every such Person who shall be so enlisted or entered as aforesaid into His Majesty's Land or Sea Forces as a Soldier, Seaman or Marine, shall be considered, treated and dealt with in all respects as if he had voluntarily enlisted or entered himself.

XXIII. Provided always, and be it further enacted, That in case any Person or Persons illegally held or detained in Slavery shall hereafter by Shipwreck or otherwise be cast upon, or shall escape to or arrive at any Island or Colony, Fort, Territory or Place under the Dominion or in the Possession of His Majesty, it shall and may be lawful for His Majesty, His Heirs and Successors

sors, or for any such Officers Civil or Military as aforesaid, to deal with, protect and provide for any such Person or Persons, in such and the same Manner as is hereinbefore directed with respect to Persons condemned as Prize of War, or as forfeited under this Act.

XXIV. And be it further enacted, That whenever any Person apprenticed under the Provisions of any of the Acts for the Abolition of the Slave Trade, shall be ill-treated by the Master to whom he is apprenticed, or by any other Person by his Directions, or with his Knowledge, Approbation or Consent, it shall and may be lawful for such Person so apprenticed and so ill-treated, to apply himself, or by any other Person on his Behalf, to the Judge of the Vice Admiralty Court nearest to which his said Master shall be residing; and the said Judge shall have Authority and is hereby empowered and required to take Cognizance of the said Complaint, and to summon the said Master, Witnesses and other Persons before him, and examine into the same summarily, and decide thereupon; and if the said Complaint shall, in the Judgment of the said Court, be satisfactorily proved, it shall be lawful for the said Judge to fine the said Master any Sum not exceeding One hundred Pounds of good and lawful Money of *Great Britain*, and to enforce Payment hereof by Distress and Imprisonment; and also, if it shall seem to him meet, to cancel the Indentures of Apprenticeship; and any Fine so enforced shall go to and belong to our Sovereign Lord the King, His Heirs and Successors.

XXV. Provided always, and be it further enacted, That where any Slaves or Persons treated, dealt with, carried, kept or detained as Slaves taken as Prize of War by any of His Majesty's Ships of War or Privateers duly commissioned, shall be finally condemned as such to His Majesty's Use as aforesaid, there shall be paid to the Captors thereof, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, such Bounty as His Majesty, His Heirs and Successors, shall direct by any Order in Council, so as the same shall not exceed the Sum of Twenty Pounds lawful Money of *Great Britain* for every Man, Woman and Child that shall be so taken and condemned, and shall be delivered over to the proper Officer or Officers, Civil or Military, appointed to receive, protect and provide for the same; which Bounties shall be divided amongst the Officers, Seamen, Marines and Soldiers on board His Majesty's Ships of War or hired armed Ships, in Manner, Form and Proportion, as by His Majesty's Proclamation for granting the Distribution of Prizes to be issued for that Purpose shall be directed and appointed, and amongst the Owners, Officers and Seamen of any private Ship or Vessel of War, in such Manner and Proportion as by any Agreement in Writing which they shall have entered into for that Purpose shall be directed.

XXVI. Provided also, and be it further enacted, That on the condemnation to the Use of His Majesty, His Heirs and Successors of any Slaves or Persons treated, dealt with, carried, kept or detained as Slaves, seized and prosecuted not as Prize of War, or as forfeited for any Offence against this Act (when such Seizure has been made at Sea by the Commander or Officer of any

**Remedy**  
Where Apprentices under Provisions of former Acts are ill-treated by their Masters.

**Captors of**  
Slaves taken as Prize of War to be allowed a Bounty, not exceeding 20*l.* for every Man taken.

**Governor and**  
Party prosecuting allowed a Bounty.

**If Seizure**  
made at Sea 10*l.* per Man, &c.

any of His Majesty's Ships or Vessels of War), there shall be paid to the Commander or Officer of such Ship or Vessel of War, who shall so seize, inform and prosecute, for every Man, Woman and Child so condemned and delivered over, the Sum of Ten Pounds like Money, subject nevertheless to such Distribution of the said Bounties or Rewards for the said Seizures made at Sea, as His Majesty, His Heirs and Successors shall think fit and direct by any Order in Council made for that Purpose; and where such Seizure shall not have been made at Sea by the Commander or Officer of any of His Majesty's Ships or Vessels of War, there shall be paid to and to the Use of the Person who shall have sued, informed and prosecuted the same to Condemnation, the Sum of Seven Pounds Ten Shillings lawful Money aforesaid, for every Man, Woman and Child that shall be so condemned and delivered over, and also the like Sums to and to the Use of the Governor or Commander in Chief of any Colony or Plantation: wherein such Seizure shall be made.

If not made at Sea, 7l. 10s. per Man.

Mode of obtaining such Bounty.

XXVII. Provided always, and be it further enacted, That in order to entitle the Captors to receive the said Bounty Money, the Numbers of Men, Women and Children so taken, condemned and delivered over, shall be proved to the Commissioners of His Majesty's Treasury, by producing a Copy duly certified of the Sentence and Decree of Condemnation, and also a Certificate under the Hand of the said Officer or Officers, Military or Civil, so appointed as aforesaid, and to whom the same shall have been delivered, acknowledging that he or they hath or have received the same, to be disposed of according to His Majesty's Instructions and Regulations as aforesaid.

Decision of doubtful Claims to be determined by the Judge of Admiralty.

XXVIII. Provided also, and be it further enacted, That in any Cases in which Doubts shall arise whether the Party or Parties claiming such Bounty Money is or are entitled thereto, the same shall be summarily determined by the Judge of the High Court of Admiralty, subject nevertheless to an Appeal to the Lords Commissioners of Appeals in Prize Causes.

Limitation of Appeal.

XXIX. Provided always, and be it further enacted, That no Appeals shall be prosecuted from any Decree or Sentence of any Court of Admiralty or Vice Admiralty, touching any of the Matters provided for in this Act, unless the Inhibition shall be applied for and decreed within Twelve Months from the Time when such Decree or Sentence was pronounced, except where such Decree or Sentence shall be passed in any Vice Admiralty Court at the Cape of Good Hope or to the Eastward thereof, in which Cases Eighteen Months shall be allowed for the Prosecution of the said Appeal.

Proviso for 57 G.S. c. 127.

XXX. Provided also, and be it further enacted, That nothing in this Act contained shall be construed to repeal or alter a certain Act passed in the Fifty seventh Year of His late Majesty King George the Third, intituled *An Act to settle the Share of Prize Money, Droits of Admiralty and Bounty Money, payable to Greenwich Hospital, and for securing to the said Hospital all unclaimed Shares of Vessels found derelict, and of Seizures for Breach of the Revenue, Colonial Navigation and Slave Abolition Laws*; but that the Provisions of the said Act shall be and they are



are hereby declared to be applicable to the several Matters and Things in this Act contained, the same as if the said Provisions were specially enumerated and enacted herein.

XXXI. Provided also, and be it further enacted, That it shall be lawful for His Majesty in Council, from time to time to make such Orders and Regulations for the future Disposal and Support of such Persons as shall have been bound Apprentices under this Act, or the Acts hereby repealed, after the Term of their Apprenticeship shall have expired, or the Indenture of Apprenticeship shall have been cancelled, as to His Majesty shall seem meet, and as may prevent such Persons from becoming at any Time chargeable upon the Island, Colony or Settlement in which they shall have been so bound Apprentices as aforesaid.

XXXII. And be it further enacted, That when any Slaves or Persons treated, dealt with, carried, kept or detained as Slaves, shall be captured or seized as Prize of War, or as forfeited or liable to Forfeiture to His Majesty, or otherwise proceeded against in and by virtue of any Law, and brought to Adjudication in the High Court of Admiralty, or in any Court of Vice Admiralty, or in any Court of His Majesty's Colonies or Plantations, or elsewhere within His Majesty's Dominions, which is or may be authorized to hold Jurisdiction in such Cases, it shall be lawful for the Person or Persons claiming any Right or Property in, or the Possession of such Slaves, and he is hereby required to put such Slaves on Shore; and it shall be lawful for the Collector or other Chief Officer of the Customs in such Port or Place in which such Slaves shall be brought to Adjudication, and he is hereby required to direct Enquiry to be made, whether the Person or Persons claiming any Right or Property in, or the Possession of such Slave, shall have furnished, or shall be willing and able to furnish sufficient Food and Necessaries for the Support and wholesome Maintenance of the said Slaves, during the Proceedings which may have been or may be instituted respecting such Slaves; and such Collector or other Chief Officer of the Customs shall, as soon as may be, report to the Governor or Lieutenant Governor, or other Person exercising the Authority of Governor in such Colony, or Plantation or Place, the Result of such Enquiry; and if it shall appear to the said Governor or Lieutenant Governor, or other Person exercising the Authority of Governor, that sufficient Food and Necessaries for the wholesome Maintenance of such Slaves, during the Proceedings so instituted or to be instituted as aforesaid, have been furnished; and if the Person or Persons claiming any Right or Property in or to such Slaves shall refuse or afterwards neglect or omit to supply proper Food and Necessaries for the Support and wholesome Maintenance of the said Slaves during the Proceedings, the said Governor or Lieutenant Governor, or other Person exercising the Authority of Governor in such Colony, or Plantation or Place, being satisfied of the Truth of the Report so made to him, shall authorize the said Collector or Chief Officer of the Customs to take on himself the immediate Care and Custody of such Slaves, and to provide proper Food and Necessaries for such Slaves, during the Proceedings so instituted or to be instituted in any such Court as aforesaid,

Persons apprenticed under this or former Acts on Expiration of Apprenticeship, now disposed of.

Mode of providing for Slaves captured or seized during the Period of Adjudication.

until

How Party claiming Slaves neglecting to provide for them pending Proceedings, dealt with; no Bounty payable for them, unless finally condemned.

until the said Court shall have made its Decree, having the Force and Effect of a definitive Sentence, condemning or restoring the said Slaves; and in case the said Court shall, by such Decree, absolutely restore or condemn such Slaves, the said Court shall, on Application made by the said Collector or Chief Officer of the Customs so providing or having provided for the Support and Maintenance of such Slaves as aforesaid, direct the Accounts for the Provisions and Necessaries so supplied for the said Slaves to be brought into the Registry of the Court and examined, and direct the same, when confirmed, to be a Charge on the said Slaves, to be defrayed by the Person receiving Possession thereof under the Decree of such Court: Provided nevertheless, that in case the Court shall not immediately restore or condemn the said Slaves by Decree, having the Force and Effect of a definitive Sentence, but shall direct further Proof to be made in the Cause, whereby the Restitution or Condemnation shall be deferred, and the Person claiming any Right or Property in, or the Possession of the said Slaves, shall not have supplied, or at any Time pending Proceedings in that Court shall refuse or neglect to supply proper Food and Necessaries for the said Slaves, it shall be lawful for the Court to direct a Valuation to be made of such Slaves, and to decree such Slaves, after such Valuation had and approved by the Court, to be delivered over to such Officer or Person as may be appointed by His Majesty to receive Slaves condemned to His Majesty's Use, according to the Provisions of this Act, and the same shall be dealt with and treated in all respects according to the said Provisions, save and except that the Bounty shall not be due or payable for such Slaves, but in the Event of final Condemnation, according to the Provisions of this Act.

Proceedings with respect to Slaves in case of Appeal from a definitive Sentence.

XXXIII. And be it further enacted, That in all Cases in which there shall have been a Decree having the Force and Effect of a definitive Sentence, restoring or condemning the said Slaves, and the same shall be suspended by Appeal, it shall be lawful for the Court, notwithstanding such Appeal, and it is hereby required to proceed forthwith to direct the Slaves so detained to be valued as above directed; and after such Valuation had and approved by the Court, to be delivered over to such Officer or Person as may be appointed to receive Slaves condemned to His Majesty's Use, according to the aforesaid Provisions, as if the same had been finally condemned to His Majesty; and such Slaves shall be treated and dealt with in all respects in the same Manner as if they had been finally condemned to His Majesty, save and except that the Bounties shall not be due or payable thereon, but in the Event of final Condemnation to His Majesty, according to the Provisions of this Act.

Where Slaves shall be restored in the Court of Appeal, Restitution in Value shall be awarded, deducting the Expences of Maintenance.

XXXIV. And be it further enacted, That in all Cases in which such Slaves shall have been delivered over as before directed, and shall be finally restored in the Court of Appeal, Restitution in Value shall be made for the Use of the Claimant or Proprietor thereof, according to the Valuation made as above directed, together with Interest thereon, such Sums being deducted therefrom as may have been expended for the Support and Maintenance of the said Slaves, by the Collector or Chief Officer of the

the Customs as above directed ; and the Value so adjusted shall be paid out of the Consolidated Fund in the same Manner as Bounties are directed to be paid for Slaves condemned to His Majesty under this Act, on the Production of an official Copy of the final Sentence of Restitution, with the Valuation of the said Slaves endorsed thereon by the Registrar of the said Court, or his Deputy, subject nevertheless, when the Restitution shall be decreed by the Court of Appeal, to the Review and Correction of the said Valuation.

XXXV. Provided always, and be it enacted, That nothing herein contained shall prevent the said Courts or any of them having Jurisdiction in the principal Cause, from adjudging and decreeing the Captors, Seizors or Prosecutors in any such Cause as aforesaid, to pay, out of their own proper Monies, such Sums in the Nature of Costs or Damages as the said Court shall decree, when it shall appear to such Court that the Capture, Seizure or Prosecution, or the Appeal thereon on the Behalf of the Captor, Seizor or Prosecutor, shall not be justified by the Circumstances of the Case.

XXXVI. And be it further enacted, That all Ships or Vessels, whether *British* or Foreign, which shall be condemned in any Court of Admiralty or Vice Admiralty in any Part of His Majesty's Dominions, for any Offence in relation to the Slave Trade, or under any of the mixed Commission Courts hereinafter mentioned, or which may in future be established in pursuance of any Treaty or Convention between this Country and any Foreign Power, shall, from and after such Judgment or Condemnation respectively, be entitled to a Certificate of Registry as a *British* Ship, and thereupon have and enjoy all the Privileges and Advantages of *British* built Ships and Vessels, being first duly registered according to the Provisions of an Act made in the Twenty sixth Year of the Reign of His late Majesty, and shall be deemed and taken as such, and shall be entitled to have and enjoy all and every the same Rights, Liberties, Privileges and Advantages in all respects whatsoever with *British* built Ships and Vessels, and shall be subject and liable to all and every the Rules and Regulations that *British* built Ships or Vessels are subject and liable to ; any Law, Custom or Usage to the contrary thereof in any wise notwithstanding.

XXXVII. And Whereas in and by an Act passed in the Fifty ninth Year of His late Majesty King *George* the Third, intituled *An Act for establishing a Registry of Colonial Slaves in Great Britain, and for making further Provisions with respect to the Removal of Slaves from British Colonies*, it is enacted, that it shall be lawful for His Majesty to nominate and appoint, by Warrant under the Hand and Seal of One of His Majesty's Principal Secretaries of State, some fit and proper Person as the Registrar of Colonial Slaves, to receive the Copies of all Registries or Returns of Slaves, and of any Abstracts or Indexes referring thereto, which may have been, or which may at any Time hereafter be transmitted from any of His Majesty's Foreign Possessions, either in pursuance of any Order of His Majesty in Council, or of any Law or Ordinance duly passed in any of the *British* Colonies respectively, which said Registrar,

In what Case  
Costs, &c.  
against Captor  
on Decree of  
Restitution.

Ships condemn-  
ed for illicit  
Traffic in Slaves  
may be regis-  
tered as *British*  
Ships.

59 G.3. c.120.  
§ 1. confirmed.

- ' and his Successors respectively, shall continue to hold the said  
 ' Office during His Majesty's Pleasure; and also, that the Com-  
 ' missioners of His Majesty's Treasury of the United Kingdom  
 ' of *Great Britain and Ireland*, or any Three or more of them,  
 ' shall assign to the Registrar so appointed such a Salary, not  
 ' exceeding in the Whole the Sum of Eight hundred Pounds per  
 ' *Annun*, as shall appear to them adequate and proper, and shall  
 ' fix the Number of such Clerks, Officers or other Persons, to assist  
 ' the said Registrar, as may from time to time be necessary, and  
 ' shall allow to them also such Salaries as may be proper, and also  
 ' reasonable Sums for incidental Charges; all which Salaries and  
 ' Charges shall be defrayed and paid, in the same Manner as the  
 ' Salaries and incidental Charges of the Offices of His Majesty's  
 § 3. ' Principal Secretaries of State are now defrayed and paid; and  
 ' also, that the said Commissioners of the Treasury, or any Three  
 ' or more of them, shall provide a proper and distinct Office for  
 ' the said Registrar, and shall appoint the several Fees to be  
 ' taken by the Registrar or his Assistants in the said Office, and  
 ' shall cause a Schedule of the same to be delivered to the said  
 ' Registrar at the Time of his Appointment, which said Schedule,  
 ' or a Copy thereof, shall be always kept and hung, for public  
 ' Information, in the Office of the Registrar; provided always,  
 ' that the Fees so received by the Registrar, or his Assistants,  
 ' shall be carried to the public Account, and the Residue thereof,  
 ' if any, after paying the Salaries of the Registrar, and other  
 ' Persons employed in his Office, shall be applied, under the  
 ' Direction of the said Commissioners of the Treasury, in aid of  
 § 4. ' the Expences of His Majesty's Civil List; and also, that the  
 ' Person who may be at any Time appointed Registrar of Colonial  
 ' Slaves shall, before he enters on the Execution of his said  
 ' Office, be sworn before the Chief Justice, or One of the Jus-  
 ' tices of His Majesty's Courts of King's Bench or Common  
 ' Pleas, or the Chief Baron, or One of the Barons of His Maje-  
 ' sty's Court of Exchequer, in the Words following;
- ' I *A. B.* do solemnly promise and swear, That I will in al-  
 ' respects faithfully and uprightly perform the Duties of Re-  
 ' gistrar of Colonial Slaves, to the best of my Judgment and  
 ' Ability. ' So help me GOD.'
- § 5. ' And also, that any Registrar of Slaves who may be appointed by  
 ' virtue of this Act shall, during his Continuance in such Office,  
 ' be incapable of being elected or of sitting as a Member of the
- § 6. ' House of Commons; and also, that as soon as the Office of  
 ' Registrar of Colonial Slaves shall be opened, Copies and Dupli-  
 ' cates of the several Registries and Returns of Slaves in the  
 ' several Colonies, and all Papers connected therewith, which  
 ' may have been received by any of His Majesty's Secretaries or  
 ' State, shall be delivered over to the said Registrar, and shall be  
 ' by him kept in the said Office; and the said Registrar shall from  
 ' time to time carry on, continue, correct and enlarge the Copies  
 ' of the several Registries of Slaves respectively, pursuant to the  
 ' further Returns of Slaves which may from time to time be re-  
 ' ceived from the several Colonies, and shall form such Indexes  
 ' and Abstracts, and such convenient Arrangements in other re-  
 ' spects

' spect's as may best promote Regularity in keeping the said  
 ' Books and facilitate Search therein; and also, that every such  
 ' Registrar or his Clerk or Assistants, so to be appointed as afore- § 7.  
 ' said, shall give due Attendance at the said Office every Day in  
 ' the Week (except *Sundays* and such Holidays as are kept at the  
 ' Bank of *England*), from the Hour of Ten of the Clock in the  
 ' Morning to the Hour of Four of the Clock in the Afternoon, for  
 ' the Dispatch of all Business belonging to the said Office; and  
 ' that every such Registrar, or his Clerks or Assistants, shall, as  
 ' often as required, make Searches concerning any Slave or Slaves  
 ' that shall be registered or supposed to be registered in any of  
 ' the said Books; and shall also, if required, give Certificates  
 ' under the Hand of the said Registrar as to the Registration or  
 ' Nonregistration of any such Slave or Slaves, with Extracts,  
 ' when the same is or are found to be registered, of the Name  
 ' and Description or Names and Descriptions thereof, and of the  
 ' Plantation or Plantations, Owner or Owners to whom the same  
 ' is or are described to belong, and of any other Particulars re-  
 ' lating thereto which may be stated in the said Registry; and  
 ' that such Registrar shall be entitled to receive for every such  
 ' Search, Certificate or Extract, such Sums as shall be duly ap-  
 ' pointed in the Schedule of Fees, to be fixed by the said Com-  
 ' missioners of the Treasury as is hereinbefore provided for; and  
 ' also, that it shall not be lawful for any of His Majesty's Subjects § 8.  
 ' in this United Kingdom to purchase or to lend or advance any  
 ' Money, Goods or Effects upon the Security of any Slave or  
 ' Slaves in any of His Majesty's Colonies or Foreign Possessions,  
 ' unless such Slave or Slaves shall appear by the Return re-  
 ' ceived therein to have been first duly registered in the said  
 ' Office of the Registrar of Colonial Slaves; and that every Sale,  
 ' Mortgage and Conveyance, or Assurance of, and every Charge  
 ' or other Security upon any Slave or Slaves not so appearing to  
 ' be registered, which shall be made or executed within this  
 ' United Kingdom, to or in trust for any of His Majesty's Sub-  
 ' jects, shall be absolutely null and void in respect of any such  
 ' unregistered Slave or Slaves; and that for this Purpose no Slave  
 ' or Slaves shall be deemed and taken to be duly registered, un-  
 ' less it shall appear that a Return of such Slave or Slaves duly  
 ' made by the Owner or Owners or other Persons in his or their  
 ' Behalf, in the Manner and Form required by Law in the Colony  
 ' in which such Slave or Slaves may reside, or a Copy or Abstract  
 ' of such Return shall have been received in the Office of the  
 ' said Registrar from the Colony in which such Slave or Slaves  
 ' shall reside, within the Four Years next preceding the Date of  
 ' such Sale, Mortgage, Conveyance or Assurance, Charge or Se-  
 ' curity as aforesaid; and also, that no Deed or Instrument made § 9.  
 ' or executed within this United Kingdom, whereby any Slave or  
 ' Slaves in any of the said Colonies shall be intended to be mort-  
 ' gaged, sold, charged, or in any Manner transferred or con-  
 ' veyed, or any Estate or Interest therein created or raised, shall  
 ' be good or valid in Law, to pass or convey, charge or affect  
 ' any such Slave or Slaves, unless the registered Name and De-  
 ' scription, or Names and Descriptions, of such Slave or Slaves,  
 ' shall be duly set forth in such Deed or Instrument, or in some  
 ' Schedule

Schedule thereupon indorsed or thereto annexed, according to the then latest Registration, or corrected Registration, of such Slave or Slaves, in the said Office of the Registrar of Slaves: Provided always, that no Deed or Instrument shall be avoided or impeached by reason of a clerical Error in setting forth the Names and Descriptions of any Slave or Slaves therein, or in any Schedule thereto contained, nor shall the same be avoided or impeached by reason of any Disagreement between the Names and Descriptions and the Entries thereof in the Books of the Registry, or Duplicate Registry, which shall have arisen from any Error or Default of the Registrar, his Assistant or Clerks, in extracting and certifying the said Names and Descriptions, without the fraudulent Contrivance or wilful Default of the Parties to such Deed or Instrument: Provided also, that nothing herein contained shall extend or be construed to hinder or prevent the Transfer or Assignment of any Security, Mortgage or Charge, of or upon Slaves, granted, made, created or executed antecedently to the passing of this Act, nor to avoid any Deed or Instrument whereby such Security, Mortgage or Charge shall be hereafter transferred, nor to avoid, hinder or impeach any Will, Codicil or other Testamentary Paper, or any Probate or Letters of Administration, or any Bill of Sale, Assignment, Conveyance or Instrument, made by or under the Authority of any Commission of Bankrupt, or any public Officer appointed to assign or convey any insolvent Estate and Effects, or by or under the Authority of any Court of Justice, or any Officer thereof, or in the Execution of any legal Process, by reason that the registered Names and Descriptions of any Slaves are not set forth in such Deed, Will, Codicil, Testamentary Paper, Probate of Letters of Administration, Bill of Sale, Assignment,

§ 10.

Conveyance or Instrument; and also, that the Issue of any Slave or Slaves, named or described in any Deed or Instrument executed in the United Kingdom, or any Schedule thereto, born after the Return required by Law, in the Colony in which such Slave or Slaves may be resident, who shall afterwards be duly registered in the next Return required by Law in the said Colony, shall be deemed and considered to pass and be conveyed and affected as registered Slaves by such Deed or Instrument as effectually to all Intents and Purposes as if such Issue were therein named and described, and any Thing in this Act contained to the contrary notwithstanding; Now be it declared and enacted, That the said several Enactments shall be and remain in full Force and Effect.

To be in Force.

A Governor pro tempore a Governor within this Act.

XXXVIII. And be it further enacted, That every Act which the Governor of any Island, Colony, Plantation or Territory, belonging to or under the Dominion of His Majesty, is by this Act directed or authorized to do or perform, may be lawfully done or performed by the Person or Persons executing, pro tempore, the Office or Function of Governor of any such Island, Colony, Plantation or Territory, by Authority from His Majesty, whether under the Style and Title of Governor, Lieutenant Governor, President of the Council, or under any other Style or Title whatsoever.

XXXIX And

XXXIX. And be it further enacted, That every Mortgage, Bond, Bill, Note or other Security, made in or to accomplish any of the Objects, or the Contracts in relation to the Objects, which Objects and Contracts have by this Act been declared unlawful, shall, except in the Case of a *bonâ fide* Purchaser or Holder of any such of the said Securities as are in their Nature negotiable, who may have purchased or obtained the same, without Notice that the same were made or given for any such unlawful Purposes, be void.

All Securities given in Contravention of this Act void.

XL. Provided always, and be it further enacted, That if any Person or Persons offending as a Petty Officer, Seaman, Marine or Servant against any of the Provisions of this Act, shall, within Two Years after the Offence committed, give Information on Oath before any competent Magistrate, against any Owner or Part Owner, or any Captain, Master, Mate, Surgeon or Supercargo of any Ship or Vessel, who shall have committed any Offence against this Act, and shall give Evidence on Oath against such Owner or Part Owner, Captain, Master, Mate, Surgeon or Supercargo, before any Magistrate or Court before whom such Offender may be tried; or if such Person or Persons so offending shall give Information to any of His Majesty's Ambassadors, Ministers Plenipotentiary, Envoys, Charges d'Affaires, Consuls, Residents or other Agents, so that any Person or Persons owning such Ship or Vessel, or navigating or taking Charge of the same, as Captain, Master, Mate, Surgeon or Supercargo, may be apprehended, such Person or Persons so giving Information and Evidence shall not be liable to any of the Pains or Penalties under this Act, incurred in respect of his Offence, and His Majesty's Ambassadors, Ministers Plenipotentiary, Envoys, Charges d'Affaires, Consuls, Residents or other Agents, are hereby required to receive any such Information as aforesaid, and to transmit the Particulars thereof, without Delay, to One of His Majesty's Principal Secretaries of State, and to transmit Copies of the same to the Commanders of His Majesty's Ships or Vessels then being in the said Port or Place.

Petty Officers, Seamen, Marines or Servants, having offended and informing against Owners, Captains, Masters, Mates, Surgeons or Supercargoes of Ships, discharged of Penalties, &c.

XLI. And be it further enacted, That if any Oath taken under this Act shall be wilfully false, or if such false Oath shall be untruly or wilfully procured or suborned, the Offender shall incur and suffer the like Pains and Penalties as are by Law indicted upon Persons committing wilful and corrupt Perjury, or subornation of Perjury respectively.

Punishment for Perjury.

XLII. And be it further enacted, That where any Slave or Slaves that may be lawfully removed shall be sent, removed, carried or conveyed, without observing the Regulations, or any other of them, required by this Act, such Slaves or Slaves shall be forfeited to His Majesty, His Heirs and Successors; and where any Slave or Slaves shall be found on board, who shall be untruly or fraudulently described in or upon the Clearance or Permit required by this Act, with Intent to violate or elude any of the Prohibitions or Regulations in this Act contained, the Owner, Master or other Person by whom or by whose Procurement such Slave or Slaves shall be so untruly or fraudulently described with such Intent as aforesaid, shall respectively forfeit and pay the Sum of One hundred Pounds lawful Money of Great Britain for

In what Cases where Slaves removed without observing Regulations, forfeited, and also the Ship. Slaves found on board untruly described, Penalty 100*l*. for every such Slave.

for every such Slave or Slaves; and also where the Non-observance shall consist in exporting, sending, removing, carrying or conveying any Slave or Slaves (not being Domestic or Mariners, as in this Act aforesaid), without such certified Copy from the Registrar of the Colony, as by this Act is mentioned, the Ship or Vessel in which the same shall be so exported, sent, removed, carried or conveyed, shall be forfeited to His Majesty, His Heirs and Successors; and where the Non-observance shall consist in embarking or carrying any Slave or Slaves without such Certificate, the Master or other Person having the Charge of the Ship or Vessel in which the same shall be so embarked and carried, without such Certificate as aforesaid, shall forfeit and pay the Sum of One hundred Pounds lawful Money aforesaid for every such Slave or Slaves.

Masters carrying Slaves without Certificate, Penalty 100*l.* for every Slave.

Seizure of Forfeitures by whom made.

XLIII. And be it further enacted, That all Ships, Vessels, Slaves or Persons treated, dealt with, carried, kept or detained as Slaves, and all Goods and Effects that may become forfeited under this Act, shall and may be seized by any Officer of His Majesty's Customs, or by the Commanders or Officers of any of His Majesty's Ships or Vessels of War, or any Officer bearing His Majesty's Commission in His Majesty's Navy or Army; and moreover, it shall and may be lawful for all Governors or Persons having the Chief Command, Civil or Military, of any of the Colonies, Settlements, Forts or Factories belonging to His Majesty, and for all Persons deputed and authorized by any such Governor or Commander in Chief, to seize and prosecute all Ships and Vessels, Slaves or Persons treated, dealt with, carried, kept or detained as Slaves, and all Goods and Effects whatsoever that shall or may become forfeited for any Offence under this Act.

Appropriation of Ships and Goods forfeited.

XLIV. And be it further enacted, That the Proceeds of all Ships and Goods seized, prosecuted and condemned for any Offence against this Act, except in such Seizures as shall be made at Sea by the Commanders or Officers of His Majesty's Ships or Vessels of War, shall be divided, paid and applied as follows; that is to say, after deducting the Charges of Prosecution from the Gross Amount thereof, One Third of the Net Proceeds shall be paid into the Hands of such Person as His Majesty, His Heirs and Successors, may please to appoint, for the Use of His Majesty, His Heirs and Successors; One Third Part thereof to the Governor or Commander in Chief of the Island Colony, Plantation, Settlement or Territory where the said Seizure shall have been made or prosecuted; and the other Third Part thereof to the Person or Persons who shall lawfully seize, inform and prosecute the same to Condemnation; and in cases of Seizures made at Sea by the Commanders or Officers of His Majesty's Ships or Vessels of War, One Moiety of the said Net Proceeds, after deducting the Charges of Prosecution as aforesaid, shall be paid into the Hands of such Person as His Majesty, His Heirs and Successors, may please to appoint, for the Use of His Majesty, His Heirs and Successors, and the other Moiety to the Commanders or Officers of His Majesty's Ships or Vessels of War, who shall have made the Seizure, and prosecuted the same to Condemnation, subject nevertheless to such Distribution in the Seizures made by the Commanders or Officers of His Majesty's



Majesty's Ships or Vessels of War, whether at Sea or otherwise, as His Majesty, His Heirs and Successors shall think fit to order and direct by any Order or Orders in Council, or by any Proclamation or Proclamations to be made for that Purpose.

XLV. And be it further enacted, That all Persons authorized to make Seizures under this Act shall, in making and prosecuting any such Seizures, have the Benefit of all the Provisions made by an Act of the Fourth Year of His late Majesty King George the Third, intituled *An Act for granting certain Duties in the British Colonies and Plantations in America; for continuing, amending and making perpetual an Act passed in the Sixth Year of the Reign of His late Majesty King George the Second, intituled 'An Act for the better securing and encouraging the Trade of His Majesty's Sugar Colonies in America,' for applying the Produce of such Duties, and of the Duties to arise by virtue of the said Act, towards defraying the Expences of defending, protecting and securing the said Colonies and Plantations; for explaining an Act made in the Twenty fifth Year of the Reign of King Charles the Second, intituled 'An Act for the Encouragement of the Greenland and Eastland Trades, and for the better securing the Plantation Trade;'* and for altering and disallowing several Drawbacks on Exports from this Kingdom, and more effectually preventing the clandestine Conveyance of Goods to and from the said Colonies and Plantations, and improving and securing the Trade between the same and Great Britain; or any other Act made for the Protection of Officers seizing and prosecuting for any Offence against the said Act, relating to the Trade and Revenues of the *British Colonies or Plantations in America.*

Privileges of Seizors.

4 G. 3. c. 15.

XLVI. And be it further enacted, That if any Action or Suit shall be commenced, either in *Great Britain* or elsewhere, 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 so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action after the Defendant or Defendants shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall recover Treble Costs, and have the like Remedy for the same as defendants have in other Cases by Law.

In Actions for executing Act.

General Issue.

Treble Costs.

XLVII. And be it further enacted, That all Actions, Suits, Bills, Indictments or Informations, for the Recovery of any of the Penalties or Forfeitures under this Act, may be commenced, had, sought, sued, exhibited or prosecuted, at any Time within Five Years after the Offence committed, by reason whereof such Penalty or Forfeiture shall be incurred; Provided always, that where any Slave or Slaves have been, or shall at any Time have been legally imported, nothing herein contained shall extend to prevent Proceeding being commenced to obtain the Condemnation or Forfeiture thereof, but that the said Slave or Slaves so illegally imported shall and may be condemned and forfeited at any Time for such illegal Importation.

Limitation of Suit for Penalties and Forfeitures.

Mode of Trial  
for Offences  
against this  
Act.

28 H. 8. c. 15.

33 H. 8. c. 23.

† Sic.  
11 & 12 W. 3.  
c. 7.

46 G. 3. c. 54.

Offences com-  
mitted out of  
the Admiral's  
Jurisdiction.

Process and  
Trial.

Recovery and  
Application of  
Forfeitures and  
Penalties.

XLVIII. And be it further enacted, That all Offences against this Act which shall be committed in any Country, Territory or Place, other than this United Kingdom, or on the High Seas, or in any Port, Sea, Creek or Place where the Admiral has Jurisdiction, and which shall be prosecuted as Piracies, Felonies, Robberies or Misdemeanors, shall and may be enquired of, either according to the ordinary Course of Law, and the Provisions of an Act passed in the Twenty eighth Year of the Reign of King Henry the Eighth, intituled *An Act for Pirates*; or according to the Provisions of an Act passed in the Thirty third Year of the Reign of King Henry the Eighth, intituled *An Act to proceed by Commission of Oyer and Terminer against such Persons as shall confess Treason and Felony, without remanding the same to be tried in the Shire where the Offence was committed*, as far as the same Act is now repealed; † or according to the Provisions of an Act passed in the Eleventh and Twelfth Years of the Reign of His late Majesty King William the Third, intituled *An Act passed for the more effectual Suppression of Piracy*, in as far as the same Act is now unrepealed; or according to the Provisions of an Act passed in the Forty sixth Year of the Reign of His late Majesty King George the Third, intituled *An Act passed for the more speedy Trial of Offences committed in distant Parts, upon the Seas*; and all Persons convicted of any of the said Offences, to be enquired of, tried and determined, under and by virtue of any Commission to be made or issued according to the Directions of the said Act of the Forty sixth Year of His late Majesty's Reign aforesaid, shall be subject and liable to and shall suffer all such and the same Pains, Penalties and Forfeitures, as by this Act, or any Law or Laws now in force, Persons convicted of the same respectively would be subject and liable to, in case the same were respectively enquired of, tried and determined and adjudged within this Realm, by virtue of any Commission made according to the Directions of the Statute of the Twenty eighth Year of the Reign of King Henry the Eighth.

XLIX. And be it further enacted, That all Offences against this Act, which shall be committed in any Place where the Admiral has not Jurisdiction, and not being within the Local Jurisdiction of any ordinary Court of a *British* Colony, Settlement, Plantation or Territory, competent to try such Offence, may be enquired of, tried and determined, under and by virtue of any Commission to be issued according to the Directions of the said Act of the Forty sixth Year of the Reign of His late Majesty King George the Third.

L. And be it further enacted, That all Offences committed against this Act may be enquired of, tried, determined and dealt with, as if the same had been respectively committed within the Body of the County of *Middlesex*.

LI. And be it further enacted, That, unless in Cases specially provided for by this Act, all Forfeitures and Penalties shall and may be prosecuted, sued for, recovered and applied as follows: that is to say, the several pecuniary Penalties and Forfeitures imposed and inflicted by this Act shall and may be sued for, prosecuted and recovered in any Court of Record in *Great Britain*, or in any Court of Record or Vice Admiralty in any Part of His

His Majesty's Dominions, wherein the Offence was committed, or where the Offender may be found after the Commission of such Offence; and all Seizures of Ships, Vessels or Boats, Slaves or Persons treated, dealt with, carried, kept or detained as Slaves, Goods or Effects, subject to Forfeiture under this Act, shall and may be sued for, prosecuted and recovered in any Court of Record in *Great Britain*, or in any Court of Record or Vice Admiralty in any Part of His Majesty's Dominions in or nearest to which such Seizures may be made, or to which such Ships or Vessels, Slaves or Persons treated as Slaves as aforesaid, Goods or Effects (if seized at Sea or without the Limits of any *British Jurisdiction*) may most conveniently be carried for Trial; and all the said Penalties and Forfeitures, whether pecuniary or specific (unless where it is expressly otherwise provided for by this Act), shall go and belong to such Persons, in such Shares and Proportions, and shall and may be sued for and prosecuted, tried, recovered, distributed and applied, in such and the like Manner, and by the same Ways and Means, and subject to the same Rules and Directions, as any Penalties or Forfeitures incurred in *Great Britain* and in the *British Colonies* and Plantations in *America* respectively, by force of any Act relating to the Trade and Revenues of the said *British Colonies* or Plantations in *America*; now go and belong to, and may now be sued for, prosecuted, tried, recovered, distributed and applied respectively in *Great Britain*, or in the said Colonies or Plantations respectively, under and by virtue of a certain Act made in the Fourth Year of His late Majesty King *George the Third*, intituled *An Act for granting certain Duties in the British Colonies and Plantations in America; for continuing, amending and making perpetual an Act passed in the Sixth Year of the Reign of His late Majesty King George the Second, intituled 'An Act for the better securing and encouraging the Trade of His Majesty's Sugar Colonies in America; for applying the Produce of such Duties to arise by virtue of the said Act towards defraying the Expences of defending, protecting and securing the said Colonies and Plantations; for explaining an Act made in the Twenty fifth Year of the Reign of King Charles the Second, intituled 'An Act for the Encouragement of the Greenland and Eastland Trades, and for the better securing the Plantation Trade;'* and for altering and disallowing several drawbacks on Exports from this Kingdom, and more effectually preventing the clandestine Conveyance of Goods to and from the said Colonies and Plantations, and improving and securing the Trade between the same and *Great Britain*.

4 G.S. c. 15.

LII. And Whereas certain Treaties and Conventions, and a Declaration, together with certain explanatory and additional Articles, still subsisting full in force, were made between His late Majesty King *George the Third*, and His Catholic Majesty the King of *Spain*, His Most Faithful Majesty the King of *Portugal*, and His Majesty the King of the *Netherlands* respectively, for preventing Traffic in Slaves, of the Tenor and Effect following; *videlicet*,

Recital of certain Treaties, &c. for preventing Traffic in Slaves.

TREATY

Treaty with  
Portugal, dated  
Jan. 22, 1815.

‘ *TREATY between Great Britain and Portugal, signed at  
‘ Vienna the Twenty second of January One thousand eight  
‘ hundred and fifteen.*

‘ IN the Name of the Most Holy and Undivided Trinity: His  
‘ Royal Highness the Prince Regent of *Portugal* having, by the  
‘ Tenth Article of the Treaty of Alliance concluded at *Rio de*  
‘ *Janeiro* on the 19<sup>th</sup> *February* 1810, declared His Determination  
‘ to cooperate with His *Britannic* Majesty in the Cause of  
‘ Humanity and Justice, by adopting the most efficacious Means  
‘ for bringing about a gradual Abolition of the Slave Trade; and  
‘ His Royal Highness, in pursuance of His said Declaration, and  
‘ desiring to effectuate, in concert with His *Britannic* Majesty and  
‘ the other Powers of *Europe* who have been induced to assist in  
‘ this benevolent Object, an immediate Abolition of the said  
‘ Traffic upon the Parts of the Coast of *Africa* which are situated  
‘ to the Northward of the Line; His *Britannic* Majesty and His  
‘ Royal Highness the Prince Regent of *Portugal*, equally  
‘ animated by a sincere Desire to accelerate the Moment when the  
‘ Blessings of Peaceful Industry and an innocent Commerce may  
‘ be encouraged throughout this extensive Portion of the Con-  
‘ tinent of *Africa*, by its being delivered from the Evils of the  
‘ Slave Trade, have agreed to enter into a Treaty for the said  
‘ Purpose, and have accordingly named as their Plenipotentiaries:  
‘ viz. His Majesty the King of the United Kingdom of *Great*  
‘ *Britain* and *Ireland*, the Right Honourable *Robert Stewart*  
‘ Viscount *Castlereagh*, Knight of the Most Noble Order of the  
‘ Garter, a Member of His said Majesty’s Most Honourable Privy  
‘ Council, a Member of Parliament, Colonel of the Regiment of  
‘ Militia of *Londonderry*, His said Majesty’s Principal Secretary  
‘ of State for Foreign Affairs and His Plenipotentiary at the  
‘ Congress of *Vienna*; and His Royal Highness the Prince  
‘ Regent of *Portugal*, the Most Illustrious and Most Excellent  
‘ *Don Pedro de Sousa Holstein*, Count of *Palmella*, a Member of  
‘ His Royal Highness’s Council, Commander of the Order of  
‘ Christ, Captain of a Company of the Royal German Life Guard;  
‘ the Most Illustrious and Most Excellent *Anthony de Saldanha de*  
‘ *Gama*, a Member of His Royal Highness’s Council and of His  
‘ Council of Finance, Commander of the Military Order of St.  
‘ *Benedict* of *Aviz*; and the Most Illustrious and Most Excellent  
‘ *Don Joachim Lobo da Silveira*, a Member of His Royal High-  
‘ ness’s Council, and Commander of the Order of Christ, His  
‘ Royal Highness’s Plenipotentiaries at the Congress of *Vienna*;   
‘ who, having mutually exchanged their full Powers, found in  
‘ good and due Form, have agreed upon the following Articles:  
‘ Article I. — That from and after the Ratification of the pre-  
‘ sent Treaty, and the Publication thereof, it shall not be lawful  
‘ for any of the Subjects of the Crown of *Portugal* to purchase  
‘ Slaves, or to carry on the Slave Trade, on any Part of the Coast  
‘ of *Africa* to the Northward of the Equator, upon any Pretext, or  
‘ in any Manner whatsoever: Provided nevertheless, that the  
‘ said Provision shall not extend to any Ship or Ships having  
‘ cleared out from the Ports of *Brazil* previous to the Publication  
‘ of such Ratification, and provided the Voyage in which such  
‘ Ship

Ship or Ships are engaged shall not be protracted beyond Six Months after such Publication as aforesaid.

‘ Article II. — His Royal Highness the Prince Regent of *Portugal* hereby agrees and binds himself to adopt, in concert with His *Britannic* Majesty, such Measures, as may best conduce to the effectual Execution of the preceding Engagement, according to its true Intent and Meaning; and His *Britannic* Majesty engages, in concert with His Royal Highness, to give such Orders as may effectually prevent any Interruption being given to *Portuguese* Ships resorting to the actual Dominions of the Crown of *Portugal*, or to the Territories which are claimed in the said Treaty of Alliance, as belonging to the said Crown of *Portugal*, to the Southward of the Line, for the Purposes of trading in Slaves as aforesaid, during such further Period as the same may be permitted to be carried on by the Laws of *Portugal*, and under the Treaties subsisting between the Two Crowns.

‘ Article III. — The Treaty of Alliance concluded at *Rio de Janeiro* on the Nineteenth Day of *February* One thousand eight hundred and ten, being founded on Circumstances of a temporary Nature, which have happily ceased to exist, the said Treaty is hereby declared to be void in all its Parts, and of no Effect; without Prejudice, however, to the ancient Treaties of Alliance, Friendship and Guarantee, which have so long and so happily existed between the Two Crowns, and which are hereby renewed by the High Contracting Parties, and acknowledged to be of full Force and Effect.

‘ Article IV. — The High Contracting Parties reserve to themselves, and engage to determine by a separate Treaty, the Period at which the Trade in Slaves shall universally cease, and be prohibited throughout the entire Dominions of *Portugal*; the Prince Regent of *Portugal* hereby renewing his former Declaration and Engagement, that during the Interval which is to elapse before such general and final Abolition shall take effect, it shall not be lawful for the Subjects of *Portugal* to purchase or trade in Slaves upon any Parts of the Coast of *Africa*, except to the Southward of the Line, as specified in the Second Article of this Treaty, nor to engage in the same, or to permit their Flag to be used, except for the Purpose of supplying the Transatlantic Possessions belonging to the Crown of *Portugal*.

‘ Article V. — His *Britannic* Majesty hereby agrees to remit, from the Date at which the Ratification mentioned in the First Article shall be promulgated, such further Payments as shall then remain due and payable upon the Loan of Six hundred thousand Pounds, made in *London* for the Service of *Portugal* in the Year One thousand eight hundred and nine, in Consequence of a Convention signed on the Twenty first Day of *April* of the same Year; which Convention, under the Conditions specified as aforesaid, is hereby declared to be void and of no Effect.

‘ Article VI. — The present Treaty shall be ratified, and the ratifications shall be exchanged at *Rio de Janeiro* in the Space of Five Months, or sooner if possible. In Witness whereof the  
‘ respective

‘ respective Plenipotentiaries have signed it, and have thereunto  
‘ affixed the Seals of their Arms.

‘ Done at *Vienna*, this Twenty second Day of *January*, in the  
‘ Year of our Lord One thousand eight hundred and fifteen.

(Signed)

(Signed)

‘ (L. s.) *Castlereagh*.

‘ (L. s.) *Conde de Palmella*.

‘ (L. s.) *Antonio de Saldanha de Gome*.

‘ (L. s.) *B. Joaquim Lobo da Silveira*.

‘ Additional Article. — It is agreed, that in the Event of any  
‘ of the *Portuguese* Settlers being desirous of retiring from the  
‘ Settlements of the Crown of *Portugal* on the Coast of *Africa*  
‘ to the Northward of the Equator, with the Negroes *bonâ fide*  
‘ their Domestic, to some other of the Possessions of the Crown  
‘ of *Portugal*, the same shall not be deemed unlawful, provided it  
‘ does not take place on board a Slave trading Vessel, and pro-  
‘ vided they be furnished with proper Passports and Certificates,  
‘ according to a Form to be agreed upon between the Two  
‘ Governments.

‘ The present Additional Article shall have the same Force and  
‘ Effect as if it were inserted Word for Word in the Treaty  
‘ signed this Day, and shall be ratified, and the Ratifications ex-  
‘ changed at the same Time.

‘ In Witness whereof the respective Plenipotentiaries have  
‘ signed it, and have thereunto affixed the Seals of their Arms.

‘ Done at *Vienna*, this Twenty second Day of *January* in the  
‘ Year of our Lord One thousand eight hundred and fifteen.

(Signed)

(Signed)

‘ (L. s.) *Castlereagh*.

‘ (L. s.) *Conde de Palmella*.

‘ (L. s.) *Antonio de Saldanha da Gama*

‘ (L. s.) *B. Joaquim Lobo da Silveira*.

Convention to  
the Treaty with  
Portugal, dated  
July 28, 1817.

‘ *Additional Convention to the Treaty of the Twenty second*  
‘ *January One thousand eight hundred and fifteen, between*  
‘ *His Britannic Majesty and His Most Faithful Majesty,*  
‘ *for the Purpose of preventing their Subjects from engaging*  
‘ *in any illicit Traffic in Slaves. Signed at London the*  
‘ *Twenty eighth of July One thousand eight hundred and*  
‘ *seventeen, in the English and Portuguese Language.*

‘ HIS Majesty the King of the United Kingdom of Great  
‘ Britain and Ireland, and His Majesty the King of the United  
‘ Kingdom of Portugal, Brazil and Algarves, adhering to the  
‘ Principles which they have manifested in the Declaration of the  
‘ Congress of Vienna, bearing Date the Eighth of February One  
‘ thousand eight hundred and fifteen, and being desirous to fulfil  
‘ faithfully, and to their utmost Extent, the Engagements which  
‘ they mutually contracted by the Treaty of the Twenty second  
‘ of January One thousand eight hundred and fifteen, and till the  
‘ Period shall arrive when, according to the Tenor of the Fourth  
‘ Article of the said Treaty, His Most Faithful Majesty has  
‘ reserved to himself, in concert with His Britannic Majesty, to  
‘ fix the Time when the Trade in Slaves shall cease entirely and  
‘ be prohibited in his Dominions; and His Majesty the King of  
‘ the United Kingdom of Portugal, Brazil and Algarves, having  
‘ board

bound himself by the Second Article of the said Treaty to adopt the Measures necessary to prevent His Subjects from all illicit Traffic in Slaves; and His Majesty the King of the United Kingdom of *Great Britain and Ireland* having on his Part engaged, in Conjunction with His Most Faithful Majesty, to employ effectual Means to prevent *Portuguese* Vessels trading in Slaves, in Conformity with the Laws of *Portugal* and the existing Treaties, from suffering any Loss or Hindrance from *British* Cruizers, their said Majesties have accordingly resolved to proceed to the Arrangement of a Convention for the Attainment of these Objects, and have therefore named as Plenipotentiaries *ad hoc*; viz.

His Majesty the King of the United Kingdom of *Great Britain and Ireland*, the Right Honourable *Robert Stewart* Viscount *Castlereagh*, a Member of His said Majesty's Most Honourable Privy Council, a Member of Parliament, Colonel of the *Londonderry* Regiment of Militia, Knight of the Most Noble Order of the Garter, and His Principal Secretary of State for Foreign Affairs; and His Majesty the King of the United Kingdom of *Portugal, Brazil and Algarves*, the Most Illustrious and Most Excellent Lord *Don Pedro de Souza Holstein*, Count of *Palmella*, Councillor of His said Majesty, Captain of the *German* Company of His Royal Guards, Commander of the Order of Christ, Grand Cross of the Order of *Charles the Third of Spain*, and his Envoy Extraordinary and Minister Plenipotentiary to His *Britannic* Majesty; who, after having exchanged their respective full Powers, found to be in good and due Form, have agreed upon the following Articles:—

Article the First. — The Object of this Convention is, on the Part of the Two Governments, mutually to prevent their respective Subjects from carrying on an illicit Slave Trade.

The Two High Contracting Powers declare, that they consider as illicit any Traffic in Slaves carried on under the following Circumstances:

1st. Either by *British* Ships, and under the *British* Flag, or on the Account of *British* Subjects, by any Vessel or under any Flag whatsoever.

2d. By *Portuguese* Vessels, in any of the Harbours or Roads of the Coast of *Africa* which are prohibited by the First Article of the Treaty of the Twenty second *January* One thousand eight hundred and fifteen.

3d. Under the *Portuguese* or *British* Flag for the Account of the Subjects of any other Government.

4th. By *Portuguese* Vessels bound for any Port not in the Dominions of His Most Faithful Majesty.

Article the Second. — The Territories in which the Traffic in Slaves continues to be permitted, under the Treaty of the twenty second of *January* One thousand eight hundred and fifteen, to the Subjects of His Most Faithful Majesty, are the following:

1st. The Territories possessed by the Crown of *Portugal* upon the Coast of *Africa* to the South of the Equator; that is to say, upon the Eastern Coast of *Africa*, the Territory laying between  
 ' *Cape*

‘ *Cape Delgado* and the Bay of *Lourenço Marques*; and upon the Western Coast, all that which is situated from the Eighth to the Eighteenth Degree of South Latitude.

‘ 2d. Those Territories on the Coast of *Africa* to the South of the Equator, over which His Most Faithful Majesty has declared that he has retained his Rights; namely,

‘ The Territories of *Molembo* and *Cabinda* upon the Eastern Coast of *Africa*, from the Fifth Degree Twelfth Minute to the Eighth Degree South Latitude.

‘ Article the Third.— His Most Faithful Majesty engages within the Space of Two Months after the Exchange of the Ratifications of this present Convention, to promulgate in His Capital, and in the other Parts of His Dominions, as soon as possible, a Law which shall prescribe the Punishment of any of His Subjects who may in future participate in an illicit Traffic of Slaves, and at the same Time to renew the Prohibition which already exists, to import Slaves into the *Brazils* under any Flag other than that of *Portugal*; and His Most Faithful Majesty engages to assimilate as much as possible the Legislation of *Portugal* in this respect to that of *Great Britain*.

‘ Article the Fourth.— Every *Portuguese* Vessel which shall be destined for the Slave Trade, on any Point of the *African* Coast where this Traffic still continues to be lawful, must be provided with a Royal Passport, conformable to the Model annexed to this present Convention, and which Model forms an integral Part of the same. The Passport must be written in the *Portuguese* Language, with an authentic Translation in *English* annexed thereto, and it must be signed for those Vessels sailing from the Port of *Rio Janeiro* by the Minister of Marine; and for all other Vessels which may be intended for the said Traffic, and which may sail from any other Ports of the *Brazils*, or from any other of the Dominions of His Most Faithful Majesty not in *Europe*, the Passports must be signed by the Governor in Chief of the Captaincy to which the Port belongs; and as to those Vessels which may proceed from the Ports of *Portugal*, to carry on the Traffic in Slaves, their Passports must be signed by the Secretary of the Government for the Marine Department.

‘ Article the Fifth.— The Two High Contracting Powers, for the more complete Attainment of their Object, namely, the Prevention of all illicit Traffic in Slaves on the Part of their respective Subjects, mutually consent that the Ships of War of their Royal Navies, which shall be provided with Special Instructions for this Purpose, as hereinafter is provided, may visit such Merchant Vessels of the Two Nations as may be suspected, upon reasonable Grounds, of having Slaves on board, acquired by an illicit Traffic, and in the Event only of their actually finding Slaves on board may detain and bring away such Vessels, in order that they may be brought to Trial before the Tribunals established for this Purpose, as shall hereinafter be specified.

‘ Provided always, that the Commanders of the Ships of War of the Two Royal Navies, who shall be employed on this Service,



‘ vice, shall adhere strictly to the exact Tenor of the Instructions which they shall have received for this Purpose.

‘ As this Article is entirely reciprocal, the Two High Contracting Parties engage mutually to make good any Losses with † their respective Subjects may incur unjustly, by the arbitrary and illegal Detention of their Vessels.

† *See*.

‘ It being understood that this Indemnity shall invariably be borne by the Government whose Cruizer shall have been guilty of the arbitrary Detention: Provided always, that the Visit and Detention of Slave Ships, specified in this Article, shall only be effected by those *British* or *Portuguese* Vessels which may form Part of the Two Royal Navies, and by those only of such Vessels which are provided with the Special Instructions annexed to the present Convention.

‘ Article the Sixth.— No *British* or *Portuguese* Cruizer shall detain any Slave Ship not having Slaves actually on board; and in order to render lawful the Detention of any Ship, whether *British* or *Portuguese*, the Slaves found on board such Vessel must have been brought there for the express Purpose of the Traffic, and those on board *Portuguese* Ships must have been taken from that Part of the Coast of *Africa* where the Slave Trade was prohibited by the Treaty of the Twenty second of *January* One thousand eight hundred and fifteen.

‘ Article the Seventh.— All Ships of War of the Two Nations, which shall hereafter be destined to prevent the illicit Traffic in Slaves, shall be furnished by their own Government with a Copy of the Instructions annexed to the present Convention, and which shall be considered as an integral Part thereof.

‘ These Instructions shall be written in *Portuguese* and *English*, and signed for the Vessels of each of the Two Powers, by the Ministers of their respective Marine.

‘ The Two High Contracting Parties reserve the Faculty of altering the said Instructions, in Whole or in Part, according to Circumstances; it being however well understood, that the said Alterations cannot take place but by common Agreement, and by the Consent of the Two High Contracting Parties.

‘ Article the Eighth.— In order to bring to Adjudication, with the least Delay and Inconvenience, the Vessels which may be detained for having been engaged in an illicit Traffic of Slaves, there shall be established, within the Space of a Year at furthest from the Exchange of the Ratifications of the present Convention, Two Mixed Commissions, formed of an equal Number of Individuals of the Two Nations, named for this Purpose by their respective Sovereigns.

‘ These Commissions shall reside, one in a Possession belonging to His *Britannic* Majesty, the other within the Territories of His Most Faithful Majesty; and the Two Governments, at the Period of the Exchange of the Ratifications of the present Convention, shall declare, each for its own Dominions, in what Places the Commissions shall respectively reside. Each of the Two High Contracting Parties reserving to itself the Right of changing at its Pleasure the Place of Residence of the Commission held within its own Dominions; provided, however, that

‘ that One of the Two Commissions shall always be held upon the Coast of *Africa*, and the other in the *Brazil*.

‘ These Commissions shall judge the Causes submitted to them without Appeal, and according to the Regulations and Instructions annexed to the present Convention, of which they shall be considered as an integral Part.

‘ Article the Ninth.—His *Britannic Majesty*, in Conformity with the Stipulations of the Treaty of the Twenty second of *January* One thousand eight hundred and fifteen, engages to grant, in the Manner hereafter explained, sufficient Indemnification to all the Proprietors of *Portuguese Vessels* and Cargoes captured by *British Cruizers* between the First of *June* One thousand eight hundred and fourteen, and the Period at which the Two Commissioners pointed out in Article VIII. of the present Convention, shall assemble at their respective Posts.

‘ The Two High Contracting Parties agree, that all Claims of the Nature hereinbefore mentioned shall be received and liquidated by a Mixed Commission, to be held at *London*, and which shall consist of an equal Number of Individuals of the Two Nations, named by their respective Sovereigns, and upon the same Principles stipulated by the Eighth Article of the Additional Convention, and by the other Acts which form an integral Part of the same. The aforesaid Commissions shall commence their Functions Six Months after the Ratification of the present Convention, or sooner if possible.

‘ The Two High Contracting Parties have agreed, that the Proprietors of Vessels captured by the *British Cruizers* cannot claim Compensation for a larger Number of Slaves than that which, according to the existing Laws of *Portugal*, they were permitted to transport, according to the Rate of Tonnage of the captured Vessel.

‘ The Two High Contracting Parties are equally agreed, that every *Portuguese Vessel* captured with Slaves on board for the Traffic, which shall be proved to have been embarked within the Territories of the Coast of *Africa* situated to the North of *Cape Palmas*, and not belonging to the Crown of *Portugal*, as well as all *Portuguese Vessels* captured with Slaves on board for the Traffic Six Months after the Exchange of the Ratification of the Treaty of the Twenty second of *January* One thousand eight hundred and fifteen, and on which it can be proved that the aforesaid Slaves were embarked in the Roadsteads of the Coast of *Africa* situated to the North of the Equator, shall not be entitled to claim any Indemnification.

‘ Article the Tenth.—His *Britannic Majesty* engages to pay within the Space of a Year at farthest from the Decision of each Case, to the Individual having a just Claim to the same, the Sums which shall be granted to them by the Commissions named in the preceding Articles.

‘ Article the Eleventh.—His *Britannic Majesty* formally engages to pay the Three hundred thousand Pounds *Sterling* Indemnification, stipulated by the Convention of the Twenty first of *January* One thousand eight hundred and fifteen, in favour of the Proprietors of *Portuguese Vessels* captured by *British*

‘ *British Cruizers* up to the Period of the First of *June* One thousand eight hundred and fourteen, in the Manner following; viz.

‘ The First Payment of One hundred and fifty thousand Pounds Sterling Six Months after the Exchange of the Ratification of the present Convention, and the remaining One hundred and fifty thousand Pounds Sterling, as well as the Interest at Five *per Cent.* due upon the total Sum from the Day of the Exchange of the Ratifications of the Convention of the Twenty first of *January* One thousand eight hundred and fifteen, shall be paid Nine Months after the Exchange of the Ratifications of the present Convention. The Interest due shall be payable up to the Day of the last Payment. All the aforesaid Payments shall be made in *London* to the Minister of His Most Faithful Majesty at the Court of His *Britannic* Majesty, or to the Persons whom His Most Faithful Majesty shall think proper to authorize for that Purpose.

‘ Article the Twelfth.—The Acts or Instruments annexed to this Additional Convention, and which form an integral Part thereof, are as follow:

‘ No. 1. Form of Passport for the *Portuguese* Merchant Ships destined for the lawful Traffic in Slaves.

‘ No. 2. Instructions for the Ships of War of both Nations destined to prevent the illicit Traffic in Slaves.

‘ No. 3. Regulation for the Mixed Commissions which are to hold their Sittings on the Coast of *Africa*, at the *Brazils*, and in *London*.

‘ Article the Thirteenth.—The present Convention shall be ratified, and the Ratifications thereof exchanged at *Rio Janeiro*, within the Space of Four Months at furthest, dating from the Day of its Signature.

‘ In Witness whereof the respective Plenipotentiaries have signed the same, and have thereunto affixed the Seal of their Arms.

‘ Done at *London*, the Twenty eighth Day of *July* in the Year of our Lord One thousand eight hundred and seventeen.

(Signed)

(Signed)

‘ (L. s.) *Castlereagh.* (L. s.) *The Count of Palmella.*

*Form of Passport for Portuguese Vessels destined for the lawful Traffic in Slaves.*

Passport for Portuguese Vessels.

‘ (Place for the Royal Arms.)

‘ I, Minister and Secretary of State for the Affairs of the Marine and Transatlantic Dominions, &c. &c. &c.

[or, Governor of this Province,] [or,

Secretary of the Government of *Portugal*,] make known to those that shall see the present Passport, that the Vessel called

\_\_\_\_\_ of \_\_\_\_\_ Tons, and carrying \_\_\_\_\_ Men and \_\_\_\_\_ Passengers, Master and \_\_\_\_\_ Owner, *Portuguese*, and Subjects of the United Kingdom, is bound to the Ports of \_\_\_\_\_ and \_\_\_\_\_ and Coast of \_\_\_\_\_

\_\_\_\_\_ from whence she is to return to \_\_\_\_\_ the

5 GEO. IV.

U u

‘ said

' said Master and Owner having previously taken the required  
 ' Oath before the Royal Board of Commerce of this Capital (or  
 ' the Board of Inspection of this Province), and having legally  
 ' proved that no Foreigner has any Share in the above Vessel  
 ' and Cargo, as appears by the Certificate of that Royal Board  
 ' (or Board of Inspection) which is annexed to this Passport.  
 ' The said Master and Owner of the said Vessel  
 ' being under an Obligation to enter solely such Ports on the  
 ' Coast of *Africa* where the Slave Trade is permitted to the  
 ' Subjects of the United Kingdom of *Portugal*, *Brazils* and  
 ' *Algarves*, and to return from thence to any of the Ports of this  
 ' Kingdom, where alone they shall be permitted to land the Slaves  
 ' whom they carry, after going through the proper Forms, to shew  
 ' that they have in every respect complied with the Provisions of  
 ' the *Alvará* of the Twenty fourth of *November* One thousand  
 ' eight hundred and thirteen, by which His Majesty was pleased  
 ' to regulate the Conveyance of Slaves from the Coast of *Africa*  
 ' to His Dominions of *Brazil*. And should they fail to execute  
 ' any of these Conditions, they shall be liable to the Penalties  
 ' denounced by the *Alvará* of\* against those  
 ' who shall carry on the Slave Trade in an illicit Manner. And  
 ' as in going or returning she may, either at Sea or in Port, meet  
 ' Officers of Ships and Vessels of the same Kingdom, the King  
 ' our Lord orders them not to give her any Obstruction; and His  
 ' Majesty recommends to the Officers of the Fleets, Squadrons  
 ' and Ships of the Kings, Princes, Republics and Potentates, the  
 ' Friends and Allies of the Crown, not to prevent her from pro-  
 ' secuting her Voyage, but on the contrary to afford her any Aid  
 ' and Accommodation she may want for continuing the same:  
 ' being persuaded that those recommended by their Princes will  
 ' on our Part, experience the same Treatment. In Testimony of  
 ' which His Majesty has ordered her to be furnished by me with  
 ' this Passport, signed and sealed with the Great Seal of the Royal  
 ' Arms, which shall have Validity only for and for one  
 ' Voyage alone. Given in the Palace of  
 ' the

in the Year after the Birth of our Lord Jesus Christ.

(L. s.)

By Order of His Excellency,

*The Officer who made out the Passport.*

' This Passport, numbered (                    ), authorizes any Number  
 ' of Slaves not exceeding                    being                    per  
 ' Ton, (as permitted by the *Alvará* of †  
 '                    ) to be on board of this Ship at one Time, excepting  
 ' always such Slaves employed as Sailors or Domestics, and  
 ' Children born on board during the Voyage.

[Signed as above, by the proper *Portuguese* Authorities.]

(Signed)  
*Castlereagh.*

(Signed)  
*The Count of Palmella.*

\* This *Alvará* to be promulgated in pursuance of the Third Article of the Additional Convention of the 28th July 1817.

† That is to say, the *Alvará* of the 24th of November 1813, or any other *Portuguese* Law which may hereafter be promulgated in lieu thereof.

*Instructions*

*Instructions intended for the British and Portuguese Ships of War employed to prevent the illicit Traffic in Slaves.*

Instructions for  
British and  
Portuguese  
Ships of War.

Article I.—Every *British* or *Portuguese* Ship of War shall, in Conformity with Article V. of the Additional Convention of this Date, have a Right to visit the Merchant Ships of either of the Two Powers actually engaged or suspected to be engaged in the Slave Trade; and should any Slaves be found on board according to the Tenor of the Sixth Article of the aforesaid Additional Convention,—and as to what regards the *Portuguese* Vessels, should there be ground to suspect that the said Slaves have been embarked on a Part of the Coast of *Africa* where the Traffic in Slaves can no longer be legally carried on, in consequence of the Stipulations in force between the Two High Powers, in these Cases alone the Commander of the said Ship of War may detain them; and having detained them, he is to bring them as soon as possible for Judgment before that of the Two Mixed Commissions appointed by the Eighth Article of the Additional Convention of this Date, which shall be the nearest, or which the Commander of the capturing Ship shall, upon his own Responsibility, think he can soonest reach from the Spot where the Slave Ship shall have been detained.

Ships on board of which no Slaves shall be found intended for Purposes of Traffic, shall not be detained on any Account or Pretence whatever.

Negro Servants or Sailors that may be found on board the said Vessels, cannot, in any Case, be deemed a sufficient Cause for Detention.

Article II.—No Merchantman or Slave Ship can, on any Account or Pretence whatever, be visited or detained whilst in the Port or Roadstead belonging to either of the Two High Contracting Powers, or within Cannon shot of the Batteries on Shore. But in case suspicious Vessels should be found so circumstanced, proper representations may be addressed to the Authorities of the Country, requesting them to take effectual Measures for preventing such Abuses.

Article III.—The High Contracting Powers having in view the immense Extent of the Shores of *Africa* to the North of the Equator along which this Commerce continues prohibited, and the Facility thereby afforded for illicit Traffic on Points where either the total Absence or at least the Distance of lawful Authorities bar ready Access to those Authorities, in order to prevent it, have agreed, for the more readily attaining the salutary End which they propose, to grant, and they do actually grant to each other the Power, without prejudice to the Rights of Sovereignty, to visit and detain, as if on the High Seas, any Vessel having Slaves on board, even within Cannon shot of the Shore of their respective Territories on the Continent of *Africa* to the North of the Equator, in case of there being no Local Authorities to whom Recourse might be had, as has been stated in the preceding Article. In such Cases, Vessels so visited may be brought before the Mixed Commissions, in the Form prescribed in the first Article of the preceding Instructions.

‘ Article IV.—No *Portuguese* Merchantman or Slave Ship shall, on any Pretence whatever, be detained, which shall be found any where near the Land, or on the High Seas, South of the Equator, unless after a Chace that shall have commenced North of the Equator.

‘ Article V.—*Portuguese* Vessels furnished with a regular Passport, having Slaves on board, shipped at those Parts of the Coast of *Africa* where the Trade is permitted to *Portuguese* Subjects, and which shall afterwards be found North of the Equator, shall not be detained by the Ships of War of the Two Nations, though furnished with the present Instructions, provided the same can account for their Course, either in Conformity with the Practice of the *Portuguese* Navigation, by steering some Degrees to the Northward in search of fair Winds, or for other legitimate Causes, such as the Dangers of the Seas duly proved: or, lastly, in the Case of their Passports proving that they were bound for a *Portuguese* Port not within the Continent of *Africa*: Provided always, that with regard to all Slave Ships detained to the North of the Equator, the Proof of the Legality of the Voyage is to be furnished by the Vessel so detained. On the other Hand, with respect to Slave Ships detained to the South of the Equator, in Conformity with the Stipulations of the preceding Article, the Proof of the Illegality of the Voyage is to be exhibited by the Captor.

‘ It is in like Manner stipulated, that the Number of Slaves found on board a Slave Ship by the Cruizers, even should the Number not agree with that contained in their Passport, shall not be a sufficient Reason to justify the Detention of the Ship: but the Captain and the Proprietor shall be denounced in the *Portuguese* Tribunals in the *Brazils*, in order to their being punished according to the Laws of the Country.

‘ Article VI.—Every *Portuguese* Vessel intended to be employed in the legal Traffic in Slaves, in Conformity with the Principles laid down in the Additional Convention of this Date, shall be commanded by a Native *Portuguese*, and Two Thirds at least of the Crew shall likewise be *Portuguese*: Provided always, that its *Portuguese* or Foreign Construction shall in no wise affect its Nationality, and that the Negro Sailors shall always be reckoned as *Portuguese*, provided they belong, as Slaves, to Subjects of the Crown of *Portugal*, or that they have been enfranchised in the Dominions of His Most Faithful Majesty.

‘ Article VII.—Whenever a Ship of War shall meet a Merchant Vessel liable to be searched, it shall be done in the most mild Manner, and with every Attention which is due between allied and friendly Nations; and in no Case shall the Search be made by an Officer holding a Rank inferior to that of Lieutenant in the Navy.

‘ Article VIII.—The Ships of War which may detain the Slave Ships, in pursuance of the Principles laid down in the present Instructions, shall leave on board all the Cargo of Negroes untouched, as well as the Captain and a Part at least of the Crew of the above mentioned Slave Ship: the Captain shall draw up in Writing an authentic Declaration, which shall exhibit the State in which he found the detained Ship, and the Change-  
‘ which

‘ which may have taken place in it; he shall deliver to the Captain of the Slave Ship a signed Certificate of the Papers seized on board the said Vessel, as well as of the Number of Slaves found on board at the moment of Detention.

‘ The Negroes shall not be disembarked till after the Vessels which contain them shall be arrived at the Place where the Legality of the Capture is to be tried by One of the Two Mixed Commissions, in order that in the Event of their not being adjudged legal Prize, the Loss of the Proprietors may be more easily repaired. If, however, urgent Motives, deduced from the Length of the Voyage, the State of Health of the Negroes, or other Causes, required that they should be disembarked entirely, or in part, before the Vessels could arrive at the Place of Residence of One of the said Commissions, the Commander of the capturing Ship may take on himself the Responsibility of such Disembarkation, provided that the Necessity be stated in a Certificate in proper Form.

‘ Article IX.—No Conveyance of Slaves from one Port of the *Brazils* to another, or from the Continent or Islands of *Africa* to the Possessions of *Portugal* out of *America*, shall take place as Objects of Commerce, except in Ships provided with Passports from the *Portuguese* Government *ad hoc*.

‘ Done at *London*, the Twenty eighth Day of *July*, in the Year of our Lord One thousand eight hundred and seventeen.

(Signed)

(Signed)

‘ *Castlereagh.* (L. S.)

*The Count of Palmella.* (L. S.)

*Regulations for the Mixed Commissions, which are to reside on the Coast of Africa, in the Brazils and at London.*

*Regulations for Mixed Commissions, as to Portugal.*

‘ Article I.—The Mixed Commissions to be established by the Additional Convention of this Date, upon the Coast of *Africa* and in the *Brazils*, are appointed to decide upon the Legality of the Detention of such Slave Vessels as the Cruizers of both Nations shall detain, in pursuance of this same Convention, for carrying on an illicit Commerce in Slaves.

‘ The above mentioned Commission shall judge, without Appeal, according to the Letter and Spirit of the Treaty of the Twenty second of *January* One thousand eight hundred and fifteen, and of the Additional Convention to the said Treaty, signed at *London*, on this Twenty eighth Day of *July* One thousand eight hundred and seventeen.

‘ The Commissions shall give Sentence as summarily as possible, and they are required to decide (as far as they shall find it practicable) within the Space of Twenty Days, to be dated from that on which every detained Vessel shall have been brought into the Port where they shall reside, First, upon the Legality of the Capture; Second, in the Case in which the captured Vessel shall have been liberated, as to the Indemnification which she is to receive.

‘ And it is hereby provided, that in all Cases the final Sentence shall not be delayed on the Account of the Absence of Witnesses, or for want of other Proofs, beyond the Period of Two Months, except upon the Application of any of the Parties

‘ interested, when, upon their giving satisfactory Security to  
 ‘ charge themselves with the Expence and Risks of the Delay,  
 ‘ the Commissioners may, at their Discretion, grant an additional  
 ‘ Delay, not exceeding Four Months.

‘ Article II.— Each of the above mentioned Mixed Commis-  
 ‘ sions, which are to reside on the Coast of *Africa*, and in the  
 ‘ *Brazils*, shall be composed in the following Manner:

‘ The Two High Contracting Parties shall each of them name  
 ‘ a Commissary Judge, and a Commission of Arbitration, who  
 ‘ shall be authorized to hear and to decide, without Appeal, all  
 ‘ Cases of Capture of Slave Vessels which, in pursuance of the  
 ‘ Stipulation of the Additional Convention of this Date, may be  
 ‘ laid before them. All the essential Parts of the Proceedings  
 ‘ carried on before these Mixed Commissions shall be written  
 ‘ down in the Language of the Country in which the Commission  
 ‘ may reside.

‘ The Commissary Judges and the Commissioners of Arbitra-  
 ‘ tion shall make Oath, in Presence of the Principal Magistrate  
 ‘ of the Place in which the Commission may reside, to judge  
 ‘ fairly and faithfully, to have no Preference, either for the  
 ‘ Claimants or the Captors, and to act, in all their Decisions, in  
 ‘ pursuance of the Stipulations of the Treaty of the Twenty  
 ‘ second *January* One thousand eight hundred and fifteen, and  
 ‘ of the Additional Convention of the said Treaty.

‘ There shall be attached to each Commission a Secretary or  
 ‘ Registrar, appointed by the Sovereign of the Country in which  
 ‘ the Commission may reside, who shall register all its Acts, and  
 ‘ who, previous to his taking charge of his Post, shall make Oath,  
 ‘ in Presence of at least One of the Commissary Judges, to con-  
 ‘ duct himself with Respect for their Authority, and to act  
 ‘ with Fidelity in all the Affairs which may belong to his Charge.

‘ Article III.— The Form of Process shall be as follows:

‘ The Commissary Judges of the Two Nations shall, in the  
 ‘ first Place, proceed to the Examination of the Papers of the  
 ‘ Vessel, and to receive the Depositions on Oath of the Captain,  
 ‘ and of Two or Three, at least, of the principal Individuals on  
 ‘ board of the detained Vessel, as well as the Declaration on  
 ‘ Oath of the Captor, should it appear necessary, in order to  
 ‘ be able to judge and to pronounce if the said Vessel has been  
 ‘ justly detained or not, according to the Stipulations of the  
 ‘ Additional Convention of this Date, and in order that, accord-  
 ‘ ing to this Judgment, it may be condemned or liberated: And  
 ‘ in the Event of the Two Commissary Judges not agreeing on  
 ‘ the Sentence they ought to pronounce, whether as to the  
 ‘ Legality of the Detention or the Indemnification to be allowed,  
 ‘ or on any other Question which might result from the Stipu-  
 ‘ lations of the Convention of this Date, — they shall draw by  
 ‘ Lot the Name of One of the Two Commissioners of Arbitration,  
 ‘ who, after having considered the Documents of the Process,  
 ‘ shall consult with the above mentioned Commissary Judges on  
 ‘ the Case in question, and the final Sentence shall be pro-  
 ‘ nounced conformably to the Opinion of the Majority of the  
 ‘ above mentioned Commissary Judges, and of the above men-  
 ‘ tioned Commissioner of Arbitration.



‘ Article IV.—As often as the Cargo of Slaves found on board of a *Portuguese* Slave Ship shall have been embarked on any Point whatever of the Coast of *Africa* where the Slave Trade continues lawful to the Subjects of the Crown of *Portugal*, such Slave Ship shall not be detained on Pretext that the above mentioned Slaves have been brought originally by Land from any other Part whatever of the Continent.

‘ Article V.—In the authenticated Declaration which the Captor shall make before the Commission, as well as in the Certificate of the Papers seized, which shall be delivered to the Captain of the captured Vessel at the Time of the Detention, the above mentioned Captor shall be bound to declare his Name, the Name of his Vessel, as well as the Latitude and Longitude of the Place where the Detention shall have taken place, and the Number of Slaves found living on board of the Slave Ship at the Time of the Detention.

‘ Article VI.—As soon as Sentence shall have been passed, the detained Vessel, if liberated, and what remains of the Cargo, shall be restored to the Proprietors, who may before the same Commission claim a Valuation of the Damages which they may have a Right to demand; the Captor himself, and in his Default his Government, shall remain responsible for the above mentioned Damages. The Two High Contracting Parties bind themselves to defray, within the Term of a Year from the Date of the Sentence, the Indemnifications which may be granted by the above named Commission, it being understood that these Indemnifications shall be at the Expence of the Power of which the Captor shall be a Subject.

‘ Article VII.—In case of the Condemnation of a Vessel for an unlawful Voyage, she shall be declared lawful Prize, as well as her Cargo, of whatever Description it may be, with the Exception of the Slaves who may be on board as Objects of Commerce; and the said Vessel, as well as her Cargo, shall be sold by public Sale, for the Profit of the Two Governments; and as to the Slaves, they shall receive from the Mixed Commission a Certificate of Emancipation, and shall be delivered over to the Government on whose Territory the Commission which shall have so judged them shall be established, to be employed as Servants or free Labourers. Each of the Two Governments bind itself to guarantee the Liberty of such Portion of these Individuals as shall be respectively consigned to it.

‘ Article VIII.—Every Claim for Compensation of Losses occasioned to Ships suspected of carrying on illicit Trade in Slaves, not condemned as lawful Prize by the Mixed Commissions, shall be also heard and judged by the above named Commissions, in the Form provided by the Third Article of the present Regulation; and in all Cases wherein Restitution shall be so decreed, the Commission shall award to the Claimant or Claimants, or his or their lawful Attorney or Attornies, for his or their Use, a just and complete Indemnification:—First, for all Costs of Suit, and for all Losses and Damages which the Claimant or Claimants may have actually sustained by such Capture and Detention; that is to say, in case of total Loss, the

' Claimant or Claimants shall be indemnified; First, for the Ship,  
 ' her Tackle, Apparel and Stores; Secondly, for all Freight due  
 ' and payable; Thirdly, for the Value of the Cargo of Merchandize,  
 ' if any; Fourthly, for the Slaves on board at the Time of  
 ' Detention, according to the computed Value of such Slaves at  
 ' the Place of Destination; deducting therefrom the usual fair  
 ' average Mortality for the unexpired Period of the regular  
 ' Voyage; deducting also for all Charges and Expences payable  
 ' upon the Sale of such Cargoes, including Commission of Sale  
 ' when payable at such Port; and, Fifthly, for all other regular  
 ' Charges in Cases of total Loss; and in all other Cases not of  
 ' total Loss, the Claimant or Claimants shall be indemnified,—  
 ' First, for all special Damages and Expences occasioned to the  
 ' Ship by the Detention, and for Loss of Freight when due or  
 ' payable; Secondly, a Demurrage when due, according to the  
 ' Schedule annexed to the present Article; Thirdly, a daily  
 ' Allowance for the Subsistence of Slaves, of One Shilling, or  
 ' One hundred and eighty Reis for each Person, without Distinction  
 ' of Sex or Age, for so many Days as it shall appear to the  
 ' Commission that the Voyage has been or may be delayed  
 ' by reason of such Detention; as, likewise, Fourthly, for any  
 ' Deterioration of Cargo or Slaves; Fifthly, for any Diminution  
 ' in the Value of the Cargo or Slaves, proceeding from an increased  
 ' Mortality beyond the average Amount of the Voyage, or from  
 ' Sickness occasioned by Detention;— this Value to be ascertained  
 ' by their computed Price at the Place of Destination, as in the above  
 ' Case of total Loss; Sixthly, an Allowance of Five *per Cent.* on the  
 ' Amount of Capital employed in the Purchase and Maintenance of  
 ' Cargo, for the Period of Delay occasioned by the Detention; and,  
 ' Seventhly, for all Premium of Insurance on additional Risks.

' The Claimant or Claimants shall likewise be entitled to Interest  
 ' at the Rate of Five *per Cent. per Annum* on the Sum awarded,  
 ' until paid by the Government to which the capturing Ship belongs;  
 ' the whole Amount of such Indemnifications being calculated in the  
 ' Money of the Country to which the captured Ship belongs, and to be  
 ' liquidated at Exchange Current at the Time of Award, excepting the  
 ' Sum for the Subsistence of Slaves, which shall be paid at Par, as  
 ' above stipulated.

' The Two High Contracting Parties wishing to avoid, as much as  
 ' possible, every Species of Fraud in the Execution of the Additional  
 ' Convention of this Date, have agreed, that if it should be proved in a  
 ' Manner evident to the Conviction of the Judges of the Two Nations,  
 ' and without having recourse to the Decision of a Commissioner of  
 ' Arbitration, that the Captor has been led into Error by a voluntary  
 ' and reprehensible Fault on the Part of the Captain of the  
 ' detained Ship; in that Case only, the detained Ship shall not  
 ' have the Right of receiving, during the Days of her Detention,  
 ' the Demurrage stipulated by the present Article.

‘ Schedule of Demurrage or daily Allowance			
‘ for a Vessel of 100 Tons to 120 inclusive	-	£5	} <i>per Diem,</i>
‘ 121 ditto 150 ditto	-	6	
‘ 151 ditto 170 ditto	-	8	
‘ 171 ditto 200 ditto	-	10	
‘ 201 ditto 220 ditto	-	11	
‘ 221 ditto 250 ditto	-	12	
‘ 251 ditto 270 ditto	-	14	
‘ 271 ditto 300 ditto	-	15	}
‘ and so in proportion.			

‘ Article IX.—When the Proprietors of a Ship suspected of carrying on an illicit Trade in Slaves, released in consequence of a Sentence of One of the Mixed Commissions (or in the Case, as above mentioned, of total Loss), shall claim Indemnification for the Loss of Slaves which he may have suffered, he shall in no Case be entitled to claim for more than the Number of Slaves which his Vessel was by the *Portuguese* Laws authorized to carry, which Number shall always be declared in his Passport.

‘ Article X.—The Mixed Commission established in *London* by the Article XIth of the Convention of this Date, shall hear and determine all Claims for *Portuguese* Ships and Cargoes captured by *British* Cruizers on account of the unlawful trading in Slaves, since the First of *June* One thousand eight hundred and fourteen, till the Period when the Convention of this Date is to be in complete Execution, awarding to them, conformably to the Article IXth of the Additional Convention of this Date, a just and complete Compensation, upon the Basis laid down in the preceding Article, either for total Loss, or for Losses and Damages sustained by the Owners and Proprietors of the said Ships and Cargoes. The said Commission established in *London* shall be composed and proceed exactly upon the same Basis determined in the Articles 1, 2 and 3, of the present Regulations for the Commissions established on the Coast of *Africa* and the *Brazils*.

‘ Article XI.—It shall not be permitted to any of the Commissary Judges, nor to the Arbitrators, nor to the Secretary of any of the Mixed Commissions, to demand or receive, from any one of the Parties concerned in the Sentences which they shall pronounce, any Emolument, under any Pretext whatsoever, for the Performance of the Duties which are imposed upon them by the present Regulation.

‘ Article XII.—When the Parties interested shall imagine they have cause to complain of any evident Injustice on the Part of the Mixed Commissions, they may represent it to their respective Governments, who reserve to themselves the Right of mutual Correspondence for removing, when they think fit, the Individuals who may compose these Commissions.

‘ Article XIII.—In the Case of a Vessel detained unjustly, under Pretence of the Stipulations of the Additional Convention of this Date, and in which the Captor should neither be authorized by the Tenor of the above mentioned Convention, nor of the Instructions annexed to it, the Government to which the detained Vessel may belong shall be entitled to demand Reparation:

‘ ration ; and in such Case, the Government to which the Captor  
 ‘ may belong, binds itself to cause the Subject of Complaint to  
 ‘ be fully examined, and to inflict upon the Captor, if he be  
 ‘ found to have deserved it, a Punishment proportioned to the  
 ‘ Transgression which may have been committed.

‘ Article XIV.—The Two High Contracting Parties have  
 ‘ agreed, that in the Event of the Death of One or more of  
 ‘ the Commissioners, Judges and Arbitrators, composing the  
 ‘ above mentioned Mixed Commissions, their Posts shall be sup-  
 ‘ plied, *ad interim*, in the following Manner ; on the Part of the  
 ‘ *British* Government, the Vacancies shall be filled successively  
 ‘ in the Commission which shall sit within the Possessions of His  
 ‘ *Britannic* Majesty, by the Governor or Lieutenant Governor  
 ‘ resident in that Colony; by the principal Magistrate of the  
 ‘ Place, and by the Secretary ; and in the *Brazils* by the *British*  
 ‘ Consul and Vice Consul resident in the City in which the Mixed  
 ‘ Commission may be established.

‘ On the Part of *Portugal*, the Vacancies shall be supplied, in  
 ‘ the *Brazils*, by such Persons as the Captain General of the Pro-  
 ‘ vince shall name for that Purpose ; and, considering the Diffi-  
 ‘ culty which the *Portuguese* Government would feel, in naming  
 ‘ fit Persons to fill the Post, which might become vacant in the  
 ‘ Commission established in the *British* Possessions, it is agreed,  
 ‘ that in case of the Death of the *Portuguese* Commissioners,  
 ‘ Judge or Arbitrators in those Possessions, the remaining Indi-  
 ‘ viduals of the above mentioned Commission shall be equally  
 ‘ authorized to proceed to the Judgment of such Slave Ships as  
 ‘ may be brought before them, and to the Execution of their  
 ‘ Sentence. In this Case alone, however, the Parties interested  
 ‘ shall have the Right of appealing from the Sentence, if they  
 ‘ think fit, to the Commission resident in the *Brazils* ; and the  
 ‘ Government to which the Captor shall belong shall be bound fully  
 ‘ to defray the Indemnification which shall be due to them, if the  
 ‘ Appeal be judged in favour of the Claimants ; it being well un-  
 ‘ derstood, that the Ship and Cargo shall remain during this Ap-  
 ‘ peal in the Place of Residence of the first Commission before  
 ‘ whom they may have been conducted.

‘ The High Contracting Parties have agreed to supply, as  
 ‘ soon as possible, every Vacancy that may arise in the above  
 ‘ mentioned Commissions, from Death or any other Contingent.  
 ‘ And in case that the Vacancy of each of the *Portuguese* Com-  
 ‘ missioners residing in the *British* Possessions be not supplied  
 ‘ at the End of Six Months, the Vessels which are taken there  
 ‘ to be judged, after the Expiration of that Time, shall no longer  
 ‘ have the Right of Appeal hereinbefore stipulated.

‘ Done at *London* the Twenty eighth Day of *July*, in the Year  
 ‘ of our Lord One thousand eight hundred and seventeen.

(Signed)

‘ *Castlereagh.* (L. s.)

(Signed)

*The Count of Palmella.* (L. s.)

‘ Separate Article.—As soon as the total Abolition of the Slave  
 ‘ Trade for the Subjects of the Crown of *Portugal* shall have  
 ‘ taken place, the Two High Contracting Parties hereby agree,  
 ‘ by common Consent, to adapt to that State of Circumstances,  
 ‘ the

the Stipulations of the Additional Convention concluded at London the Twenty eighth of July last; but in Default of such Alterations, the Additional Convention of that Date shall remain in force until the Expiration of Fifteen Years from the Day on which the general Abolition of the Slave Trade shall so take place on the Part of the Portuguese Government.

' The present Separate Article shall have the same Force and Validity as if it were inserted, Word for Word, in the Additional Convention aforesaid. It shall be ratified, and the Ratifications shall be exchanged as soon as possible.

' In Witness whereof the respective Plenipotentiaries have signed the same, and have thereunto affixed the Seals of their Arms.

' Done at London, this Eleventh Day of September, in the Year of our Lord One thousand eight hundred and seventeen.

(Signed)

(Signed)

' (L. s.) Castlereagh. (L. s.) The Count of Palmella.

' Declaration, signed the Third Day of April One thousand eight hundred and nineteen, touching Molembo and Cabinda, as described in the Convention of the Twenty eighth July One thousand eight hundred and seventeen, between His Majesty and His Most Faithful Majesty.

Declaration as to Molembo and Cabinda, dated July 28, 1817.

' Whereas a Convention, having for its Object the Prevention of the illicit Traffic in Slaves, was concluded between His Britannic Majesty and His Most Faithful Majesty, and signed at London on the 28th of July 1817:—

' And Whereas by the Second Article of that Convention, the Traffic in Slaves was declared still to be permitted to Portuguese Subjects, only within certain Territories therein described.

' And Whereas the Territories of Molembo and Cabinda are described by that Article to be on the Eastern Coast of Africa; and Whereas this Description is evidently a verbal Mistake, the said Territories of Molembo and Cabinda lying in fact upon the Western and not upon the Eastern Coast of Africa:—

' It is hereby declared by the undersigned, that the Word Eastern, in that Part of the Second Article above alluded to, shall be held to be annulled, and the Word ' Western' to stand in its Place; and the latter Part of the Article in question shall accordingly be held to run thus:—

' The Territories of Molembo and Cabinda upon the Western Coast of Africa, from the Fifth Degree Twelve Minutes to the Eighth Degree South Latitude.'

It was further agreed between the undersigned, that the present Declaration shall be considered as an integral Part of the said Convention.

In Witness and in Faith of the above, the undersigned, His Britannic Majesty's Secretary of State for Foreign Affairs, and His Most Faithful Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of St. James's, have hereunto set their Hands and Seals, at London, this Third Day of April in the Year of our Lord One thousand eight hundred and nineteen.

' (L. s.) Castlereagh.

' Additional

Additional  
Articles to the  
Convention  
with Portugal,  
dated March  
15, 1823.

‘ *Additional Articles to the Convention between His Majesty and His most Faithful Majesty, signed in London on the Twenty eighth of July One thousand eight hundred and seventeen; signed at Lisbon Fifteenth March One thousand eight hundred and twenty three.*

‘ His Majesty the King of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the United Kingdom of Portugal, Brazils and Algarves, wishing to remove every Obstacle to the faithful Execution of the Convention signed in London by their respective Plenipotentiaries on the Twenty eighth of July One thousand eight hundred and seventeen, for the Purpose of preventing their Subjects from engaging in any illicit Traffic in Slaves, and seeing the Necessity of adding, to that Intent, certain Articles to the said Convention, have for this Purpose named their Plenipotentiaries; that is to say, His Majesty the King of the United Kingdom of Great Britain and Ireland, Edward Michael Ward Esquire, His Charge d’Affaires at the Court of Lisbon; and His Majesty the King of the United Kingdom of Portugal, Brazil and Algarves, José Bazilio Rademaker Knight, professed in the Order of Christ, and Chief Clerk of the Department of State for Foreign Affairs; who, after having exchanged their respective full Powers, found to be in good and due Form, have agreed upon the following Articles:—

‘ Article I.— Whereas it is stated in the First Article of the Instructions intended for the British and Portuguese Ships of War employed to prevent the illicit Traffic in Slaves, that “Ships on board of which no Slaves shall be found intended for the Purposes of Traffic, shall not be detained on any Account or Pretence whatever:” And Whereas it has been found by Experience, that Vessels employed in the illegal Traffic have put their Slaves momentarily on Shore, immediately prior to their being visited by Ships of War, and that such Vessels have thus found Means to evade Forfeiture, and have been enabled to pursue their unlawful Course with Impunity, contrary to the true Object and Spirit of the Convention of the Twenty eighth of July One thousand eight hundred and seventeen; the Two High Contracting Parties therefore feel it necessary to declare, and it is hereby declared by them, that if there shall be clear and undeniable Proof that a Slave or Slaves of either Sex has or have been put on board a Vessel for the Purpose of illegal Traffic in the particular Voyage on which the Vessel be captured, then and on that Account, according to the true Intent and Meaning of the Stipulations of the above mentioned Convention, such Vessel shall be detained by the Cruizers, and finally condemned by the Commissioners.

‘ Article II.— Inasmuch as the Convention of the Twenty eighth of July One thousand eight hundred and seventeen do not stipulate the Mode of supplying the Absence of the Commissioners occurring from any other Cause besides that of Death which is the only Case provided for by the Fourteenth Article of the Regulation for the Mixed Commissions annexed to the said Convention; the Two High Contracting Parties have agreed, that

that in the Event of the Recal, or of the Absence on account of Illness, or any other unavoidable Cause, of any of the Commissioners, Judges or Arbitrators, or in the Case of their Absence in consequence of Leave from their Government, which must be notified to the respective Commission, their Posts shall be supplied in the same Form and Manner as is determined for the Case of Death by the above mentioned Fourteenth Article of the said Regulation.

‘ These additional Articles shall have the same Force and Effect, as if they were inserted Word for Word in the said Convention, and shall be considered as forming Part of the same; they shall be ratified, and the Ratifications thereof exchanged in *Lisbon*, within Three Months at latest after the Date of their Signature.

‘ In Witness whereof, the undersigned, being furnished with full Powers to that Effect, have signed these Articles, and fixed thereunto the Seals of their Arms.

‘ Done at *Lisbon*, this Fifteenth Day of *March*, in the Year of our Lord One thousand eight hundred and twenty three.

‘ (L. s.) *E. M. Ward.*  
 ‘ (L. s.) *Jose Bazilio Rademaker.*

‘ *TREATY between His Britannic Majesty and His Catholic Majesty, for preventing their Subjects from engaging in any illicit Traffic in Slaves. Signed at Madrid, the Twenty third of September One thousand eight hundred and seventeen.* Treaty with Spain, dated Sept. 23, 1817.

‘ IN the Name of the Most Holy Trinity: It having been stated, in the Second additional Article of the Treaty signed at *Madrid*, on the Fifth Day of *July* of the Year One thousand eight hundred and fourteen, between His Majesty the King of the United Kingdom of *Great Britain and Ireland*, and His Majesty the King of *Spain* and the *Indies*, that “ His Catholic Majesty concurs, in the fullest Manner, in the Sentiments of His *Britannic* Majesty, with respect to the Injustice and Inhumanity of the Traffic in Slaves, and promises to take into Consideration, with the Deliberation which the State of his Possessions in *America* demands, the Means of acting in Conformity with those Sentiments; and engages, moreover, to prohibit his Subjects from carrying on the Slave Trade, for the purpose of supplying any Islands or Possessions, excepting those appertaining to *Spain*; and to prevent, by effectual Measures and Regulations, the Protection of the *Spanish* Flag being given to Foreigners who may engage in this Traffic, whether Subjects of His *Britannic* Majesty, or any other State or Power.”

And His Catholic Majesty, conformably to the Spirit of this Article, and to the Principles of Humanity with which he is animated, having never lost sight of an Object so interesting to him, and being desirous of hastening the Moment of its attainment, has resolved to co-operate with His *Britannic* Majesty in the Cause of Humanity, by adopting, in concert with the said Majesty, efficacious Means for bringing about the Abolition

‘ Abolition of the Slave Trade, for effectually suppressing illicit  
 ‘ Traffic in Slaves on the Part of their respective Subjects, and  
 ‘ for preventing *Spanish* Ships trading in Slaves conformably to  
 ‘ Law and to Treaty from being molested or subjected to Losses  
 ‘ from *British* Cruizers : the Two High Contracting Parties have  
 ‘ accordingly named as their Plenipotentiaries, viz. —

‘ His Majesty the King of the United Kingdom of *Great Britain*  
 ‘ and *Ireland*, the Right Honourable Sir *Henry Wellesley*, a  
 ‘ Member of His Majesty’s Most Honourable Privy Council,  
 ‘ Knight Grand Cross of the Most Honourable Order of the  
 ‘ Bath, and His Majesty’s Ambassador Extraordinary and Ple-  
 ‘ niptentiary to His Catholic Majesty ; and His Majesty the King  
 ‘ of *Spain* and the *Indies*, *Don Josef Garcia de Leon y Pizarro*,  
 ‘ Knight Grand Cross of the Royal and distinguished *Spanish*  
 ‘ Order of *Charles Third*, of that of *Saint Ferdinand* and of *Merr-*  
 ‘ *of Naples*, of those of *Saint Alexander Newsky* and of *Saint*  
 ‘ *Anne*, of *Russia*, and of that of the Red Eagle, of *Prussia*,  
 ‘ Councillor of State, First Secretary of State and of the General  
 ‘ Dispatch ; who having exchanged their respective full Powers  
 ‘ found to be in good and due Form, have agreed upon the fol-  
 ‘ lowing Articles :

‘ Article the First.—His Catholic Majesty engages, that the  
 ‘ Slave Trade shall be abolished throughout the entire Domi-  
 ‘ nions of *Spain* on the Thirtieth Day of *May* One thousand  
 ‘ eight hundred and twenty, and that from and after that Period  
 ‘ it shall not be lawful for any of the Subjects of the Crown of  
 ‘ *Spain* to purchase Slaves or to carry on the Slave Trade on  
 ‘ any Part of the Coast of *Africa*, upon any Pretext or in any  
 ‘ Manner whatever ; provided, however, that a Term of Five  
 ‘ Months from the said Date of the Thirtieth of *May* One thou-  
 ‘ sand eight hundred and twenty, shall be allowed for complet-  
 ‘ ing the Voyages of Vessels which shall have cleared out lar-  
 ‘ fully previously to the said Thirtieth of *May*.

‘ Article the Second.—It is hereby agreed, that from and  
 ‘ after the Exchange of the Ratifications of the present Treaty,  
 ‘ it shall not be lawful for any of the Subjects of the Crown of  
 ‘ *Spain* to purchase Slaves, or to carry on the Slave Trade on  
 ‘ any Part of the Coast of *Africa* to the North of the Equator,  
 ‘ upon any Pretext or in any Manner whatever ; provided, how-  
 ‘ ever, that a Term of Six Months, from the Date of the Ex-  
 ‘ change of the Ratifications of this Treaty, shall be allowed  
 ‘ for completing the Voyages of Vessels which shall have cleared  
 ‘ out from *Spanish* Ports for the said Coast previously to the Ex-  
 ‘ change of the said Ratifications.

‘ Article the Third.—His *Britannic* Majesty engages to pay, in  
 ‘ *London*, on the Twentieth of *February* One thousand eight  
 ‘ hundred and eighteen, the Sum of Four hundred thousand  
 ‘ Pounds Sterling, to such Person as His Catholic Majesty shall  
 ‘ appoint to receive the same.

‘ Article the Fourth.—The said Sum of Four hundred thou-  
 ‘ sand Pounds Sterling is to be considered as a full Compensation  
 ‘ for all Losses sustained by the Subjects of His Catholic Ma-  
 ‘ jesty engaged in this Traffic, on account of Vessels captured  
 ‘ previously to the Exchange of the Ratifications of the present  
 ‘ Treaty.



Treaty, as also for the Losses which are a necessary Consequence of the Abolition of the said Traffic.

‘ Article the Fifth. — One of the Objects of this Treaty, on the Part of the Two Governments, being mutually to prevent their respective Subjects from carrying on an illicit Slave Trade ;

‘ The Two High Contracting Parties declare, that they consider as illicit any Traffic in Slaves carried on under the following Circumstances :

‘ First. Either by *British Ships*, and under the *British Flag*, or for the Account of *British Subjects*, by any Vessel or under any Flag whatsoever.

‘ Second. By *Spanish Ships*, upon any Part of the Coast of *Africa* North of the Equator, after the Exchange of the Rati- fications of the present Treaty ; provided, however, that Six Months shall be allowed for completing the Voyages of Vessels, conformably to the Tenor of the Second Article of this Treaty.

‘ Third. Either by *Spanish Ships*, and under the *Spanish Flag*, or for the Account of *Spanish Subjects* by any Vessel or under any Flag whatsoever, after the Thirtieth of *May* One thousand eight hundred and twenty, when the Traffic in Slaves, on the Part of *Spain*, is to cease entirely : Provided always, that Five Months shall be allowed for the Completion of Voyages commenced in due Time, conformably to the First Article of this Treaty.

‘ Fourth. Under the *British* or *Spanish Flag* for the Account of the Subjects of any other Government.

‘ Fifth. By *Spanish Vessels* bound for any Port not in the Do- minions of His Catholic Majesty.

‘ Article the Sixth. — His Catholic Majesty will adopt, in Con- formity to the Spirit of this Treaty, the Measures which are best calculated to give full and complete Effect to the laudable Objects which the High Contracting Parties have in view.

‘ Article the Seventh. — Every *Spanish Vessel* which shall be destined for the Slave Trade, in any Part of the Coast of *Africa* where this Traffic still continues to be lawful, must be provided with a Royal Passport, conformable to the Model annexed to the present Treaty, and which Model forms an integral Part of the same. This Passport must be written in the *Spanish Lan- guage*, with an authentic Translation in *English* annexed there- to ; and it must be signed by His Catholic Majesty, and coun- tersigned by the Minister of Marine, and also by the principal Naval Authority of the District Station, or Port from whence the Vessel clears out, whether in *Spain*, or in the Colonial Possessions of His Catholic Majesty.

‘ Article the Eighth. — It is to be understood that this Pass- port, for rendering lawful the Voyages of Slave Ships, is re- quired only for the Continuation of the Traffic to the South of the Line ; those Passports which are now issued, signed by the First Secretary of State of His Catholic Majesty, and in the Form prescribed by the Order of the Sixteenth of *December* One thousand eight hundred and sixteen, remaining in full Force for all Vessels which may have cleared out for the Coast of *Africa*, as well to the North as to the South of the Line,  
‘ previously

‘ previously to the Exchange of the Ratifications of the present  
‘ Treaty.

‘ Article the Ninth.—The Two High Contracting Parties, for  
‘ the more complete Attainment of the Object of preventing  
‘ all illicit Traffic in Slaves on the Part of their respective Sub-  
‘ jects, mutually consent, that the Ships of War of their Royal  
‘ Navies which shall be provided with special Instructions for this  
‘ Purpose, as hereinafter mentioned, may visit such Merchant  
‘ Vessels of the Two Nations as may be suspected, upon reason-  
‘ able Grounds, of having Slaves on board acquired by an illicit  
‘ Traffic, and in the Event only of their finding Slaves on board  
‘ may detain and bring away such Vessels, in order that they  
‘ may be brought to Trial before the Tribunals established for this  
‘ Purpose, as shall hereinafter be specified.

‘ Provided always, that the Commanders of the Ships of War  
‘ of the Two Royal Navies who shall be employed on this Service  
‘ shall adhere strictly to the exact Tenor of the Instructions  
‘ which they shall receive for this Purpose.

‘ As this Article is entirely reciprocal, the Two High Contract-  
‘ ing Parties engage mutually to make good any Losses which their  
‘ respective Subjects may incur unjustly, by the arbitrary and ille-  
‘ gal Detention of their Vessels.

‘ It being understood that this Indemnity shall invariably be  
‘ borne by the Government whose Cruiser shall have been guilty  
‘ of the arbitrary Detention; provided always, that the Visit and  
‘ Detention of Slave Ships specified in this Article shall only be  
‘ effected by those *British* or *Spanish* Vessels which may form  
‘ Part of the Two Royal Navies, and by those only of such Ves-  
‘ sels which are provided with the Special Instructions annexed  
‘ to the present Treaty.

‘ Article the Tenth.—No *British* or *Spanish* Cruiser shall det-  
‘ tain any Slave Ship not having Slaves actually on board; and  
‘ in order to render lawful the Detention of any Ship, whether  
‘ *British* or *Spanish*, the Slaves found on board of such Vessel  
‘ must have been brought there for the express Purpose of the  
‘ Traffic, and those on board of *Spanish* Ships must have been  
‘ taken from that Part of the Coast of *Africa* where the Slave  
‘ Trade is prohibited, conformably to the Tenor of the present  
‘ Treaty.

‘ Article the Eleventh.—All Ships of War of the Two Nations,  
‘ which shall hereafter be destined to prevent the illicit Traffic  
‘ in Slaves, shall be furnished by their own Government with a  
‘ Copy of the Instructions annexed to the present Treaty, and  
‘ which shall be considered as an integral Part thereof.

‘ These Instructions shall be written in *Spanish* and *English*,  
‘ and signed, for the Vessels of each of the Two Powers, by the  
‘ Minister of their respective Marine.

‘ The Two High Contracting Parties reserve the Faculty of  
‘ altering the said Instructions, in Whole or in Part, according  
‘ to Circumstances; it being however well understood, that the  
‘ said Alterations cannot take place but by common Agreement,  
‘ and by the Consent of the Two High Contracting Parties.

‘ Article the Twelfth.—In order to bring to Adjudication, with  
‘ the least Delay and Inconvenience, the Vessels which may be  
‘ detained

‘ detained for having been engaged in an illicit Traffic of Slaves, there shall be established, within the Space of a Year at furthest from the Exchange of the Ratifications of the present Treaty, Two Mixed Commissions, formed of an equal Number of Individuals of the Two Nations, named for this Purpose by their respective Sovereigns.

‘ These Commissions shall reside, one in a Possession belonging to His *Britannic* Majesty, the other within the Territories of His Catholic Majesty; and the Two Governments, at the Period of the Exchange of the Ratifications of the present Treaty, shall declare, each for its own Dominions, in what Places the Commissions shall respectively reside, each of the Two High Contracting Parties reserving to itself the Right of changing at its Pleasure the Place of Residence of the Commission held within its own Dominions; provided, however, that one of the Two Commissions shall always be held upon the Coast of *Africa*, and the other in one of the Colonial Possessions of His Catholic Majesty.

‘ These Commissions shall judge the Causes submitted to them without Appeal, and according to the Regulations and Instructions annexed to the present Treaty, of which they shall be considered as an integral Part.

‘ Article the Thirteenth.—The Acts or Instruments annexed to this Treaty, and which form an integral Part thereof, are as follows:

‘ No. 1. Form of Passport for the *Spanish* Merchant Ships destined for the lawful Traffic in Slaves.

‘ No. 2. Instructions for the Ships of War of both Nations destined to prevent the illicit Traffic in Slaves.

‘ No. 3. Regulation for the Mixed Commissions which are to hold their Sittings on the Coast of *Africa*, and in one of the Colonial Possessions of His Catholic Majesty.

‘ Article the Fourteenth.—The present Treaty, consisting of Fourteen Articles, shall be ratified, and the Ratifications exchanged at *Madrid*, within the Space of Two Months from this Date, or sooner if possible.

‘ In Witness whereof the respective Plenipotentiaries have signed the same, and have thereunto affixed the Seal of their Arms.

‘ Done at *Madrid*, this Twenty third Day of *September* in the Year of our Lord One thousand eight hundred and seventeen.

‘ (Signed) (Signed)  
Henry Wellesley. (L. S.) Jose Pizarro. (L. S.)

*Form of Passport for Spanish Vessels destined for the lawful Traffic in Slaves.*

Passport for Spanish Vessels.

‘ *Ferdinand*, by the Grace of God, King of *Castille*, of *Leon*, of *Aragon*, of the Two *Sicilies*, of *Jerusalem*, of *Navarre*, of *Grenada*, of *Toledo*, of *Valencia*, of *Gallicia*, of *Majorca*, of *Minorca*, of *Seville*, of *Sardinia*, of *Cordova*, of *Corsica*, of *Murcia*, of *Jaen*, of the *Algarves*, of *Algesiras*, of *Gibraltar*, of the *Canary Islands*, of the *East* and *West Indies*, Isles, and *Terra Firma* of the Ocean: Archduke of *Austria*, Duke of

‘ *Burgundy, of Brabant, and of Milan; Count of Apshburgh,*  
 ‘ *Flanders, Tirol, and Barcelona; Lord of Biscay and of*  
 ‘ *Molina, &c.*

‘ Whereas I have granted Permission for the Vessel called  
 ‘ , of Tons, and carrying  
 ‘ Men and Passengers, Master  
 ‘ and Owner, both *Spaniards* and Subjects of my  
 ‘ Crown, to proceed bound to the Ports of  
 ‘ and Coast of *Africa*, from whence she is to return  
 ‘ to , the said Master and Owner having  
 ‘ previously taken the required Oath before the Tribunal of  
 ‘ Marine of the proper Naval Division from whence the said  
 ‘ Vessel sails, and legally proved that no Foreigner has any Share  
 ‘ in the above Vessel and Cargo, as appears by the Certificate  
 ‘ annexed to this Passport: which Certificate is given by the  
 ‘ same Tribunal in consequence of the Steps taken in pursuance  
 ‘ of the Directions contained in the Ordinance of Matriculation  
 ‘ of One thousand eight hundred and twenty two.

‘ The said Captain and  
 ‘ Owner of the said Vessel being under an Obligation to enter  
 ‘ solely such Ports on the Coast of *Africa* as are to the South of  
 ‘ the Line, and to return from thence to any of the Ports of my  
 ‘ Dominions where alone they shall be permitted to land the  
 ‘ Slaves whom they carry, after going through the proper Forms  
 ‘ to shew that they have in every respect complied with the Pro-  
 ‘ visions of my Royal Decree of  
 ‘ One thousand eight hundred and seventeen, by which the Mode  
 ‘ of conveying Slaves from the Coast of *Africa* to my Colonial  
 ‘ Dominions is regulated; and should they fail in any of these  
 ‘ Conditions, they shall be liable to the Penalties denounced by  
 ‘ the said Decree against those who shall carry on the Slave  
 ‘ Trade in an illicit Manner.

‘ I therefore command all General and other Officers com-  
 ‘ manding my Squadrons and Ships, the Captain Generals of the  
 ‘ Departments of Marine, the Military Commandants of the Pro-  
 ‘ vinces of the same, their Subalterns, Captains of the Ports, and  
 ‘ all other Officers and Persons belonging to the Navy; the  
 ‘ Viceroy, Captain Generals or Commandants of Kingdoms and  
 ‘ Provinces; the Governors, Mayors and Justices of the Towns  
 ‘ upon the Sea Coast of my Dominions of *Indies*; the Royal  
 ‘ Officers or Judges of Entries therein established, and all others  
 ‘ of my Subjects to whom it belongs or may belong, nor to give  
 ‘ her any Obstruction nor to occasion her any Inconvenience or  
 ‘ Detention, but rather to aid her and to furnish her with what-  
 ‘ ever she may want for her regular Navigation; and of the  
 ‘ Vessels and Subjects of Kings, Princes and Republics, in  
 ‘ Friendship and Alliance with me, of the Commanders, Go-  
 ‘ vernors or Chiefs of their Provinces, Fortresses, Squadrons and  
 ‘ Vessels, I require that they likewise shall not impede her in her  
 ‘ free Navigation, Entry, Departure or Detention in the Ports to  
 ‘ which by any Accident she may be carried, but permit her to  
 ‘ provide and supply herself therein with whatever she may be  
 ‘ in need of; for which Purpose I have commanded this Passport  
 ‘ to be made out; which, being signed for its Validity by my  
 ‘ Secretary

Secretary of State for the Dispatch of Marine, shall serve for the Time that a Voyage going and returning may last, after the Conclusion of which it shall be returned to the Commandant of Marine, Governor or other Person by whom it may have been issued, adding for its proper Use the corresponding Note.

Given at *Madrid*, on

I, The King.

(Here the Signature of the Secretary of State and of the Dispatch of Marine.)

Note.—This Passport, No.

any Number of Slaves, not exceeding the Proportion of Five Slaves for every Two Tons (as permitted by the Royal Decree of 1817), excepting always such Slaves employed as Sailors or Domestics, and Children born on board during the Voyage; and the same is issued by me the undersigned of this Date, made out in favour of

who has previously conformed with all the Formalities required by the Royal Decree of 1817, and is bound to return it immediately upon his Return from the Voyage.

Given at \_\_\_\_\_ on the \_\_\_\_\_ of \_\_\_\_\_ of the Year \_\_\_\_\_

(Here the Signature of the principal Marine Authority of the Naval Division, Station, Province or Port from whence the Vessel clears out.)

(Signed)

(Signed)

Henry Wellesley. (L. s.)

Jose Pizarro. (L. s.)

Instructions for the British and Spanish Ships of War employed to prevent the illicit Traffic in Slaves.

Instructions for British and Spanish Ships of War.

Article I.—Every British or Spanish Ship of War shall, in Conformity with Article IX. of the Treaty of this Date, have a Right to Visit the Merchant Ships of either of the Two Powers actually engaged or suspected to be engaged in the Slave Trade; and should any Slaves be found on board, according to the Tenor of the Xth Article of the aforesaid Treaty; and as to what regards the Spanish Vessels, should there be ground to suspect that the said Slaves have been embarked on a Part of the Coast of Africa where the Traffic is no longer permitted, conformably to the Articles I. and II. of the Treaty of this Date; in these Cases alone the Commander of the said Ship of War may detain them; and having detained them, he is to bring them as soon as possible, for Judgment, before that of the Two Mixed Commissions appointed by the XIIth Article of the Treaty of this Date, which shall be the nearest, or which the Commander of the capturing Ship shall, upon his own Responsibility, think he can soonest reach from the Spot where the Slave Ship shall have been detained.

Ships on board of which no Slaves shall be found, intended for Purposes of Traffic, shall not be detained on any Account or Pretence whatever.

‘ Negro Servants or Sailors that may be found on board the  
 ‘ said Vessels cannot in any Case be deemed a sufficient Cause of  
 ‘ Detention.

‘ Article II.— No *Spanish* Merchantman or Slave Ship shall  
 ‘ on any Pretence whatever be detained, which shall be found  
 ‘ any where near the Land, or on the High Seas, South of the  
 ‘ Equator, during the Period for which the Traffic is to remain  
 ‘ lawful, according to the Stipulations subsisting between the  
 ‘ High Contracting Parties, unless after a Chace that shall have  
 ‘ commenced North of the Equator.

‘ Article III.— *Spanish* Vessels, furnished with a regular Pas-  
 ‘ port, having Slaves on board, shipped at those Parts of the  
 ‘ Coast of *Africa* where the Trade is permitted to *Spanish*  
 ‘ Subjects, and which shall afterwards be found North of the  
 ‘ Equator, shall not be detained by the Ships of War of the Two  
 ‘ Nations, though furnished with the present Instructions, pro-  
 ‘ vided the same can account for their Course, either in Con-  
 ‘ formity with the Practice of the *Spanish* Navigation, by steering  
 ‘ some Degrees to the Northward in Search of fair Winds, or  
 ‘ for other legitimate Causes, such as the Dangers of the Sea,  
 ‘ duly proved: Provided always, that with regard to all Slave  
 ‘ Ships detained to the North of the Equator, after the Expiration  
 ‘ of the Term allowed, the Proof of the Legality of the Voyage  
 ‘ is to be furnished by the Vessel so detained. On the other  
 ‘ Hand, with respect to Slave Ships detained to the South of  
 ‘ the Equator, in Conformity with the Stipulations of the preced-  
 ‘ ing Article, the Proof of the Illegality of the Voyage is to be  
 ‘ exhibited by the Captor.

‘ It is in like Manner stipulated, that the Number of Slaves  
 ‘ found on board a Slave Ship by the Cruizers, even should the  
 ‘ Number not agree with that contained in their Passports, shall  
 ‘ not be sufficient Reason to justify the Detention of the Ship;  
 ‘ but the Captain and Proprietor shall be denounced in the  
 ‘ *Spanish* Tribunals, in order to their being punished according  
 ‘ to the Laws of the Country.

‘ Article IV.— Every *Spanish* Vessel intended to be employed  
 ‘ in the legal Traffic in Slaves, in Conformity with the Principles  
 ‘ laid down in the Treaty of this Date, shall be commanded by  
 ‘ a native *Spaniard*; and Two Thirds, at least, of the Crew shall  
 ‘ likewise be *Spaniards*: Provided always, that the *Spanish* or  
 ‘ Foreign Construction shall in no wise affect its Nationality, and  
 ‘ that the Negro Sailors shall always be reckoned as *Spaniards*, and  
 ‘ provided they belong, as Slaves, to Subjects of the Crown of  
 ‘ *Spain*, or that they have been enfranchised in the Dominions of  
 ‘ His Catholic Majesty.

‘ Article V.— Whenever a Ship of War shall meet a Mer-  
 ‘ chantman liable to be searched, it shall be done in the most  
 ‘ mild Manner, and with every Attention which is due between  
 ‘ allied and friendly Nations; and in no case shall the Search be  
 ‘ made by an Officer holding a Rank inferior to that of Lieutenant  
 ‘ in the Navy of *Great Britain*, or of Ensign of a Ship of the Line  
 ‘ in the *Spanish* Navy.

‘ Article VI.— The Ships of War which may detain any Slave  
 ‘ Ship, in pursuance of the Principles laid down in the present  
 ‘ Instructions.

‘ Instructions, shall leave on board all the Cargo of Negroes  
 ‘ untouched, as well as the Captain, and a Part, at least, of the  
 ‘ Crew of the above mentioned Slave Ship; the Captain shall  
 ‘ draw up in Writing an authentic Declaration, which shall  
 ‘ exhibit the State in which he found the detained Ship, and the  
 ‘ Changes which may have taken place in it; he shall deliver to  
 ‘ the Captain of the Slave Ship a signed Certificate of the Papers  
 ‘ seized on board of the said Vessel, as well as of the Number of  
 ‘ Slaves found on board at the Moment of Detention.

‘ The Negroes shall not be disembarked till after the Vessels  
 ‘ which contain them shall be arrived at the Place where the  
 ‘ Legality of the Capture is to be tried by One of the Two  
 ‘ Mixed Commissions, in order that, in event of their not being  
 ‘ adjudged legal Prize, the Loss of the Proprietors may be more  
 ‘ easily repaired. If, however, urgent Motives, deduced from  
 ‘ the Length of the Voyage, the State of Health of the Negroes,  
 ‘ or other Causes, required that they should be disembarked  
 ‘ entirely, or in part, before the Vessel could arrive at the Place  
 ‘ of Residence of One of the said Commissions, the Commander  
 ‘ of the capturing Ship may take on himself the Responsibility  
 ‘ of such Disembarkation, provided that the Necessity be stated  
 ‘ in a Certificate in proper Form.

‘ Article VII. — No Conveyance of Slaves from one Part in  
 ‘ the Spanish Possessions to another shall take place, except in  
 ‘ Ships provided with Passports from the Government on the  
 ‘ Spot, *ad hoc*.

‘ Done at *Madrid*, the Twenty third Day of *September* in the  
 ‘ Year of our Lord One thousand eight hundred and seventeen.

‘ (L. s.) *Henry Wellesley.* (L. s.) *Jose Pizarro.*

‘ *Regulations for the Mixed Commissions, which are to reside  
 ‘ on the Coast of Africa, and in a Colonial Possession of  
 ‘ His Catholic Majesty.*

Regulations for  
 Mixed Com-  
 missions, as to  
 Spain.

‘ Article I. — The Mixed Commissions to be established by  
 ‘ the Treaty of this Date, upon the Coast of *Africa* and in a  
 ‘ Colonial Possession of His Catholic Majesty, are appointed to  
 ‘ decide upon the Legality of the Detention of such Slave Vessels  
 ‘ as the Cruizers of both Nations shall detain, in pursuance of this  
 ‘ same Treaty, for carrying on an illicit Commerce in Slaves.

‘ The above mentioned Commissions shall judge, without  
 ‘ Appeal, according to the Letter and Spirit of the Treaty of  
 ‘ this Date.

‘ The Commissions shall give Sentence as summarily as pos-  
 ‘ sible, and they are required to decide (as far as they shall find  
 ‘ it practicable) within the Space of Twenty Days, to be dated  
 ‘ from that on which every detained Vessel shall have been  
 ‘ brought into the Port where they shall reside; First, upon the  
 ‘ Legality of the Capture; Second, in the Case in which the  
 ‘ captured Vessel shall have been liberated, as to the Indemni-  
 ‘ fications which she is to receive.

‘ And it is hereby provided, that in all Cases the final Sentence  
 ‘ shall not be delayed on account of the Absence of Witnesses,  
 ‘ or for Want of other Proofs, beyond the Period of Two Months,

except upon the Application of any of the Parties interested when, upon their giving satisfactory Security to charge themselves with the Expence and Risks of the Delay, the Commissioners may at their Discretion grant an additional Delay, not exceeding Four Months.

Article II. — Each of the above mentioned Mixed Commissions, which are to reside on the Coast of *Africa* and in a Colonial Possession of His Catholic Majesty, shall be composed in the following Manner:

The Two High Contracting Parties shall each of them name a Commissary Judge and a Commissioner of Arbitration, who shall be authorized to hear and to decide, without Appeal, all Cases of Capture of Slave Vessels which, in pursuance of the Stipulations of the Treaty of this Date, may be laid before them. All the essential Parts of the Proceedings carried on before these Mixed Commissions shall be written down in the legal Language of the Country in which the Commission may reside.

The Commissary Judges and the Commissioners of Arbitration shall make Oath, in Presence of the principal Magistrate of the Place in which the Commission may reside, to judge fairly and faithfully, to have no Preference either for the Claimants or the Captors, and to act in all their Decisions in pursuance of the Stipulations of the Treaty of this Date.

There shall be attached to each Commission a Secretary or Registrar appointed by the Sovereign of the Country in which the Commission may reside, who shall register all its Acts, and who, previous to his taking charge of his Post, shall make Oath in Presence of at least One of the Commissary Judges, to conduct himself with Respect to their Authority, and to act with Fidelity in all the Affairs which may belong to his Charge.

Article III. — The Form of the Process shall be as follows:  
The Two Nations Judges of the Two Nations shall, in the first Place, proceed to the Examination of the Papers of the Vessel, and to receive the Depositions on Oath of the Captain, and of Two or Three at least of the principal Individuals on board of the detained Vessel, as well as the Declaration on Oath of the Captor, should it appear necessary, in order to be able to judge and to pronounce if the said Vessel has been justly detained or not, according to the Stipulations of the Treaty of this Date, and in order that, according to this Judgment, it may be condemned or liberated. And in the Event of the Two Commissary Judges not agreeing on the Sentence they ought to pronounce, whether as to the Legality of the Detention, or the Indemnification to be allowed, or on any other Question which might result from the Stipulations of the Treaty of this Date, — they shall draw by Lot the Name of One of the Two Commissioners of Arbitration, who, after having considered the Documents of the Process, shall consult with the above mentioned Commissary Judges on the Case in question, and the final Sentence shall be pronounced conformably to the Opinion of the Majority of the above mentioned Commissary Judges, and of the above mentioned Commissioner of Arbitration.

Article



‘ Article IV. — As often as the Cargo of Slaves found on board  
 ‘ of a *Spanish* Slave Ship shall have been embarked on any Point  
 ‘ whatever of the Coast of *Africa* where the Slave Trade con-  
 ‘ tinues to be lawful, such Slave Ship shall not be detained on  
 ‘ pretext that the above mentioned Slaves have been brought  
 ‘ originally by Land from any other Part whatever of the  
 ‘ Continent.

‘ Article V. — In the authenticated Declaration which the  
 ‘ Captor shall make before the Commission, as well as in the  
 ‘ Certificate of the Papers seized, which shall be delivered to the  
 ‘ Captain of the captured Vessel at the Time of the Detention,  
 ‘ the above mentioned Captor shall be bound to declare his  
 ‘ Name, the Name of his Vessel, as well as the Latitude and  
 ‘ Longitude of the Place where the Detention shall have taken  
 ‘ place, and the Number of Slaves found living on board of the  
 ‘ Slave Ship at the Time of the Detention.

‘ Article VI. — As soon as Sentence shall have been passed,  
 ‘ the detained Vessel, if liberated, and what remains of the  
 ‘ Cargo, shall be restored to the Proprietors, who may before the  
 ‘ same Commission claim a Valuation of the Damages which  
 ‘ they may have a Right to demand; the Captor himself, and  
 ‘ in his Default his Government, shall remain responsible for the  
 ‘ above mentioned Damages.

‘ The Two High Contracting Parties bind themselves to  
 ‘ defray, within the Term of a Year from the Date of the Sen-  
 ‘ tence, the Indemnifications which may be granted by the above  
 ‘ named Commission, it being understood that these Indemni-  
 ‘ fications shall be at the Expence of the Power of which the  
 ‘ Captor shall be a Subject.

‘ Article VII. — In case of the Condemnation of a Vessel for an  
 ‘ unlawful Voyage, she shall be declared lawful Prize, as well as  
 ‘ her Cargo, of whatever Description it may be, with the Ex-  
 ‘ ception of the Slaves who may be on board as Objects of Com-  
 ‘ merce; and the said Vessel, as well as her Cargo, shall be sold  
 ‘ by public Sale for the Profit of the Two Governments; and  
 ‘ as to the Slaves, they shall receive from the Mixed Com-  
 ‘ mission a Certificate of Emancipation, and shall be delivered  
 ‘ over to the Government on whose Territory the Commission  
 ‘ which shall have so judged them shall be established, to be  
 ‘ employed as Servants or Free Labourers. Each of the Two  
 ‘ Governments binds itself to guarantee the Liberty of these  
 ‘ Individuals as shall be respectively consigned to it.

‘ Article VIII. — Every Claim for Compensation of Losses  
 ‘ occasioned to Ships suspected of carrying on an illicit Trade in  
 ‘ Slaves, not condemned as lawful Prize by the Mixed Commis-  
 ‘ sion, shall also be heard and judged by the above named Com-  
 ‘ missions, in the Form provided by the Third Article of the  
 ‘ present Regulation; and in all Cases wherein Restitution shall  
 ‘ be so decreed, the Commission shall award to the Claimant or  
 ‘ Claimants, or his or their lawful Attorney or Attornies, for his  
 ‘ or their Use, a just and complete Indemnification, for all Costs  
 ‘ of Suit, and for all Losses and Damages which the Claimant or  
 ‘ Claimants may have actually sustained by such Capture and  
 ‘ Detention;

' Detention; that is to say, In case of total Loss, the Claimant  
 ' or Claimants shall be indemnified, — First, for the Ship, her  
 ' Tackle, Apparel and Stores; Secondly, for all Freight due  
 ' and payable; Thirdly, for the Value of the Cargo of Mer-  
 ' chandize, if any; Fourthly, for the Slaves on board at the Time  
 ' of Detention, according to the computed Value of such Slaves  
 ' at the Place of Destination, deducting therefrom the usual fair  
 ' average Mortality for the unexpired Period of the regular  
 ' Voyage; deducting also for all Charges and Expences payable  
 ' upon the Sale of such Cargoes, including Commission of Sale;  
 ' and, Fifthly, for all other regular Charges in such Cases of total  
 ' Loss: And in all other Cases not of total Loss, the Claimant or  
 ' Claimants shall be indemnified, — First, from all special Da-  
 ' mages and Expences occasioned to the Ship by the Detention,  
 ' and for Loss of Freight when due or payable; Secondly, a  
 ' Demurrage, when due, according to the Schedule annexed to  
 ' the present Article; Thirdly, a daily Allowance for the Subsist-  
 ' ence of Slaves, of One Shilling or Four Reals and Half de-  
 ' Vor, for each Person, without Distinction of Sex or Age, for  
 ' so many Days as it shall appear to the Commission that the  
 ' Voyage has been or may be delayed by reason of such Deten-  
 ' tion; as likewise, Fourthly, for any Deterioration of Cargo or  
 ' Slaves; Fifthly, for any Diminution in the Value of the Cargo  
 ' of Slaves, proceeding from an increased Mortality beyond the  
 ' average Amount of the Voyage, or from Sickness occasioned  
 ' by Detention; this Value to be ascertained by their computed  
 ' Price at the Place of Destination, as in the above Case of total  
 ' Loss; Sixthly, an Allowance of Five *per Centum* on the Amount  
 ' of the Capital employed in the Purchase and Maintenance of  
 ' Cargo, for the Period of Delay occasioned by the Detention;  
 ' and, Seventhly, for all Premium of Insurance on additional  
 ' Risks.

' The Claimant or Claimants shall likewise be entitled to  
 ' Interest, at the Rate of Five *per Centum per Annum* on the Sum  
 ' awarded, until paid by Government to which the capturing Ship  
 ' belongs; the whole Amount of such Indemnification being  
 ' calculated in the Money of the Country to which the captured  
 ' Ship belongs, and to be liquidated at the Exchange current at  
 ' the Time of Award, excepting the Sum for the Subsistence of  
 ' Slaves, which shall be Par, as above stipulated.

' The Two High Contracting Parties wishing to avoid, as  
 ' much as possible, every Species of Fraud in the Execution of  
 ' the Treaty of this Date, have agreed, that if it should be proved,  
 ' in a Manner evident to the Conviction of the Commissary  
 ' Judges of the Two Nations, and without having Recourse to the  
 ' Decision of a Commissioner of Arbitration, that the Captor  
 ' has been led into Error by a voluntary and reprehensible Fault  
 ' on the Part of the Captain of the detained Ship; in that Case  
 ' only, the detained Ship shall not have the Right of receiving,  
 ' during the Days of her Detention, the Demurrage stipulated by  
 ' the present Article.

‘ Schedule of Demurrage or daily Allowance				
‘ for a Vessel of 100 Tons to 120 inclusive, £5				
‘ 121 ditto	150 ditto	-	6	} <i>per Diem,</i>
‘ 151 ditto	170 ditto	-	8	
‘ 171 ditto	200 ditto	-	10	
‘ 201 ditto	220 ditto	-	11	
‘ 221 ditto	250 ditto	-	12	
‘ 251 ditto	270 ditto	-	14	
‘ 271 ditto	300 ditto	-	15	

and so in proportion.

‘ Article IX. — When the Proprietor of a Ship suspected of carrying on an illicit Trade in Slaves, released in consequence of a Sentence of One of the Mixed Commissions (or in the Case, as above mentioned, of total Loss), shall claim Indemnification for the Loss of Slaves which he may have suffered, he shall in no Case be entitled to claim for more than the Number of Slaves which his Vessel by the *Spanish* Laws was authorized to carry, which Number shall always be stated in his Passport.

‘ Article X. — Neither the Judges, nor the Arbitrators, nor the Secretary of the Mixed Commissions, shall be permitted to demand or receive from any of the Parties concerned in the Sentences which they shall pronounce, any Emolument, under any Pretext whatsoever, for the Performance of the Duties which are imposed upon them by the present Regulation.

‘ Article XI. — When the Parties interested shall imagine they have Cause to complain of any evident Injustice on the Part of the Mixed Commissions, they may represent it to their respective Governments, who reserve to themselves the Right of mutual Correspondence, for the Purpose of removing, when they think fit, the Individuals who may compose these Commissions.

‘ Article XII. — In case of a Vessel being improperly detained, under Pretence of the Stipulations of the Treaty of this Date, and the Captor not being enabled to justify himself, either by the Tenor of the said Treaty or of the Instructions annexed to it, the Government to which the detained Vessel may belong shall be entitled to demand Reparation; and in such Case the Government to which the Captor may belong binds himself to cause Inquiry to be made into the Subject of the Complaint, and to inflict upon the Captor, if he be found to have deserved it, a Punishment proportioned to the Transgression which may have been committed.

‘ Article XIII. — The Two High Contracting Parties have agreed, that in the Event of the Death of One or more of the Commissary Judges or the Commissioners of Arbitration composing the above mentioned Mixed Commissions, their Posts shall be supplied, *ad interim*, in the following Manner:

‘ On the Part of the *British* Government, the Vacancies shall be filled successively in the Commission which shall sit within the Possessions of His *Britannic* Majesty, by the Governor or Lieutenant Governor resident in that Colony, by the principal Magistrate of the same, and by the Secretary; and in that which shall sit within the Possessions of His *Catholic* Majesty, it is agreed, that, in case of the Death of the *British* Judge or Arbitrator there, the remaining Individuals of the said Commission

‘ mission shall proceed equally to the Judgment of such Slave  
 ‘ Ships as may be brought before them, and to the Execution of  
 ‘ their Sentence. In this Case alone, however, the Parties in-  
 ‘ terested shall have the Right of appealing from the Sentence, if  
 ‘ they think fit, to the Commission resident upon the Coast of  
 ‘ *Africa*; and the Government to which the Captor shall belong  
 ‘ shall be bound fully to make good the Compensation which  
 ‘ shall be due to them in case the Appeal be decided in favour  
 ‘ of the Claimants; but the Vessel and Cargo shall remain, during  
 ‘ such Appeal, in the Place of Residence of the First Commission  
 ‘ before which they shall have been carried.

‘ On the Part of *Spain*, the Vacancies shall be supplied, in the  
 ‘ Possession of His Catholic Majesty, by such Persons of Trust as  
 ‘ the principal Authority of the Country shall appoint; and upon  
 ‘ the Coast of *Africa*, in case of the Death of any *Spanish* Judge  
 ‘ or Arbitrator, the Commission shall proceed to Judgment in the  
 ‘ same Manner as above specified for the Commission resident in  
 ‘ the Possessions of His Catholic Majesty, in the Event of the  
 ‘ Death of the *British* Judge or Arbitrator; an Appeal being, in  
 ‘ this Case likewise, allowed to the Commission resident in the  
 ‘ Possession of His Catholic Majesty; and, in general, all the Pro-  
 ‘ visions of the former Case being to be applied to the present.

‘ The High Contracting Parties have agreed to supply, as soon  
 ‘ as possible, the Vacancies that may arise in the above mentioned  
 ‘ Commissions, from Death or any other Cause; and in case that  
 ‘ the Vacancy of any of the *Spanish* Commissions in the *British*  
 ‘ Possessions, or of the *British* Commissions in the *Spanish* Pos-  
 ‘ sessions, be not supplied at the End of the Term of Seven  
 ‘ Months for *America*, and of Twelve for *Africa*, the Vessels  
 ‘ which shall be brought to the said Possessions respectively  
 ‘ shall cease to have the Right of Appeal above stipulated.

‘ Done at *Madrid*, the Twenty third Day of *September* in the  
 ‘ Year of our Lord One thousand eight hundred and  
 ‘ seventeen.

‘ (L. s.) *Henry Wellesley.*

‘ (L. s.) *Jose Pizarro.*

Explanatory  
 Article to  
 Treaty with  
 Spain, dated  
 Sept. 23, 1817.

‘ *Explanatory Article to the Treaty between His Majesty the  
 ‘ King of the United Kingdom of Great Britain and Ireland  
 ‘ and His Majesty the King of the Spains, concluded and  
 ‘ signed at Madrid September the Twenty third One thou-  
 ‘ sand eight hundred and seventeen.*

‘ Whereas it is stated in Article I. of the “Instructions intended  
 ‘ for *British* and *Spanish* Ships of War employed to prevent the  
 ‘ illicit Traffic in Slaves,” that “Ships, on board of which no  
 ‘ Slaves shall be found, intended for Purposes of Traffic, shall  
 ‘ not be detained on any Account or Pretence whatever;” And  
 ‘ Whereas it has been found by Experience, that Vessels em-  
 ‘ ployed in the illegal Traffic have put their Slaves momentarily  
 ‘ on Shore, immediately prior to their being visited by Ships of  
 ‘ War, and that such Vessels have thus found means to evade  
 ‘ Forfeiture, and have been enabled to pursue their unlawful  
 ‘ Course with Impunity, contrary to the true Object and Spirit of  
 ‘ the Treaty above mentioned;

‘ The

‘ The High Contracting Parties therefore feel it necessary to declare, and it is hereby declared by them, that if there shall be clear and undeniable Proof that a Slave or Slaves has or have been put on board a Vessel, for the Purpose of illegal Traffic, in the particular Voyage on which the Vessel shall be captured, then, and on that Account, according to the true Intent and Meaning of the Stipulations of the Treaty, such Vessel shall be detained by the Cruizers, and finally condemned by the Commissioners.

‘ This explanatory Article shall have the same Force and Effect as if it were inserted Word for Word in the said Treaty, and shall be held to form Part of the same.

‘ In Witness whereof the undersigned, furnished with full Powers to that Effect, have hereunto signed their Names, and affixed their Seals.

‘ Done at *Madrid*, the Tenth Day of *December* One thousand eight hundred and twenty two.

‘ (L. s.) *William A' Court.*

‘ *Additional Article to the Treaty between His Majesty the King of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Spains, signed at Madrid September the Twenty third One thousand eight hundred and seventeen.*

Additional Article to Treaty with Spain, Sept. 23, 1817.

‘ The High Contracting Parties hereby agree, that in the Event of the Absence, on account of Illness or of any other unavoidable Cause, of One or more of the Commissioners, Judges and Arbitrators under the above mentioned Treaty, or in the Case of their Absence in consequence of Leave from their Government, duly notified to the Board of Commission sitting under the said Treaty, their Posts shall be supplied in the same Manner in which, by the Article 14. of the Regulations for the Mixed Commission, those Vacancies in the Commission are to be supplied which may occur by the Death of One or more of the Commissioners aforesaid.

‘ This Article shall have the same Force and Effect as if it had been inserted Word for Word in the above mentioned Treaty, and shall be held to form Part of the same.

‘ In Witness whereof the undersigned, duly furnished with full Powers to that Effect, have signed the present Additional Article, and have affixed thereunto the Seal of their Arms.

‘ Done at *Madrid*, the Tenth Day of *December* One thousand eight hundred and twenty two.

‘ (L. s.) *William A' Court.*

‘ *Declaration explanatory of the Additional Article between Great Britain and Spain, signed at Madrid December Tenth One thousand eight hundred and twenty two.*

Declaration Explanatory of Article to Treaty with Spain, Dec. 10, 1822.

‘ Whereas in the additional Article to the Treaty for preventing an illegal Commerce in Slaves, signed at *Madrid* the Tenth *December* One thousand eight hundred and twenty two, a Reference is made by a Mistake of the Copyist to the Fourteenth instead of the Thirteenth Article of the Regulations for the

‘ the Mixed Commissions : We the undersigned, fully authorized  
 ‘ to that Effect, do hereby agree and declare, that the Reference  
 ‘ aforesaid shall be considered as applying to the Thirteenth  
 ‘ Article, according to the evident Intention of the High Con-  
 ‘ tracting Parties.

‘ Done at *Madrid*, this Second Day of *February* One thou-  
 ‘ sand eight hundred and twenty four.

‘ (Signed) } (L. s.) *William A’ Court.*  
 ‘ (L. s.) *El Conde De Ofalia.*

Treaty with the  
 Netherlands,  
 dated May 4,  
 1818.

‘ *TREATY* between His Britannic Majesty and His Ma-  
 ‘ jesty the King of the Netherlands, for preventing their  
 ‘ Subjects from engaging in any Traffic in Slaves. Signed  
 ‘ at the Hague, May Fourth One thousand eight hundred  
 ‘ and eighteen.

‘ In the Name of the Most Holy Trinity :— His Majesty the  
 ‘ King of the United Kingdom of *Great Britain* and *Ireland*, and  
 ‘ His Majesty the King of the *Netherlands*, animated with a  
 ‘ mutual Desire to adopt the most effectual Measures for putting  
 ‘ a Stop to the carrying on of the Slave Trade by their respective  
 ‘ Subjects, and for preventing their respective Flags from being  
 ‘ made use of as a Protection to this nefarious Traffic by the  
 ‘ People of other Countries who may engage therein ; their said  
 ‘ Majesties have accordingly resolved to proceed to the Arrange-  
 ‘ ment of a Convention for the Attainment of their Objects, and  
 ‘ have therefore named as Plenipotentiaries, *ad hoc.*

‘ His Majesty the King of the United Kingdom of *Great Britain*  
 ‘ and *Ireland*, the Right Honourable *Richard* Earl of *Clancarty*,  
 ‘ Viscount *Dunlo*, Baron *Kilconnel*, Baron *Trench* of *Garbally* ;  
 ‘ the United Kingdom of *Great Britain* and *Ireland*, One of His  
 ‘ Majesty’s Most Honourable Privy Council in *Great Britain* and  
 ‘ also in *Ireland*, Member of the Committee of the First for the  
 ‘ Affairs of Commerce and Colonies, Colonel of the Regiment of  
 ‘ Militia of the County of *Galway*, Knight Grand Cross of the  
 ‘ Most Honourable Order of the Bath, Ambassador Extraordinary  
 ‘ and Plenipotentiary of His said Majesty to His Majesty the  
 ‘ King of the *Netherlands*, Grand Duke of *Luxembourg* ; and His  
 ‘ Majesty the King of the *Netherlands*, *Anne William* Charles  
 ‘ Baron *de Nagell d’ Ampsen*, Member of the Body of Nobles of  
 ‘ the Province of *Guelderland*, Knight Grand Cross of the Order  
 ‘ of the *Belgic* Lion and of that of *Charles* the Third, Chamberlain  
 ‘ and Minister of State holding the Department of Foreign Affairs ;  
 ‘ and *Cornelius Felix Van Maanen*, Commander of the Order of  
 ‘ the *Belgic* Lion, and Minister of State holding the Department  
 ‘ of Justice ; who, having exchanged their full Powers, found in  
 ‘ good and due Form, have agreed on the following Articles :

‘ Article I. — The Laws of the United Kingdom of *Great*  
 ‘ *Britain* and *Ireland* rendering it already highly penal for the  
 ‘ Subjects of His Britannic Majesty to carry on, or to be in  
 ‘ any way engaged in Trade in Slaves, His Majesty the King  
 ‘ of the *Netherlands*, referring to the Eighth Article of the  
 ‘ Convention entered into with His Britannic Majesty on the  
 ‘ Thirteenth *August* One thousand eight hundred and fourteen.  
 ‘ engage

engages in pursuance thereof, and within Eight Months from the Ratification of these Presents, or sooner if possible, to prohibit all his Subjects, in the most effectual Manner, and especially by penal Law the most formal, to take any Part whatever in the Trade of Slaves; and in the Event of the Measures already taken by the *British* Government, and to be taken by that of the *Netherlands*, being found ineffectual or insufficient, the High Contracting Parties mutually engage to adopt such further Measures, whether by legal Provision or otherwise, as may from time to time appear to be best calculated in the most effectual Manner to prevent all their respective Subjects from taking any Share whatever in this nefarious Traffic.

‘ Article II.—The Two High Contracting Parties, for the more complete Attainment of the Object of preventing all Traffic in Slaves on the Part of their respective Subjects, mutually consent that the Ships of their Royal Navies, which shall be provided with special Instructions for this Purpose, as hereinafter mentioned, may visit such Merchant Vessels of the Two Nations as may be suspected upon reasonable Grounds of having Slaves on board for an illicit Traffic; and in the Event only of their finding such Slaves on board, may detain and bring away such Vessels, in order that they may be brought to Trial before the Tribunals established for this Purpose, as shall hereinafter be specified.

‘ Article III.—In the Intention of explaining the Mode of Execution of the preceding Article, it is agreed,

‘ 1st. That such reciprocal Right of Visit and Detention shall not be exercised within the *Mediterranean* Sea, or within the Seas in *Europe* lying without the Straits of *Gibraltar*, and which lie to the Northward of the Thirty seventh Parallel of North Latitude, and also within and to the Eastward of the Meridian of Longitude Twenty Degrees West of *Greenwich*.

‘ 2d. That the Names of the several Vessels furnished with such Instructions, the Force of each, and the Names of their several Commanders, shall be from time to time, immediately upon their Issue, communicated by the Power issuing the same to the other High Contracting Party.

‘ 3d. That the Number of Ships of each of the Royal Navies authorized to make such Visits as aforesaid, shall not exceed the Number of Twelve belonging to either of the High Contracting Parties, without the special Consent of the other High Contracting Party being first had and obtained.

‘ 4th. That if at any Time it should be deemed expedient that any Ship of the Royal Navy of either of the Two High Contracting Parties, authorized to make such Visits as aforesaid, should proceed to visit any Merchant Ship or Ships under the Flag, and proceeding under the Convoy of any Vessel or Vessels of the Royal Navy of the other High Contracting Party, that the Commanding Officer of the Ship, duly authorized and instructed to make such Visit, shall proceed to effect the same in Communication with the commanding Officer of the Convoy, who it is hereby agreed shall give every Facility to such Visit, and to the eventual Detainer of the Merchant Ship

‘ or

‘ or Ships so visited, and in all Things assist to the utmost of  
 ‘ his Power in the due Execution of the present Convention, ac-  
 ‘ cording to the true Intent and Meaning thereof.

‘ 5th. It is further mutually agreed, that the Commanders of  
 ‘ the Ships of the Two Royal Navies, who shall be employed on  
 ‘ this Service, shall adhere strictly to the exact Tenor of the  
 ‘ Instructions which they shall receive for this Purpose.

‘ Article IV.—As the Two preceding Articles are entirely  
 ‘ reciprocal, the Two High Contracting Parties engage mutually  
 ‘ to make good any Losses which their respective Subjects may  
 ‘ incur unjustly, by the arbitrary and illegal Detention of their  
 ‘ Vessels; it being understood that this Indemnity shall invari-  
 ‘ ably be borne by the Government whose Cruiser shall have been  
 ‘ guilty of the arbitrary Detention; and that the Visit and De-  
 ‘ tention of Ships specified in this Article, shall only be effected  
 ‘ by those *British* or *Netherland* Vessels which may form Part of  
 ‘ the Two Royal Navies, and by those only of such Vessels which  
 ‘ are provided with the special Instructions annexed to the present  
 ‘ Treaty, in pursuance of the Provisions thereof.

‘ Article V.—No *British* or *Netherland* Cruiser shall detain  
 ‘ any Ship whatever not having Slaves actually on board; and  
 ‘ in order to render lawful the Detention of any Ship, whether  
 ‘ *British* or *Netherland*, the Slaves found on board such Vessels  
 ‘ must have been brought there for the express Purpose of the  
 ‘ Traffic.

‘ Article VI.—All Ships of the Royal Navies of the Two  
 ‘ Nations, which shall hereafter be destined to prevent the  
 ‘ Traffic in Slaves, shall be furnished by their respective Govern-  
 ‘ ments with a Copy of the Instructions annexed to the present  
 ‘ Treaty, and shall be considered as an integral Part thereof.

‘ These Instructions shall be written in the *Dutch* and *English*  
 ‘ Languages, and signed for the Vessels of each of the Two  
 ‘ Powers by the Minister of their respective Marine.

‘ The Two High Contracting Parties reserve the Faculty of  
 ‘ altering the said Instructions, in Whole or in Part, according to  
 ‘ Circumstances; it being however well understood, that the said  
 ‘ Alterations cannot take place but by common Agreement, and  
 ‘ by the Consent of the Two High Contracting Parties.

‘ Article VII.—In order to bring to Adjudication, with the  
 ‘ least Delay and Inconvenience, the Vessels which may be  
 ‘ detained for having been engaged in a Traffic of Slaves, accord-  
 ‘ ing to the Tenor of the Fifth Article of this Treaty, there shall  
 ‘ be established, within the Space of a Year at farthest from the  
 ‘ Exchange of the Ratifications of the present Treaty, Two  
 ‘ Mixed Courts of Justice, formed of an equal Number of Individ-  
 ‘ uals of the Two Nations, named for this Purpose by their  
 ‘ respective Sovereigns.

‘ These Courts shall reside, one in a Possession belonging to  
 ‘ His *Britannic* Majesty, the other within the Territories of His  
 ‘ Majesty the King of the *Netherlands*; and the Two Govern-  
 ‘ ments, at the Period of the Exchange of the Ratifications of  
 ‘ the present Treaty, shall declare, each for its own Dominions,  
 ‘ in what Places the Courts shall respectively reside. Each of  
 ‘ the Two High Contracting Parties reserving to itself the Right  
 ‘ of



‘ of changing, at its Pleasure, the Place of Residence of the  
 ‘ Court held within its own Dominions ; provided, however, that  
 ‘ one of the Two Courts shall always be held upon the Coast of  
 ‘ *Africa*, and the other in one of the Colonial Possessions of His  
 ‘ Majesty the King of the *Netherlands*.

‘ The Courts shall judge the Causes submitted to them accord-  
 ‘ ing to the Terms of the present Treaty, without Appeal, and  
 ‘ according to the Regulations and Instructions annexed to the  
 ‘ present Treaty, of which they shall be considered as an  
 ‘ integral Part.

‘ Article VIII.—In case the Commanding Officer of any of  
 ‘ the Ships of the Royal Navies of *Great Britain* and of the  
 ‘ *Netherlands*, commissioned under the Second Article of this  
 ‘ Treaty, shall deviate in any respect from the Dispositions of the  
 ‘ said Treaty, and shall not be enabled to justify himself, either  
 ‘ by the Tenor of the said Treaty, or of the Instructions annexed  
 ‘ to it, the Government which shall conceive itself to be wronged  
 ‘ by such Conduct shall be entitled to demand Reparation ; and  
 ‘ in such Case the Government to which the Captor may belong  
 ‘ binds itself to cause Enquiry to be made into the Subject of  
 ‘ the Complaint, and to inflict upon the Captor, if he be found to  
 ‘ have deserved it, a Punishment proportioned to the Transgres-  
 ‘ sion which may have been committed.

‘ Article IX.—The Acts or Instruments annexed to this  
 ‘ Treaty, and which form an integral Part thereof, are as  
 ‘ follow :

‘ *A.* Instructions for the Ships of the Royal Navies of both  
 ‘ Nations destined to prevent the Traffic in Slaves.

‘ *B.* Regulation for the Mixed Courts of Justice, which are  
 ‘ to hold their Sittings on the Coast of *Africa*, and in one of  
 ‘ the Colonial Possessions of His Majesty the King of the  
 ‘ *Netherlands*.

‘ Article X.—The present Treaty, consisting of Ten Articles,  
 ‘ shall be ratified, and the Ratifications exchanged within the  
 ‘ Space of One Month from this Date, or sooner if possible.

‘ In Witness whereof the respective Plenipotentiaries have  
 ‘ signed the same, and thereunto affixed the Seal of their Arms.

‘ Done at the *Hague*, this Fourth Day of *May* in the Year of  
 ‘ our Lord One thousand eight hundred and eighteen.

‘ (Signed)

‘ *Clancarty.* (L. s.)

‘ *A. W. C. De Nagell.* (L. s.)

‘ *Van Maanen.* (L. s.)

‘ *Annexes.*

*Instructions for the Ships of the British and Netherland Royal  
 ‘ Navies, employed to prevent the Traffic in Slaves.*

*Instructions for  
 British and  
 Netherland  
 Ships.*

‘ Article I.—Every Ship of the Royal *British* or *Netherland*  
 ‘ Navy, which, furnished with these Instructions, shall, in Con-  
 ‘ formity with the Second Article of the Treaty of this Date, have  
 ‘ a Right to visit the Merchant Ships of either of the Two  
 ‘ Powers actually engaged or suspected to be engaged in the  
 ‘ Slave Trade, may, except in the Seas exempted by the Third  
 ‘ Article

‘ Article of the said Treaty, proceed to such Visit, and should  
 ‘ any Slaves be found on board, brought there for the express  
 ‘ Purposes of the Traffic, the Commander of the said Ship of  
 ‘ the Royal Navy may detain them; and having detained them,  
 ‘ he is to bring them as soon as possible, for Judgment, before  
 ‘ that of the Two Mixed Courts of Justice appointed by the  
 ‘ Seventh Article of the Treaty of this Date, which shall be  
 ‘ the nearest, or which the Commander of the capturing Ship  
 ‘ shall, upon his own Responsibility, think he can soonest reach  
 ‘ from the Spot where the Ship shall have been detained.

‘ Ships, on board of which no Slaves shall be found intended  
 ‘ for Purposes of Traffic, shall not be detained on any Account  
 ‘ or Pretence whatever.

‘ Negro Servants or Sailors that may be found on board the  
 ‘ said Vessels cannot in any Case be deemed a sufficient Cause for  
 ‘ Detention.

‘ Article II. — Whenever a Ship of the Royal Navy, so com-  
 ‘ missioned, shall meet a Merchantman liable to be searched, it  
 ‘ shall be done in the mildest Manner, and with every Attention  
 ‘ which is due between allied and friendly Nations; and in no  
 ‘ case shall the Search be made by an Officer holding a Rank  
 ‘ inferior to that of Lieutenant in the Navies of *Great Britain* and  
 ‘ of the *Netherlands*.

‘ Article III. — The Ships of the Royal Navies so commis-  
 ‘ sioned, which may detain any Merchant Ship, in pursuance of  
 ‘ the Tenor of the present Instructions, shall leave on board all  
 ‘ the Cargo, as well as the Master, and a Part at least of the  
 ‘ Crew of the above mentioned Ship; the Captor shall draw up  
 ‘ in Writing an authentic Declaration, which shall exhibit the  
 ‘ State in which he found the detained Ship, and the Changes  
 ‘ which may have taken place in it. He shall deliver to the  
 ‘ Master of the detained Ship a signed Certificate of the Papers  
 ‘ seized on board the said Vessel, as well as of the Number of  
 ‘ Slaves found on board at the Moment of Detention.

‘ The Negroes shall not be disembarked till after the Vessels  
 ‘ which contain them shall be arrived at the Place where the  
 ‘ Legality of the Capture is to be tried by One of the Two  
 ‘ Mixed Courts, in order that in the Event of their not being  
 ‘ adjudged legal Prize, the Loss of the Proprietors may be more  
 ‘ easily repaired. If, however, urgent Motives, deduced from  
 ‘ the Length of the Voyage, the State of Health of the Negroes  
 ‘ or other Causes, required that they should be disembarked,  
 ‘ entirely or in Part, before the Vessel could arrive at the Place  
 ‘ of Residence of One of the said Courts, the Commander of the  
 ‘ capturing Ship may take on himself the Responsibility of such  
 ‘ Disembarkation, provided that the Necessity be stated in a  
 ‘ Certificate in proper Form.

Regulations  
 for Mixed  
 Courts, as to  
 the Nether-  
 lands.

‘ *Regulations for the Mixed Courts of Justice, which are to reside  
 ‘ on the Coast of Africa, and in a Colonial Possession of His  
 ‘ Majesty the King of the Netherlands.*

‘ Article I. — The Mixed Courts of Justice to be established  
 ‘ by the Treaty of this Date, upon the Coast of Africa and in a  
 ‘ Colonial Possession of His Majesty the King of the *Netherlands*  
 ‘ are

‘ are appointed to decide upon the Legality of the Detention of  
 ‘ such Vessels as the Cruizers of both Nations shall detain in  
 ‘ pursuance of this same Treaty.

‘ The above mentioned Courts shall judge definitively and  
 ‘ without Appeal, according to the present Treaty.

‘ The Proceeding shall take place as summarily as possible ;  
 ‘ the Courts are required to decide, as far as they shall find it  
 ‘ practicable, within the Space of Twenty Days, to be dated from  
 ‘ that on which every detained Vessel shall have been brought  
 ‘ into the Port where they shall reside ;— First, upon the Le-  
 ‘ gality of the Capture ;— Secondly, in the Cases in which the  
 ‘ captured Vessel shall have been liberated, as to the Indemni-  
 ‘ fication which the said Vessel is to receive.

‘ And it is hereby provided, that in all Cases the final Sentence  
 ‘ shall not be delayed, on account of the Absence of Witnesses or  
 ‘ for Want of other Proofs, beyond the Period of Two Months,  
 ‘ except upon the Application of any of the Parties interested,  
 ‘ when, upon their giving satisfactory Security to charge them-  
 ‘ selves with the Expence and Risks of the Delay, the Courts  
 ‘ may at their Discretion grant an additional Delay, not exceed-  
 ‘ ing Four Months.

‘ Article II.—Each of the above mentioned Mixed Courts,  
 ‘ which are to reside on the Coast of *Africa*, and in a Colonial  
 ‘ Possession of His Majesty the King of the *Netherlands*, shall  
 ‘ be composed in the following Manner :

‘ The Two High Contracting Parties shall each of them name  
 ‘ a Judge and an Arbitrator, who shall be authorized to hear and  
 ‘ to decide, without Appeal, all Cases of Capture of Vessels which,  
 ‘ in pursuance of the Stipulations of the Treaty of this Date,  
 ‘ shall be brought before them. All the essential Parts of the  
 ‘ Proceedings carried on before these Mixed Courts shall be  
 ‘ written down in the legal Language of the Country in which  
 ‘ the Court may reside.

‘ The Judges and the Arbitrators shall make Oath before the  
 ‘ principal Magistrate of the Place in which the Courts may  
 ‘ reside, to judge fairly and faithfully, to have no Preference  
 ‘ either for the Claimants or the Captors, and to act in all their  
 ‘ Decisions in pursuance of the Stipulations of the Treaty of this  
 ‘ Date.

‘ There shall be attached to each Court a Secretary or Regis-  
 ‘ trar, appointed by the Sovereign of the Country in which the  
 ‘ Court may reside, who shall register all its Acts, and who, pre-  
 ‘ vious to his taking charge of his Post, shall make Oath before  
 ‘ the Court to conduct himself with respect for their Authority,  
 ‘ and to act with Fidelity in all the Affairs which may belong to  
 ‘ his Charge.

‘ Article III.—The Form of the Process shall be as follows :

‘ The Judges of the Two Nations shall, in the first Place, pro-  
 ‘ ceed to the Examination of the Papers of the Vessels, and to  
 ‘ receive the Depositions of the Captain, and of Two or Three at  
 ‘ least of the principal Individuals on board of the detained Ves-  
 ‘ sel, as well as the Declaration on Oath of the Captor, should it  
 ‘ appear necessary, in order to be able to judge and to pronounce  
 ‘ whether the said Vessel has been justly detained or not, accord-

ing to the Stipulations of the present Treaty, and in order that according to this Judgment, it may be condemned or liberated; and in the Event of the Two Judges not agreeing in the Sentence they ought to pronounce, whether as to the Legality of the Detention, or the Indemnification to be allowed, or any other Question which might result from the Stipulations of the present Treaty, they shall draw by Lot the Name of One of the Two Arbitrators, who, having considered the Documents of the Process, shall consult with the above mentioned Judges on the Case in Question, and the final Sentence shall be pronounced conformably to the Opinion of the Majority of the above mentioned Judges, and of the above mentioned Arbitrator.

Article IV.—In the authenticated Declaration, which the Captor shall make before the Court, as well as in the Certificate of the Papers seized, which shall be delivered to the Captain of the captured Vessel at the Time of the Detention, the above mentioned Captor shall be bound to declare his Name, the Name of his Vessel, as well as the Latitude and Longitude of the Place where the Detention shall have taken place, and the Number of Slaves found on board of the Ship at the Time of the Detention.

Article V.—As soon as Sentence shall have been pronounced, the detained Vessel, if liberated, and the Cargo, in the State in which it shall then be found, shall be restored to the Master or the Person who represents him, who may, before the same Court, claim a Valuation of the Damages which they may have a Right to demand; the Captor himself, and in his Default, his Government, shall remain responsible for the above mentioned Damages.

The Two High Contracting Parties bind themselves to pay, within the Term of a Year from the Date of the Sentence, the Costs and Damages which may be granted by the above named Court, it being understood that these Costs and Damages shall be at the Expence of the Power of which the Captor shall be a Subject.

Article VI.—In case of the Condemnation of a Vessel, she shall be declared lawful Prize as well as her Cargo, of whatever Description it may be, with the Exception of the Slaves who may be on board as Objects of Commerce; and the said Vessel, as well as her Cargo, shall be sold by Public Sale, for the Profit of the Two Governments; and as to the Slaves, they shall receive from the Mixed Court a Certificate of Emancipation, and shall be delivered over to the Government on whose Territory the Court which shall have so judged them shall be established, to be employed as Servants or free Labourers.

Each of the Two Governments binds itself to guarantee the Liberty of such Portion of these Individuals as shall be respectively consigned to it.

Article VII.—The Mixed Courts shall also take Cognizance and decide according to the Third Article of this Regulation, on all Claims for Compensation, on account of Losses occasioned to Vessels detained under Suspicion of having been engaged in the Slave Trade, but which shall not have been condemned as legal

' legal Prize by the said Courts; and in all Cases wherein Resti-  
 ' tution shall be decreed, the Court shall award to the Claimant  
 ' or Claimants, his or their lawful Attorney or Attornies, for his  
 ' or their Use, a just and complete Indemnification for all Costs  
 ' of Suit, and for all Losses and Damages which the Claimant or  
 ' Claimants may have actually sustained by such Capture and  
 ' Detention; that is to say, First, in case of total Loss, the Clai-  
 ' mant or Claimants shall be indemnified,  
 ' A. For the Ship, her Tackle, Apparel and Stores.  
 ' B. For all Freight due and payable.  
 ' C. For the Value of the Cargo of Merchandize, if any; de-  
 ' ducting for all Charges and Expences payable upon the Sale of  
 ' such Cargoes, including Commission of Sale.  
 ' D. For all other regular Charges, in such Cases of total Loss;  
 and,  
 ' Secondly, in all other Cases not of total Loss, the Claimant  
 ' or Claimants shall be indemnified,  
 ' A. For all special Damages and Expences occasioned to the  
 ' Ship by the Detention, and for Loss of Freight, when due or  
 ' payable.  
 ' B. A Demurrage when due, according to the Schedule an-  
 ' nexed to the present Article.  
 ' C. For any Deterioration of the Cargo.  
 ' D. An Allowance of Five *per Cent.* on the Amount of the  
 ' Capital employed in the Purchase of Cargo, for the Period of  
 ' Delay occasioned by the Detention; and,  
 ' E. For all Premium of Insurance on additional Risks.  
 ' The Claimant or Claimants shall in all Cases be entitled to  
 ' Interest at the rate of Five *per Cent. per Annum* on the Sum  
 ' awarded, until paid by the Government to which the capturing  
 ' Ship belongs; the whole Amount of such Indemnifications being  
 ' calculated in the Money of the Country to which the captured  
 ' Ship belongs, and to be liquidated at the Exchange current at  
 ' the Time of the Award.  
 ' The Two High Contracting Parties wishing, however, to  
 ' avoid, as much as possible, every Species of Fraud in the Exe-  
 ' cution of the Treaty of this Date, have agreed that if it should  
 ' be proved in a Manner evident to the Conviction of the Judges  
 ' of the Two Nations, and without having recourse to the Deci-  
 ' sion of an Arbitrator, that the Captor has been led into Error  
 ' by a voluntary and reprehensible Fault on the Part of the Cap-  
 ' tain of the detained Ship, in that Case only the detained Ship  
 ' shall not have the Right of receiving, during the Days of her  
 ' Detention, the Demurrage stipulated by the present Article.

' Schedule of Demurrage or Daily Allowance for a Vessel of

' 100 Tons to 120 inclusive	-	£5	} <i>per Diem,</i>
' 121 ditto 150 ditto	-	6	
' 151 ditto 170 ditto	-	8	
' 171 ditto 200 ditto	-	10	
' 201 ditto 220 ditto	-	11	
' 221 ditto 250 ditto	-	12	
' 251 ditto 270 ditto	-	14	
' 271 ditto 300 ditto	-	15	

' and so in proportion.

Y y 2

' Article

‘ Article VIII. — Neither the Judges nor the Arbitrators, nor the Secretary of the Mixed Court, shall be permitted to demand or receive, from any of the Parties concerned in the Sentences which they shall pronounce, any Emolument, under any Pretext whatsoever, for the Performance of the Duties which are imposed upon them by the present Regulation.

‘ Article IX. — The Two High Contracting Parties have agreed, that in the Event of the Death or legal Impeachment of One or more of the Judges or Arbitrators composing the above mentioned Mixed Courts, their Posts shall be supplied, *ad interim*, in the following Manner :

‘ On the Part of the *British* Government, the Vacancies shall be filled successively, in the Court which shall sit within the Possessions of His *Britannic* Majesty, by the Governor or Lieutenant Governor resident in that Colony ; by the Principal Magistrate of the same, and by the Secretary ; and in that which shall sit within the Possessions of His Majesty the King of the *Netherlands*, it is agreed, that in case of the Death of the *British* Judge or Arbitrator there, the surviving Individuals of the said Court shall proceed equally to the Judgment of such Ships as may be brought before them, and to the Execution of their Sentence.

‘ On the Part of the *Netherlands*, the Vacancies shall be supplied, in the Possessions of His Majesty the King of the *Netherlands*, successively by the Governor or Lieutenant Governor, the Principal Magistrate and Secretary of Government ; and upon the Coast of *Africa*, in case of the Death of any *Netherland* Judge or Arbitrator, the surviving Members of the Court shall proceed to Judgment in the same Manner as above specified for the Court resident in the Possession of His Majesty the King of the *Netherlands*, in the Event of the Death of the *British* Judge or Arbitrator.

‘ The High Contracting Parties have further agreed, that the Governor or Lieutenant Governor of the Settlement wherein either of the Mixed Courts shall sit, in the Event of a Vacancy arising either of the Judge or Arbitrator of the other High Contracting Party, shall forthwith give Notice of the same to the Governor or Lieutenant Governor of the nearest Settlement of such High Contracting Party, in order that the Loss may be supplied at the earliest possible Period ; and each of the High Contracting Parties agrees to supply definitively, as soon as possible, the Vacancies that may arise in the above mentioned Courts, from Death or any other Cause whatever.’

Articles explanatory to the Treaty with the Netherlands, dated Dec. 31, 1822.

‘ *Articles explanatory of and additional to the Treaty concluded at the Hague, May the Fourth One thousand eight hundred and eighteen, between His Majesty the King of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Netherlands, for the Prevention of the Traffic in Slaves. Signed at Bruxelles December Thirty first One thousand eight hundred and twenty two.*

‘ His Majesty the King of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the *Netherlands*, having thought fit to agree upon the following Arrangements. additional

‘ additional to and explanatory of the Treaty concluded between  
 ‘ their aforesaid Majesties at the *Hague*, on the Fourth of *May*  
 ‘ One thousand eight hundred and eighteen, for the Prevention  
 ‘ of the Trade in Slaves, have therefore named as Plenipoten-  
 ‘ tiaries, *ad hoc* :—

‘ His Majesty the King of the United Kingdom of *Great Bri-*  
 ‘ *tain and Ireland*, the Right Honourable *Richard* Earl of *Clan-*  
 ‘ *carty*, Viscount *Dunlo*, Baron *Kilconnel*, Baron *Trench* of *Gar-*  
 ‘ *bally* in the United Kingdom of *Great Britain and Ireland*, One  
 ‘ of His Majesty’s Most Honourable Privy Council in *Great*  
 ‘ *Britain*, and also in *Ireland*, Member of the Committee of the  
 ‘ First for the Affairs of Commerce and Colonies, Colonel of the  
 ‘ Regiment of Militia of the County of *Galway*, Vice Admiral of  
 ‘ the Province of *Connaught*, Knight Grand Cross of the Most  
 ‘ Honourable Order of the Bath, and of the Royal *Hanoverian*  
 ‘ *Guelphic* Order, Ambassador Extraordinary and Plenipotentiary  
 ‘ of His said Majesty to His Majesty the King of the *Nether-*  
 ‘ *lands*, Grand Duke of *Luxembourg* ; and His Majesty the King  
 ‘ of the *Netherlands*, *Anne William Charles* Baron *de Nagell*  
 ‘ *d’Ampsen*, Member of the Body of Nobles of the Province of  
 ‘ *Guelderland*, Knight Grand Cross of the Order of the *Belgic*  
 ‘ *Lion*, and of that of *Charles* the Third, of the Legion of Honour,  
 ‘ and of the Royal *Hanoverian Guelphic* Order, Chamberlain and  
 ‘ Minister of State holding the Department of Foreign Affairs ;  
 ‘ who having exchanged their full Powers, found in good and due  
 ‘ Form, have agreed on the following explanatory and additional  
 ‘ Articles :

‘ Article I.—Whereas it is stated in Article I. of “Instruc-  
 ‘ tions intended for the *British* and *Dutch* Ships of War em-  
 ‘ ployed to prevent the illicit Traffic in Slaves,” that “Ships on  
 ‘ board of which no Slaves shall be found intended for Purposes  
 ‘ of Traffic, shall not be detained on any Account or Pretence  
 ‘ whatever :” And Whereas it has been found by Experience,  
 ‘ that Vessels employed in the illegal Traffic have unshipped their  
 ‘ Slaves immediately prior to their being visited by Ships of War ;  
 ‘ and that such Vessels have thus found Means to evade For-  
 ‘ feiture, and have been enabled to pursue their unlawful Course  
 ‘ with Impunity, contrary to the true Object and Spirit of the  
 ‘ Treaty above mentioned.

‘ The High Contracting Parties therefore feel it necessary to  
 ‘ declare, and it is hereby declared by them, that if there shall be  
 ‘ clear and undeniable Proof that a Slave or Slaves has or have  
 ‘ been put on board a Vessel, for the Purpose of illegal Traffic,  
 ‘ in the particular Voyage on which the Vessel shall be captured,  
 ‘ then and on that account, according to the true Intent and  
 ‘ Meaning of the Stipulations of the Treaty, such Vessel shall be  
 ‘ detained by the Cruizers, and finally condemned by the Com-  
 ‘ missioners.

‘ Article II.—The High Contracting Parties hereby agree that,  
 ‘ in the Event of the Absence, on account of Illness or of any  
 ‘ other unavoidable Cause, of One or more of the Commissioners,  
 ‘ Judges and Arbitrators, under the above mentioned Treaty, or  
 ‘ in the Case of their Absence in Consequence of Leave from  
 ‘ their Government, duly notified to the Board of Commissioners

‘ sitting under the said Treaty, their Posts shall be supplied in  
 ‘ the same Manner in which, by the Article IXth of the Regula-  
 ‘ tions for the Mixed Commissions, those Vacancies in the Com-  
 ‘ mission are to be supplied which may occur by the Death of  
 ‘ One or more of the Commissioners aforesaid.

‘ The explanatory and additional Articles above mentioned  
 ‘ shall be submitted to the Ratification of the respective Sove-  
 ‘ reigns, and shall have the same Force and Effect as if they  
 ‘ were inserted Word for Word in the Treaty of the Fourth of  
 ‘ May One thousand eight hundred and eighteen above men-  
 ‘ tioned, and shall be held to form Part of the same.

‘ The Acts of Ratification shall be exchanged within the  
 ‘ Space of One Month from this Date, or sooner, if possible.

‘ In Witness whereof the respective Plenipotentiaries have  
 ‘ signed the present Act, and thereunto affixed the Seal of their  
 ‘ Arms.

‘ Done at *Bruzelles*, this Thirty first Day of *December* in the  
 ‘ Year of our Lord One thousand eight hundred and twenty  
 ‘ two.

‘ (L. s.) *Clancarty*.

‘ (L. s.) *A. W. C. de Nagell*.

Further addi-  
 tional Article  
 to Treaty with  
 the Nether-  
 lands.

‘ *Further additional Article to the before mentioned Treaty.*  
 ‘ *Signed at Bruzelles January Twenty fifth One thousand*  
 ‘ *eight hundred and twenty three.*

‘ His Majesty the King of the United Kingdom of *Great Bri-*  
 ‘ *tain and Ireland*, and His Majesty the King of *Netherlands*,  
 ‘ having thought fit to agree upon the following further Arrange-  
 ‘ ment, additional to the Treaty concluded between their afore-  
 ‘ said Majesties at the *Hague*, on the Fourth of *May* One thou-  
 ‘ sand eight hundred and eighteen, for the Prevention of the  
 ‘ Trade in Slaves, and also in addition to the Two explanatory  
 ‘ and additional Articles executed by the Plenipotentiaries of their  
 ‘ said Majesties, on the Thirty first of *December* One thousand  
 ‘ eight hundred and twenty two, have named, authorized and  
 ‘ directed the same Plenipotentiaries to sign in their Names as  
 ‘ Agreement *ad hoc* :—

‘ His Majesty the King of the United Kingdom of *Great Bri-*  
 ‘ *tain and Ireland*, the Right Honourable *Richard* Earl of *Clan-*  
 ‘ *carty*, Viscount *Dunlo*, Baron *Kilconnel*, Baron *Trench* of *Gar-*  
 ‘ *bally* in the United Kingdom of *Great Britain and Ireland*. One  
 ‘ of His Majesty’s Most Honourable Privy Council in *Great Bri-*  
 ‘ *tain* and also in *Ireland*, Member of the Committee of the First  
 ‘ for the Affairs of Commerce and Colonies, Colonel of the Regi-  
 ‘ ment of Militia of the County of *Galway*, Vice Admiral of the  
 ‘ Province of *Connaught*, Knight Grand Cross of the Most  
 ‘ Honourable Order of the Bath and of the Royal *Hanoverian*  
 ‘ *Guelphic* Order, Ambassador Extraordinary and Plenipotentiary  
 ‘ of His said Majesty to His Majesty the King of the *Netherlands*.  
 ‘ Grand Duke of *Luxembourg*; and His Majesty the King of the  
 ‘ *Netherlands*, *Anne William Charles* Baron *de Nagell d’Amper*.  
 ‘ Member of the Body of Nobles of the Province of *Guelderland*.  
 ‘ Knight Grand Cross of the Order of the *Belgic Lion*, and of  
 ‘ that



‘ that of *Charles* the Third, of the Legion of Honour, and of the  
 ‘ Royal *Hanoverian Guelphic* Order, Chamberlain and Minister of  
 ‘ State holding the Department of Foreign Affairs ; who having  
 ‘ exchanged their full Powers, found in good and due Form,  
 ‘ have agreed upon the following additional Article:—

‘ *Additional Article.*

‘ And it is hereby further agreed that upon Proof being duly  
 ‘ given before the Mixed Court, whereupon it shall appear that  
 ‘ any Ship or Vessel subject to Examination under the Treaty,  
 ‘ or under the explanatory or additional Articles, and detained  
 ‘ hovering or sailing upon the Coast of *Africa* within One Geo-  
 ‘ graphic Degree of the Westward thereof, and between the  
 ‘ Twentieth Degree of Latitude North of the Equinoctial Line,  
 ‘ and the Twentieth Degree of Latitude to the Southward there-  
 ‘ of, or at Anchor within any of the Rivers, Bays or Creeks of  
 ‘ the said Coast within the Limits above particularly specified, or  
 ‘ at anchor at any Part within the said Limits, and which Ship or  
 ‘ Vessel in her Outfit and Equipment shall fall within One or more  
 ‘ of the following Designations ; namely,

‘ First—Having her Hatches fitted with open Gratings, instead  
 ‘ of being close Hatches, as usual in Merchant Vessels.

‘ Second—Having more Divisions or Bulk Heads in the Hold  
 ‘ or on Deck than necessary for trading Vessels.

‘ Third—Having on board spare Plank, either actually fitted  
 ‘ in that Shape, or fit for readily laying a Second or Moveable  
 ‘ Deck or Slave Deck.

‘ Fourth—Having on board Shackles, Bolts or Handcuffs.

‘ Fifth—Having on board an unreasonable Quantity of Water  
 ‘ in Casks or in Tanks, more than sufficient for the Consumption  
 ‘ of her Crew as a Merchant Vessel.

‘ Sixth—Having on board an unreasonable Number of Water  
 ‘ Casks or other Vessels for holding Water, unless the Master  
 ‘ shall produce a Certificate from the Custom House, from the  
 ‘ Place from which he cleared outwards, stating that a sufficient  
 ‘ Security had been given by the Owners of such Vessel that  
 ‘ such extra Quantity of Casks or other Vessels should only be  
 ‘ used for the Reception of Palm Oil.

‘ Seventh—Having on board a greater Quantity of Mess Tubs  
 ‘ or Kids than requisite for the Use of her Crew as a Merchant  
 ‘ Vessel.

‘ Eighth—Having on board Two or more Copper Boilers, or  
 ‘ even One of an unreasonable Size, larger than requisite for the  
 ‘ Use of her Crew as a Merchant Vessel.

‘ Ninth—Having on board an unreasonable Quantity of Rice  
 ‘ or *Farinha*, (Flour of the Manioc of *Brazil* or *Cassada*), or  
 ‘ Maize or *Indian* Corn, beyond any probable requisite Provision  
 ‘ for the Use of her Crew ; and such Rice, Flour, Maize or *Indian*  
 ‘ Corn, not being entered on the Manifest as Part of the Cargo  
 ‘ for Trade.

‘ The Proof of these, or of any One or more of these several Indi-  
 ‘ cations, shall be considered as *primâ facie* Evidence of her  
 ‘ actual Employment in the Slave Trade, and unless rebutted by  
 ‘ satisfactory Evidence upon the Part of the Master or Owners,

‘ that such Ship or Vessel was otherwise legally employed at the Time of Detention or Capture, the Ship or Vessel shall thereupon be condemned and declared lawful Prize.

‘ The aforesaid additional Article shall be submitted to the Ratification of the respective Sovereigns, and shall have the same Force and Effect as if it was inserted Word for Word in the Treaty of the Fourth of *May* One thousand eight hundred and eighteen above mentioned, and shall be held to form Part of the same.

‘ The Acts of Ratification shall be exchanged within the Space ne Month from this Date, or sooner if possible.

‘ In Witness whereof the respective Plenipotentiaries have signed the present Act, and thereunto affixed the Seal of their Arms.

‘ Done at *Bruxelles* the Twenty fifth Day of *January* in the Year of our Lord One thousand eight hundred and twenty three.

‘ (L. s.)

*Clancarty.*

‘ (L. s.)

*A. W. C. de Nagel.*

58 G.3. c.36.  
§ 3.

‘ And Whereas in and by an Act passed in the Fifty eighth Year of His late Majesty *George* the Third, intituled *An Act to carry into Execution a Treaty made between His Majesty and the King of Spain, for preventing Traffic in Slaves*; and by a certain other

58 G.3. c.85.  
§ 3.

‘ Act passed in the said Year, intituled *An Act to carry into Execution a Convention made between His Majesty and the King of Portugal, for the preventing Traffic in Slaves*; and also by a

59 G.3. c.16.  
§ 5.

‘ certain other Act passed in the Fifty ninth Year of his late Majesty King *George* the Third, intituled *An Act to carry into Effect the Treaty with the Netherlands, relating to the Slave Trade*; and also by an Act passed in the said Fifty ninth Year

59 G.3. c.17.  
§ 1.

‘ of His said late Majesty King *George* the Third, intituled *An Act to amend an Act of the last Session of Parliament, for carrying into Execution a Convention made between His Majesty and the King of Portugal, for the preventing the Traffic in Slaves*; it is enacted, that it shall be lawful for His Majesty, by any Warrant under His Royal Sign Manual, countersigned by One of His Majesty's Principal Secretaries of State, to appoint such Commissary Judges and Commissioners of Arbitration, Judges and Arbitrators, as are in and by the said Treaties and Conventions, and the Regulations thereto annexed, mentioned to be appointed by His Majesty, and from time to time to supply any Vacancies which may arise in such Offices, by appointing other Persons thereto, and to grant Salaries to such Commissary Judges and Commissioners of Arbitration, Judges and Arbitrators as aforesaid, not exceeding such Annual Sums as the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* shall from time to time direct; and such Commissary Judges, and Commissioners of Arbitration, Judges and Arbitrators are hereby authorized and empowered to examine and decide all such Cases of Detention, Captures and Seizures of Vessels, and their Cargoes as aforesaid, detained, seized, taken or captured under the said Treaties, Conventions, Instructions and Regulations, or included therein, as are by the said Treaties, Conventions, Instructions

and

and Regulations, and by these Acts, made subject to their Jurisdiction; and to proceed therein, and give such Judgments, and make such Orders therein, and to do all other Acts, Matters and Things appertaining thereto, agreeably to the Provisions of the said Treaties, Conventions, and the Instructions and Regulations annexed thereto as aforesaid, as fully and effectually to all Intents and Purposes, as if special Powers and Authorities for that Purpose were specifically and particularly inserted and given in relation thereto in these Acts: Now be it declared and enacted, That the said Provisions as herein recited, shall continue, remain and be in full Force and Effect.

LIII. And Whereas in and by the said Acts of the Fifty eighth and Fifty ninth of *George* the Third, it is enacted, that it shall be lawful for His Majesty, by any Warrant under His Royal Sign Manual, countersigned by One of His Majesty's Principal Secretaries of State for the Time being, to nominate and appoint a Secretary or Registrar to the respective Commissions and Courts which shall be established in His Majesty's Dominions, and from time to time supply, by other Appointments, any Vacancy which may thereafter occur in such Office, and to grant a Salary to such Secretary or Registrar, not exceeding such Annual Sum as the said Commissioners of His Majesty's Treasury shall from time to time direct; and such Secretary or Registrar is hereby respectively authorized and empowered to do, perform and execute all the Duties of such Office, as set forth and described in the said Treaties, Conventions, Instructions and Regulations respectively, and to do, perform and execute all such Acts, Matters and Things as may be necessary for the due Discharge of the Duties of his Office, according to the Provisions of the said Treaties, Conventions, Instructions and Regulations as aforesaid: Now be it declared and enacted, That the said Provision as herein recited, shall continue, remain and be in full Force and Effect.

The above  
Enactments in  
Force.

58 G.S. c.36.  
§ 4., c.85. § 4.  
59 G.S. c.16.  
§ 6., c.17. § 3.  
in Force.

LIV. And be it further enacted, That it shall be lawful for the Governor or Lieutenant Governor, or Principal Magistrate of the Colony or Settlement in which such Commission or Court shall sit, within the Possessions of His *Britannic* Majesty, to fill up every Vacancy which shall arise in such Commission or Court, either of Commissary Judge, Commissioner of Arbitration, or any Officer thereof appointed by His Majesty as aforesaid, according to the Provisions contained in the aforesaid Regulations, annexed to the said Treaties and Conventions as aforesaid, *ad interim*, until such Vacancy or Vacancies shall be thereafter filled by some Person or Persons appointed by His Majesty for that Purpose.

Governors of  
Colonies to fill  
up Vacancies in  
Commissions  
*pro tempore*.

LV. And be it further enacted, That every Commissary Judge and Commissioner of Arbitration appointed by His Majesty, or *ad interim* as aforesaid, shall, before he shall enter upon the Execution of any of the Duties of such his Office, take an Oath in the Presence of the Principal Magistrate then residing and acting in the Colony, Settlement or Place in which the Commission or Court shall be appointed to reside; which Oath every such Magistrate in any Colony, Settlement or Place belonging to His Majesty, in which such Commission or Court shall be appointed, is hereby

Oath to be  
taken by Com-  
missary Judges  
and Arbitrators.

hereby authorized to administer, in the Form following; (that is to say),

‘ I *A. B.* do solemnly swear, That I will, according to the best of my Skill and Knowledge, act in the Execution of my Office as faithfully, impartially, fairly and without Preference or Favour either for Claimants or Captors, or any other Persons; and that I will, to the best of my Judgment and Power, act in pursuance of and according to the Stipulations, Regulations and Instructions contained in the Treaty or Convention between His Majesty and His Catholic Majesty, signed at *Madrid* on the Twenty third Day of September One thousand eight hundred and seventeen, [or, in the Treaty between His Majesty and His Most Faithful Majesty, of the Twenty second Day of *January* One thousand eight hundred and fifteen, and the Additional Convention thereto, signed at *London* on the Twenty eighth Day of *July* One thousand eight hundred and seventeen; or, between His Majesty and His Majesty the King of the *Netherlands*, signed at the *Hague* on the Fourth Day of *May* One thousand eight hundred and eighteen. [as the Case may require.]

‘ So help me GOD.’

Oath to be taken by Secretary or Registrar.

LVI. And be it further enacted, That every Secretary or Registrar appointed by His Majesty, or *ad interim* as aforesaid, under the Provisions of the said Treaties, Conventions, Instructions and Regulations, and of this Act, shall, before he enters on the Duties of his said Office, take an Oath before the *British* Commissary Judge as aforesaid, who is hereby empowered to administer the same, in the Form following; that is to say,

‘ I *A. B.* do solemnly swear, That I will, according to the best of my Skill and Knowledge, act in the Execution of my Office, and that I will conduct myself with due respect to the Authority of the Commissary Judges and Commissioners of Arbitration of the Commission to which I am attached, and will act with Fidelity in all the Affairs which may belong to my Charge, and without Preference or Favour neither for Claimants or Captors or any other Persons. So help me GOD.’

Oaths and Depositions in judicial Proceedings administered by Commissary Judges, &c.

Who may summon Witnesses and send for Papers.

LVII. And be it further enacted, That it shall be lawful for the said Commissary Judges, or for any such Secretary or Registrar, and they are hereby respectively empowered to administer Oaths to and take the Depositions of all Parties, Witnesses and other Persons, who may come or be brought before them to be examined, or for the Purpose of deposing in the Course of any Proceeding before the said Commissary Judges and Commissioners of Arbitration, in the Cases in which such Commissioners of Arbitration shall act with the said Commissary Judges, under the said Treaties, Conventions, Instructions or Regulations or this Act: and it shall also be lawful for the said Commissary Judges and Commissioners of Arbitration, in the Cases aforesaid, to summon before them all Persons whom they may deem it necessary or proper to examine, in relation to any Suit, Proceeding, or Matter or Thing under their Cognizance, and to send for and issue Precepts for the producing of all such Papers as may relate to the Matters in Question before them, and to enforce all such Sum-

mons.

nones, Orders and Precepts, by such and the like Means, Powers and Authorities, as any Court of Vice Admiralty may do.

LVIII. And be it further enacted, That every Person who shall wilfully and corruptly give false Evidence in any Examination, or Deposition or Affidavit had or taken upon or in any Proceeding before the said Commissary Judges or Commissioners aforesaid, or in any Examination, or Deposition or Affidavit had or taken before the said Secretary or Registrar, under the said Treaties, Conventions, Instructions or Regulations or this Act, shall be deemed guilty of Perjury, and being thereof convicted, shall be subject and liable to all the Punishments, Pains and Penalties to which Persons convicted of wilful and corrupt Perjury are liable; and every such Person may be tried for any such Perjury, either in the Place where the Offence was committed, or in any Colony or Settlement of His Majesty near thereto, in which there is a Court of competent Jurisdiction to try any such Offence, or in His Majesty's Court of King's Bench in *England*; and that in case of any Prosecution for such Offence in His Majesty's said Court of King's Bench, the Venue may be laid in the County of *Middlesex*.

Persons giving false Evidence deemed guilty of Perjury.

Trial of Perjury.

Venue therein.

LIX. And be it further enacted, That the Pendency of any Suit or Proceeding instituted before the said Commissioners for the Condemnation or Restitution of any Ship or Cargo, or Slaves taken, seized or detained by virtue of the said Treaties or Conventions with *Spain* and *Portugal*, or Instructions or Regulations hereto annexed, or the final Adjudication or Condemnation, or Judgment or Determination thereupon, may be pleaded in Bar or given in Evidence under the General Issue, and shall be deemed and adjudged in any Court whatever, to be a good and complete Bar in any Action, Suit or Proceeding, whether brought or instituted by any Person or Persons for the Recovery of any Ship, Vessel or Cargo, or of any Damage for any Injury sustained thereby, or by the Persons on board the same, in consequence of any Capture, Seizure or Detention, or Act, Matter or Thing done under the Authority or in pursuance of the Provisions of the said Treaties or Conventions, or of the Instructions or Regulations hereto annexed.

Pendency of Suits arising out of Spanish and Portuguese Treaties, before Commissions, Bar to any other Suit.

LX. And be it further enacted, That it shall not be lawful for any Person to commence, prosecute or proceed in any Claim, Action or Suit whatever, in the High Court of Admiralty, or in any other Court, or before any Judges or Persons whomsoever, other than the several Mixed Courts of Justice appointed under and by virtue of the Treaty with the *Netherlands* aforesaid and this Act, for the Condemnation or Restitution of any Ship or Cargo or Slaves, or for any Compensation or Indemnification for any Loss or Damage, or for any Injury sustained by such Ship, Cargo or Slaves, or by any Persons on board any such Ship, in consequence of any Capture, Seizure or Detention, under the Authority or in pursuance of the Provisions of the said Treaty with the *Netherlands*, or of the Instructions and Regulations hereto annexed, or of this Act; and that the Pendency of any Action, Suit or Proceeding instituted, or which may be instituted before any of the said Mixed Courts, so to be appointed under the Authority of the said Treaty with the *Netherlands*, and this

Mixed Courts under the Netherland Treaty shall be the only Tribunal.

Act,

Act, for the Condemnation or Restitution of any Ship or Cargo, or Slaves taken, seized or detained by virtue of the said Treaty with the *Netherlands*, or of the Instructions and Regulations thereto annexed, or for any Compensation or Indemnification for any Loss or Damage, in consequence of the taking, seizing or detaining any such Ship, or the final Adjudication, Condemnation, Judgment or Determination of any such Mixed Court as the Case shall require, may be pleaded in Bar or given in Evidence under the General Issue; or in case no such Claim, Suit or Proceeding shall have been instituted before any such Mixed Court, then the said Treaty, Instructions and Regulations, and this Act, may in like Manner be pleaded in Bar, or given in Evidence under the General Issue; and every such Plea in Bar or Evidence so given under the General Issue shall be deemed and adjudged to be a good and complete Bar to any such Claim, Action, Suit or Proceeding in the said High Court of Admiralty, or in any Court or Place other than such Mixed Courts.

Proviso for Jurisdiction of Prize Appeal and Admiralty Courts.

LXI. Provided always, and be it further enacted, That it shall be lawful for the Lords Commissioners of Appeal in Prize Causes, and for the High Court of Admiralty, in all Cases and Questions arising out of the said Captures that may be depending before them, or that may be brought before them on Appeal from any Vice Admiralty Court, according to their respective Jurisdictions (except in such Cases as are in and by this Act expressly excepted), to proceed therein, and to hear and determine all Questions respecting any Right or Interest in or to the same, to which His Majesty, or the Captors or Seizors of such Ships, Vessels or Cargoes may claim to be entitled by reason of the Capture or Seizure thereof, and the Laws relating thereto, and to enforce their Judgments and Orders therein by the usual Process of the said Courts.

Proceeds, in case of Captors not establishing their Rights, to be paid to the Use of His Majesty.

LXII. Provided always, and be it further enacted, That in all Cases of *Spanish* and *Portuguese* Ships captured and proceeded against, and for which Indemnification has or may be made, in pursuance of the said Treaties or Conventions aforesaid, and in which the Captors or Seizors shall not establish any Right or Interest on their Behalf, by reason of the Capture thereof, and the Laws relating thereto, it shall be lawful for the said Court respectively, to order and adjudge the Ships, Vessels and Cargoes, or the Proceeds thereof, and all and every Part thereof, unto or to which the Captors shall not establish any Right or Interest as aforesaid, to be delivered or paid to the Use of His Majesty, to such Person or Persons as the said Commissioners of His Majesty's Treasury for the Time being shall appoint to receive the same, and to enforce the Delivery or the Payment thereof by the usual Process, as is used and established by Law in Cases of Prize.

Treasury may direct Papers and Proceedings respecting Vessels and Cargoes belonging to Subjects of Spain,

LXIII. And Whereas several Vessels belonging to the Subjects of *Spain*, *Portugal* and the *Netherlands* respectively, have been captured between the Seventeenth Day of *February* (the thousand eight hundred and fifteen, and the Period at which the Commissioners appointed in virtue of the before mentioned Treaties or Conventions have assembled: And Whereas the Vessels belonging to the Subjects of *Portugal* so captured aforesaid

aforsaid, are by the additional Convention with that State, bearing Date the Twenty eighth Day of *July* One thousand eight hundred and seventeen, made the Subject of special Adjudication under the Mixed Commission established in *London*: And Whereas during the Period aforesaid, certain Proceedings have been had and Decrees have been made without due Authority or Jurisdiction, in the Vice Admiralty Court at *Sierra Leone*, in respect of Seizures of the Vessels and Cargoes belonging to the Subjects of *Spain*, *Portugal* and the *Netherlands*, some or all of them, for alleged Contravention of the said Treaties or Conventions: And Whereas it is expedient and necessary to make further Provisions and Regulations respecting all the aforesaid Ships and Cargoes, and also for the Payment of Bounties in certain Cases for Slaves seized and taken on board the said Ships; Be it further enacted, That it shall be lawful for the Commissioners of His Majesty's Treasury to direct the original Papers and Proceedings respecting all Ships, Vessels and Cargoes belonging to any of the Subjects of *Spain*, *Portugal* or the *Netherlands*, condemned in the Vice Admiralty Court at *Sierra Leone* since the Seventeenth Day of *February* One thousand eight hundred and fifteen, to be transmitted to the Registry of the High Court of Admiralty of *England*; and further, to direct the Proceeds of such Ships and Cargoes, in whose-ever Possession the same may be, to be remitted and paid for the Use of His Majesty, in such Manner as the said Commissioners of the Treasury may direct and appoint; and further, that it shall be lawful for the said Commissioners of the Treasury, to institute Proceedings in the said High Court of Admiralty, against any Person or Persons in Possession of the said Proceeds, for the Purpose of obtaining Payment of the same, and to enforce the Payment thereof by Process of the said Court, and to reward the Captors in all Cases where Contravention of Treaty has taken place, by granting to them One Moiety of the Proceeds of every Ship and Cargo captured as aforesaid; and the remaining Moiety of the said Proceeds shall be paid to such Person or Persons as the said Commissioners shall direct or appoint to receive the same for the Use of His Majesty.

LXIV. Provided always, and be it further enacted, That the Captors shall not be entitled to any such Reward, where the Mixed Commission, established in *London* for the Adjudication of the Claims of *Portuguese* Subjects, have awarded or may hereafter award Indemnification to be made to the *Portuguese* Owners.

LXV. And be it further enacted, That in every Seizure of any Ship or Vessel for being engaged or employed in the illicit Traffic in Slaves, by any of His Majesty's Ships or Vessels of War, or any Ship or Vessel duly commissioned by any Governor or Lieutenant Governor of any of His Majesty's Colonies or Settlements, in which it shall appear to the Satisfaction of the Lord High Treasurer or the Commissioners of His Majesty's Treasury at the Time being, that such Seizure has not been wantonly or improperly made, it shall be lawful for the said Lord High Treasurer or Commissioners of His Majesty's Treasury, or any Three or more of them, to order and direct that all the Costs, Charges and

Portugal or the Netherlands, condemned in Vice Admiralty Court at Sierra Leone, to be transmitted to Registry of Admiralty Court of England.

Treasury may enforce Payment of Proceeds, and reward in certain Cases.

In what case Captors not entitled to Rewards.

Treasury may order Charges of Proceedings incurred by Captors to be paid out of Proceeds, &c.

and Expences which may have been or may be incurred by the Person or Persons making such Seizures, in any Proceedings, or for any Matter or Thing relating thereto, or arising out of any such Seizure, shall be paid and defrayed out of the Proceeds of such Capture or Seizure, or out of any of the Proceeds of the said Vessels or Cargoes, paid or to be paid to the Order of the Commissioners of His Majesty's Treasury under the Provisions of this Act.

Captors of Vessels, &c. condemned and Proceeds distributed, confirmed in Possession.

LXVI. And be it further enacted, That wherever Ships and Cargoes captured by any of His Majesty's Ships of War, or by any Ship or Vessel commissioned by any Governor or Lieutenant Governor of any of His Majesty's Colonies or Settlements, have been in fact condemned for illicit trading in Slaves, contrary to the Treaties or Conventions made between the Governments of *Spain*, *Portugal* or the *Netherlands*, and where Distribution of the Proceeds thereof has been made prior to the Tenth Day of July One thousand eight hundred and twenty one, the said Captors shall be confirmed, and are hereby confirmed in the Possession of the said Proceeds; any Law, Statute or Usage to the contrary notwithstanding.

Captors after Condemnation entitled to the Crown's Moiety.

LXVII. And be it further enacted, That where any Ship or Vessel employed or engaged in illicit Traffic in Slaves, in Violation of any of the said Conventions hereinbefore mentioned, shall be seized by any Ship or Vessel belonging to His Majesty, duly authorized under the Provisions of the said Conventions to make such Seizure, and shall be afterwards condemned by any of the Commissioners appointed in virtue of the Treaties or Conventions aforesaid, there shall be paid to the Captors the Moiety to which His Majesty is entitled, under the said Treaties or Conventions, of the net Proceeds of the said Ship and Cargo; the said Moiety of the said net Proceeds to be distributed in the Manner hereafter directed for the Distribution of Bounties on Slaves taken on board the said Vessels.

A Bounty of 10*l.* for every Slave found on board of Vessels seized and condemned.

LXVIII. And be it further enacted, That there shall be paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, a Bounty of Ten Pounds of lawful Money of *Great Britain* for every Man, Woman and Child Slave seized and found on board any Ship or Vessel taken, and by the Commissioners appointed in virtue of any of the said Treaties or Conventions, condemned for illicit Traffic in Slaves, in Violation of any of the Provisions of the said Conventions, such Bounty to be issued and paid by Order from the said Commissioners of His Majesty's Treasury, and to be distributed to and amongst the Captors aforesaid, in such Manner and Proportions as His Majesty, His Heirs and Successors, shall think fit to order and direct, by any Order or Orders in Council, or by any Proclamation or Proclamations to be made for that Purpose.

Such Bounty of 10*l.* to be paid for every Slave found on board of Vessels of Portugal, Spain and Netherlands,

LXIX. And Whereas, besides the Treaties hereinbefore mentioned, a certain other Treaty was concluded with His Royal Highness the Prince Regent of *Portugal*, on the Nineteenth Day of *February* One thousand eight hundred and ten: And Whereas prior to the passing of this Act, and since the Conclusion of the said Treaties respectively, divers Seizures have been made of Ships, Cargoes and Slaves on board the said Ships.



Ships, the said Ships being engaged in Traffic for Slaves, contrary to the Provisions of the said Treaties, some or one of them; Be it further enacted, That in all Captures of Portuguese Vessels, made by any of His Majesty's Ships of War, or any Ship or Vessel duly commissioned by any Governor or Lieutenant Governor of any of His Majesty's Colonies or Settlements, between the First Day of *June* One thousand eight hundred and fourteen, and the Twenty eighth Day of *July* One thousand eight hundred and seventeen, which said Vessels shall have violated any Treaty or Convention with *Portugal*, there shall be paid a like Bounty of Ten Pounds for every Man, Woman and Child Slave so seized and taken; and in all Captures of Vessels belonging to *Spain*, *Portugal* or the *Netherlands*, captured by any of His Majesty's Ships or Vessels duly authorized under the Provisions of the said Treaties, of the said Twenty eighth Day of *July* One thousand eight hundred and seventeen with *Portugal*, the said Twenty third Day of *September* One thousand eight hundred and seventeen with *Spain*, and the said Fourth Day of *May* One thousand eight hundred and eighteen with the *Netherlands*, prior to the passing of this Act, and condemned for Contravention of the Provisions thereof, there shall be paid a like Bounty of Ten Pounds for every Man, Woman and Child Slave found on board any such Vessel, to be distributed to the Captors thereof, in the same Manner as is by the Provisions of this Act hereinbefore directed: Provided always, that in all Cases in which the Proceeds of any such Capture shall have been distributed among the Captors, and allowed to be retained by such Captors, under the Provisions of this Act, the Amount of the Moiety of the Proceeds shall be deducted from such Bounties.

captured within the Periods herein mentioned.

In what case Moiety of Proceeds deducted from Bounties.

LXX. Provided always, and be it further enacted, That in all Cases where any Bounty or Bounties, or any Proceeds, are by virtue of this Act given to any capturing Vessel duly commissioned by any Governor or Lieutenant Governor of any of His Majesty's Colonies or Settlements, the said Proceeds and Bounty or Bounties shall be distributed in such Manner as the Commissioners of His Majesty's Treasury shall be pleased to direct or appoint.

Proceeds and Bounties distributed as Treasury shall direct.

LXXI. Provided also, and be it further enacted, That any Party or Parties claiming any Benefit, by way of Bounty or Share of the Proceeds, for the Seizure of any *Spanish*, *Portuguese* or *Vetherland* Vessels, for Violation of Treaty or Convention, shall and may resort to the High Court of Admiralty for the Purpose of obtaining the Judgment of the said Court in that Behalf; and that it shall and may be lawful for the Judge of the said High Court of Admiralty to determine thereon, and also to hear and determine any Question of Joint Capture which may arise upon any Seizure of Slaves, and enforce any Decree or Sentence of any of the Mixed Commission Courts established or to be established in pursuance of Treaties or Conventions with Foreign Powers, and the Decrees or Sentences of the Vice Admiralty Court relating to any Seizure under this Act.

Parties claiming Benefit under this Act may resort to Court of Admiralty.

LXXII. And be it further enacted, That where any Slaves, or Persons treated, dealt with, carried, kept or detained as Slaves, have been, prior to the passing of this Act, or shall be hereafter taken

Where Slaves taken as Prize not condemned, or delivered

over, Treasury may allow One Moiety of Bounty.

taken as Prize of War, or trading contrary to the Provisions of the Treaties with Foreign Powers, or as liable to Forfeiture for any Offence committed against this Act, but who shall not have been condemned, or shall not have been delivered over in consequence of Death, Sickness or other inevitable Circumstance, it shall and may be lawful for the said Commissioners of His Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant, signed by any Three or more of them, to direct the Payment out of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, of One Moiety of the Bounty which would have been due in each Case respectively if the said Slaves had been delivered over.

In what Case Treasury may direct Payment of Costs and Damages.

LXXIII. And be it further enacted, That when any Seizure shall be made, or Prosecution instituted as or for the Violation of any of the Provisions of this Act, and Judgment shall be given against the Seizor or Prosecutor, or such Seizure shall be relinquished by him, it shall be lawful for the said Lords Commissioners of His Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant, signed by any Three or more of them, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, of such Costs, Damages and Expences as the said Seizor or Prosecutor may be liable to pay in respect of such Seizure, or any proportionate Part thereof.

Treasury may direct Payment awarded on unlawful Seizures.

LXXIV. And be it further enacted, That it shall and may be lawful for the Lords Commissioners of His Majesty's Treasury if to their Discretion it shall seem meet, by Warrant, signed by Three or more of them, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, of any Sums of Money awarded by the Mixed Commission Courts to be due on account of any unlawful Seizure or Detention by any of His Majesty's authorized Cruizers: Provided always, that nothing herein contained shall exempt the Seizor from his Liability to make good the Payments so made, when lawfully called upon by Order of the said Commissioners.

Liability of Seizors not taken away.

Registrars of V. A. Courts, &c. to transmit to Treasury Return of Cases adjudged, &c.

LXXV. And be it further enacted, That the Registrars of the several Vice Admiralty Courts, and also the Commissary Judges and Commissioners of Arbitration of the several Mixed Commission Courts respectively, shall, on the First Day of *January* and First Day of *July* in every Year, transmit to the said Lords Commissioners of His Majesty's Treasury a List or Return of all Cases which shall have been adjudged in the said Courts respectively under this Act, during the Six Months preceding, together with the Names of the Seizors, and the Dates of the Seizures and Sentences respectively, together with an Account of the State of the Property, according to the Schedule marked (A.) to this Act annexed.

Forfeitures to His Majesty to be paid over as He shall direct.

LXXVI. And be it further enacted, That all Sums of Money accruing to His Majesty from or on account of any Forfeiture, Penalty or Condemnation under this Act, shall be paid over to such Person or Persons as His Majesty, His Heirs and Successors may please to appoint, for the Use of His Majesty, His Heirs and Successors.

LXXVII. A.

LXXVII. And be it further enacted, That all the Provisions, Rules, Regulations, Forfeitures and Penalties respecting the Delivery by Prize Agents of Accounts for Examination, and the Distribution of Prize Money, and the accounting for and paying over the Proceeds of Prize and the Percentage due thereon to *Greenwich Hospital*, shall be and are hereby extended to all Bounties and Proceeds to be distributed under the Provisions of this Act to the Officers and Crews of any of His Majesty's Ships or Vessels of War, whether the said Bounty and Proceeds shall be paid to Prize Agents, or to any other Persons authorized to receive the same for the Use and Benefit of the Officers and Crews of any of His Majesty's Ships or Vessels of War.

Regulations to which Prize Agents liable extended to Bounties and Proceeds distributed under this Act.

LXXVIII. And be it further enacted, That if any Action or Suit shall be commenced, either in *Great Britain* or elsewhere, against any Person or Persons, for any Thing done in pursuance of the said Treaties, Conventions or the Instructions or Regulations thereto annexed, or of this Act, in as far as it relates thereto, 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 the said Treaties, Conventions, Instructions or Regulations, or of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action after the Defendant or Defendants shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall recover Treble Costs, and have the like Remedy for the same as Defendants have in other Cases by Law.

In Actions for Acts done in pursuance of the said Treaties or of this Act.

General Issue.

Treble Costs.

LXXIX. And also that nothing in this Act contained in relation to the said Treaties, Conventions, Regulations or Instructions aforesaid, shall extend or be deemed or construed in any wise to alter, suspend, affect, relax or repeal any of the Clauses, Penalties, Forfeitures or Punishments contained and enacted in any other Part of this Act, but that all such Clauses, Regulations, Penalties, Forfeitures, and Punishments therein contained, shall remain in full force and virtue.

Nothing relating to the said Treaties, &c. to alter any other Part of Act.

LXXX. And be it further enacted, That nothing in the other Parts of this Act contained shall extend or be deemed or construed in any wise to alter, suspend, affect, relax or repeal any of the Clauses, Penalties, Forfeitures or Punishments contained, enacted or confirmed in that Part of this Act which relates to the said Treaties, Conventions, Regulations or Instructions aforesaid.

Nor any of the said Treaties, &c.

LXXXI. And be it further enacted, That this Act may be repealed, altered or amended during this present Session of Parliament.

Act may be altered, &c. this Session.

LXXXII. And be it further enacted, That this Act shall commence and have Effect from and after the First Day of *January* in the Year of our Lord One thousand eight hundred and twenty ve.

Commencement of Act.

## SCHEDULE (A.) referred to by this Act.

DATE of SEIZURE.	PROPERTY SEIZED.	SEIZOR.	DATE of SENTENCE.	DECRETAL PART OF SENTENCE, whether FORFEITURE OR RESTITUTION.	Whether PROPERTY CONDEMNED has been sold or converted, and whether any Part remains unsold, and in whose Hands the Proceeds remain.

## C A P. CXIV.

An Act to repeal so much of an Act of the Sixth Year of King George the First, as restrains any other Corporations than those in the Act named, and any Societies or Partnerships, from effecting Marine Assurances, and lending Money on Bottomry. [24th June 1824.]

6 G. 1. c. 18.  
§ 1.

§ 12.

WHEREAS an Act was passed in the Sixth Year of the Reign of His Majesty King George the First, intituled *An Act for better securing certain Powers and Privileges, to be granted by His Majesty by Two Charters, for Assurance of Ships and Merchandize at Sea and going to Sea, and for lending Money upon Bottomry; and for restraining several extravagant and unwarrantable Practices therein mentioned*; whereby His Majesty was empowered to incorporate, by Two several Charters, under the Great Seal of Great Britain, Two several and distinct Companies for Assurance of Ships, Goods and Merchandize at Sea, or going to Sea, and for lending Money upon Bottomry, by such Names as His Majesty should think proper; subject nevertheless to Redemption and Revocation in the Manner therein expressed: And it was further enacted, that from and after the granting or making of the said respective Charters for erecting the said Two Corporations, and passing the same under the Great Seal, for and during the Continuance of the same Corporations respectively, or either of them, all other Corporations or Bodies Politic before erected or established, or thereafter to be erected or established, and all such Societies or Partnerships as then were or thereafter should or might be entered into by any Person or Persons, for assuring Ships or Merchandize at Sea, or for any Money upon Bottomry, should, by force and virtue of the said recited Act, be restrained

'restrained from granting, signing or underwriting any Policy or  
 'Policies of Assurance of or upon any Ship or Ships, Goods  
 'or Merchandizes, at Sea or going to Sea, and from lending  
 'any Monies by way of Bottomry; and if any Corporation or  
 'Body Politic, or Persons acting in such Society or Partnership,  
 'other than the Two Corporations intended to be established  
 'by the said recited Act, should presume to grant, sign or  
 'underwrite, after the Twenty fourth Day of *June* One thousand  
 'seven hundred and twenty, any such Policy or Policies, or  
 'make any such Contract or Contracts for Assurance of or upon  
 'any such Ship or Ships, Goods or Merchandizes, at Sea or  
 'going to Sea, or take or agree to take any Premium or other  
 'Reward for such Policies, every such Policy and Policies of  
 'Assurance of or upon any such Ship or Ships, Goods or Mer-  
 'chandizes, should be *ipso facto* void; and every Sum and Sums  
 'so signed or underwritten in such Policy or Policies, should be  
 'forfeited and recovered in Manner expressed in the said recited  
 'Act; and it was further enacted, that if any Corporation or  
 'Body Politic, or Persons acting in such Society or Partnership  
 'as aforesaid, other than the Two Corporations intended to be  
 'established by the said recited Act, or One of them, should  
 'presume to lend, or agree to lend or advance, by themselves,  
 'or any others on their Behalf, after the said Twenty fourth  
 'Day of *June* One thousand seven hundred and twenty, any  
 'Money by way of Bottomry as aforesaid, contrary to the said  
 'Act, the Bond or other Security for the Time should be *ipso*  
 '*facto* void, and such Agreement should be adjudged to be an  
 'usurious Contract, and the Offender therein should suffer as in  
 'Cases of Usury: And Whereas, pursuant to the said Act, His  
 'Majesty, by One Charter, bearing Date the Twenty second  
 'Day of *June* One thousand seven hundred and twenty, created  
 'and established One Corporation or Body Politic, called *The*  
 '*Royal Exchange Assurance*; and by another Charter, bearing  
 'the same Date, His Majesty created and established another  
 'Corporation or Body Politic, called *The London Assurance*:  
 'And Whereas it is expedient that so much of the said Act, as  
 'restrains Corporations or Bodies Politic, Societies or Partner-  
 'ships, and Persons acting in Society or Partnership, from  
 'insuring Ships and Goods and Merchandizes at Sea, and from  
 'lending Money by way of Bottomry, should be repealed: May  
 'it therefore please Your Majesty that it may be enacted; and be  
 'it enacted by the King's most Excellent Majesty, by and with the  
 'Advice and Consent of the Lords Spiritual and Temporal, and  
 'Commons, in this present Parliament assembled, and by the  
 'Authority of the same, That from and after the passing of this  
 'Act, so much of the said recited Act as restrains any Corporation  
 'or Body Politic, Society or Partnership, or Persons acting in any  
 'Society or Partnership, from granting, signing and underwriting  
 'any Policy or Policies of Assurance, or making any Contract for  
 'Assurance, of or upon any Ship or Ships, or Goods or Mer-  
 'chandize, at Sea or going to Sea, or from lending Money by way of  
 'Bottomry, or as makes any such Contract void, or declares that  
 'the same shall be adjudged usurious, or as imposes any Forfeiture

So much of  
 Act as restrains  
 Corporations  
 from Under-  
 writing, re-  
 pealed.

or Penalty in respect of any such Policy of Assurance or Contract, shall be and the same is hereby repealed.

Proviso for Royal Exchange and London Assurance Companies.

II. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to affect the Rights and Privileges of the said Corporations of the *Royal Exchange Assurance* and *London Assurance*, otherwise than by making it lawful for other Corporations and Bodies Politic, and Persons acting in Society or Partnership, to grant and make such Policies of Assurance and Contracts of Bottomry as hereinbefore mentioned.

C A P. CXV.

An Act for raising the Sum of Fifteen Millions by Exchequer Bills for the Service of the Year 1824; and for further appropriating the Supplies granted in this Session of Parliament. [25th June 1824.]

- § I. £.15,000,000 0 0 to be raised by Exchequer Bills as under 48G.3. c.1. See § 8. post.
- II. The Clauses in recited Act extended to this Act.
- III. Treasury to apply the Money raised.
- IV. Exchequer Bills under this Act payable out of Supplies in the next Session.
- V. Such Exchequer Bills to bear Interest not exceeding 3½d per Cent. per Diem.
- VI. Such Exchequer Bills to be current at the Exchequer after April 1824.
- VII. Bank of England may advance 12,000,000*l.* on credit of this Act, notwithstanding Statute 5 & 6 W. & M. c. 20. § 7.
- VIII. £.3,000,000 0 0 Raised by Exchequer Bills under c. 15. ante; by Exchequer Bills under c. 2. ante; Monies arising by c. 3. ante; Monies arising by Surplus Grants, &c. under c. 42. ante.
- 15,000,000 0 0 By this Act granted; to be applied as herein-after mentioned.
- IX. 5,762,893 2 6 For Naval Services for the Year 1824, (that is to say,)
 

885,950 0 0	For Wages of 29,000 Men including 9,000 Royal Marines, -	}	At per Man per Month.	2 7 0	}	For 13 Months.
584,350 0 0	For Victuals for 29,000 Men, -			1 11 0		
282,750 0 0	For Wear and Tear of Ships,			15 0		
94,250 0 0	For Ordnance for Sea Service, - - -			5 0		
53,286 5 1	For Salaries and Contingent Expences of the Admiralty Office.					
29,794 1 6	Ditto ditto		Navy Pay Office.			
57,670 15 0	Ditto ditto		Navy Office.			

£. 33,447	10	0	For Salaries and Contingent Expences of the Victualling Office.
17,815	10	8	Ditto ditto <i>Deptford Yard.</i>
19,364	10	0	Ditto ditto <i>Woolwich Yard.</i>
24,865	10	2	Ditto ditto <i>Chatham Yard.</i>
16,534	13	0	Ditto ditto <i>Sheerness Yard.</i>
35,495	3	2	Ditto ditto <i>Portsmouth Yard.</i>
31,226	5	8	Ditto ditto <i>Plymouth Yard.</i>
6,490	10	0	Ditto ditto <i>Pembroke Yard.</i>
3,211	11	2	Ditto ditto <i>Out Ports.</i>
476,400	0	0	For Wages to Artificers and Labourers in His Majesty's Yards at Home, and for Teams of Horses.
507,000	0	0	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.
52,802	19	1	For Salaries of Officers and Contingent Expences of Foreign Yards.
72,669	12	0	For ditto Victualling Yards.
52,406	17	11	For Medical Establishments.
6,177	12	6	For the Royal Naval College and School for Naval Architecture.
103,528	17	5	For Wages to Officers and Men of Vessels in Ordinary.
55,421	11	0	For Victuals for ditto.
46,000	0	0	For Hire of Packets.
911,000	0	0	For Half Pay to Naval Officers.
136,299	16	1	For Superannuations, Pensions and Allowances to Officers, their Widows and Relatives.
1,500	0	0	For Bounty to Chaplains.
7,000	0	0	For Widows and Orphans on the Compassionate List.
80,000	0	0	For Deficiency of Funds for Relief of Widows of Commissioned and Warrant Officers of the Royal Navy.
290,000	0	0	For ditto Out Pensioners of Greenwich Hospital.
167,383	11	1	For Superannuations, &c. to Commissioners, &c. and Allowances in lieu of Half Pay to Naval Officers formerly employed in the Naval Departments.
10,000	0	0	For Building a Ship in the East Indies.
127,500	0	0	For Repairs and Improvements, &c. in the Dock Yards.
255,000	0	0	For Provision for Troops, &c. on Foreign Stations, and for the Convict Service and the Value of Rations for Troops to be embarked on board Ships of War and Transports.
188,300	0	0	For Transport Service.

X. £. 7,403,287	17	3	For Land Forces for the Year 1824, and other Services hereinafter more particularly expressed, (that is to say)
1,991,641	1	8	For Land Forces in <i>Great Britain</i> , and on Stations abroad, (except the <i>East Indies</i> ).
742,505	11	0 net	For ditto in <i>Ireland</i> .
92,297	16	6	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> ).
24,725	8	5 net	For ditto in <i>Ireland</i> .
114,590	13	2	For Allowances to principal Officers of the several Public Departments, their Deputies, Clerks and contingent Expences for the Year 1824.
12,822	5	0	For Medicines and Surgical Materials for Land Forces on the Establishment of <i>Great Britain</i> , and of certain Hospital Contingencies.
4,558	12	6 net	For ditto in <i>Ireland</i> .
134,000	0	0	For Volunteer Corps in <i>Great Britain</i> .
19,348	12	8 net	For ditto in <i>Ireland</i> .
20,258	2	1	For Four Troops of Dragoons and Eleven 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 <i>December 25, 1823, to December 24, 1824</i> .
164,170	0	0	For Pay of General Officers of the Forces, not being Colonels of Regiments, for the Year 1824.
29,635	13	10	For pay of Garrisons at Home and Abroad.
5,556	18	6 net	For ditto in <i>Ireland</i> .
124,442	0	1	For Full Pay for retired Officers and unattached Officers of Land Forces.
728,300	0	0	For Half Pay to reduced Officers of ditto.
70,592	4	6	For Allowance to reduced Officers of ditto.
111,260	0	0	For Half Pay and reduced Allowances to Officers of disbanded Foreign Corps, Pensions to Wounded Foreign Officers, and Allowances to Widows and Children of deceased Foreign Officers.
32,982	7	1	For In Pensioners of <i>Chelsea Hospital</i> .
13,417	1	10 net	For ditto <i>Kilmainham ditto</i> .
1,219,417	11	10	For Out Pensioners of <i>Chelsea Hospital</i> .
131,251	0	0	For Pensions to Widows of Officers of Land Forces and Marines.
186,384	13	9	For Allowances on the Compassionate List, and of Pensions to Officers for Wounds.
41,948	13	7	For Allowances, Compensations and Emoluments in the Nature of Superannuation or retired Allowances to Persons formerly belonging to the several Public Departments in <i>Great Britain</i> , in respect of their having held any Public Offices or Employments of a Civil Nature.
5,292	16	4 net	For ditto in <i>Ireland</i> .



	£. 33,000	0	0	For Fees expected to be paid at the Exchequer by the Paymaster General of Forces on Issues for Army Services.
	101,180	8	11 net	For Three Royal Veteran Battalions in <i>Ireland</i> , from <i>December 25, 1823, to December 24, 1824.</i>
	340,384	0	0	For the Commissariat Department, for the Year 1824.
	620,000	0	0	For Extraordinary Expences of the Army.
	195,537	6	0	For disembodied Militia of <i>Great Britain.</i>
	91,791	18	0 net	For ditto in <i>Ireland.</i>
XI.	47,233	0	0	For Salaries to Master General and principal Officers, and Salaries and increased Salaries for Length of Service to Clerks, &c. belonging to the Office of Ordnance, and employed at the <i>Tower</i> and <i>Pall Mall.</i>
	7,029	0	0	For Salaries and increased Salaries for Length of Service, to the several Military Establishments of the Office of Ordnance at the Royal Laboratory, the Inspector of Artillery Department, Royal Carriage Department, and the Royal Military Repository at <i>Woolwich.</i>
	35,841	0	0	For ditto to the several Civil Establishments of the Office of Ordnance at the Home and Foreign Stations.
	4,143	0	0	For Expence of 56 Master Gunners at the Garrisons and Batteries in <i>G. B.</i> and of One Fee Gunner at <i>Saint James's Park</i> and <i>Whitehall</i> , with the Allowance of Coals and Candles to them and to 89 Noncommissioned Officers and Gunners, late of the Invalid Battalion of the Royal Regiment of Artillery stationed in the said Garrisons and Batteries.
	67,834	0	0	For ditto of the Corps of Royal Engineers, the Corps of Royal Sappers and Miners, and for the Instruction of Royal Sappers and Miners, and of Junior Officers of the Corps of Royal Engineers, in the Construction of Field Works for <i>G. B.</i>
	247,208	0	0	For the Royal Regiment of Artillery for <i>G. B.</i>
	29,590	0	0	For the Brigade of Royal Horse Artillery, and also a Rocket and a Riding House Troop for <i>G. B.</i>
	1,788	0	0	For the Director General of the Field Train, and for the Field Train Department.
	7,044	0	0	For the Medical Establishment for the Military Department of the Ordnance.
	4,570	0	0	For the Establishment of the Civil Officers, Professors and Masters of the Royal Military Academy, <i>Woolwich</i> , including additional Pay to Officers of the Royal Regiment of
				Artillery

			Artillery, for attending the Company of Gentlemen Cadets.
£.	75,524	0 0	For Extraordinaries of Office of Ordnance after deducting 139,000 <i>l.</i> on Account of Savings and unexpended Sums of former Grants, and of presumed Sales of Old Stores, Lands, Buildings, &c.
	1,090	0 0	For Service performed for the Office of Ordnance for Land Service for <i>G. B.</i> and not provided for by Parliament in the Year 1823.
	87,336	0 0	For the Office of Ordnance in <i>Ireland</i> , after deducting 2,432 <i>l.</i> on Account of Rents and Sales of Old Stores, for the Year 1824.
	312,572	0 0	For the Office of Ordnance 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 Royal Ordnance Military Corps.
	48,140	0 0	For Allowances, Compensations and Emoluments in the Nature of superannuated or retired Allowances to Persons late belonging to the Office of Ordnance in respect of their having held any Public Offices or Employments of a Civil Nature, and also for Widows' Pensions.
	1,400	0 0	For Sums to be paid at the Treasury and at the Exchequer for Fees on the Amount of the Ordnance Estimates for <i>G. B.</i>
	114,531	0 0	For the Ordnance Barrack Department in <i>G. B.</i> after deducting 22,000 <i>l.</i> for Yearly Receipts of the said Department, for Sale of Barracks, Rents of Canteens, &c.
	134,376	0 0	For ditto in <i>Ireland</i> after deducting 4,615 <i>l.</i> for Sales of Old Stores.
	182,795	0 0	For the Commissariat Store Branch of the Office of Ordnance.
XII.	33,663,200	0 0	For discharging Exchequer Bills charged on the Supplies for the Year 1824, remaining unpaid or unprovided for.
XIII.	368,100	0 0	For ditto, issued between the 5th <i>January</i> 1823, and the 5th <i>January</i> 1824, pursuant to 57 <i>G. 3. cc. 34. 124. 58 G. 3. c. 88. 1 G. 4. c. 60. 3 G. 4. c. 86.</i> for authorizing the Issue of Exchequer Bills for the carrying on Public Works and Fisheries in <i>U. K.</i> and for building and promoting the building of additional Churches.
XIV.	For the Charge of Civil Establishments for the Year 1824, (that is to say,)		
	3,287	0 0	<i>Bahama Islands.</i>
	600	0 0	<i>Dominica.</i>

	£. 8,229	0 0	<i>Upper Canada.</i>	
	9,197	0 0	<i>Nova Scotia.</i>	
	5,194	0 0	<i>New Brunswick.</i>	
	3,318	0 0	<i>Prince Edward Island.</i>	
	15,294	0 0	<i>New South Wales.</i>	
	22,594	0 0	<i>Sierra Leone.</i>	
	43,926	18 0	For the Civil and Military Establishments of the Settlements on the <i>Gold Coast.</i>	
	9,827	0 0	<i>Bermuda.</i>	
	4,830	13 0	<i>Newfoundland.</i>	
XV.	1,050,000	0 0	For Interest on Exchequer Bills for the Year 1824.	
	2,000,000	0 0	For discharging the like Amount of Supplies granted for the Year 1823.	
	11,423	19 1	For the Royal Military College	} For the Year 1824.
	23,864	5 3	For the Royal Military Asylum	
	40,000	0 0	For Works and Repairs of Public Buildings	
	10,000	0 0	For ditto carrying on at the College of <i>Edinburgh</i>	
	13,855	0 0	For ditto executing at <i>Port Patrick</i> Harbour.	} For the Year 1824, and to be paid without Fee, &c.
	25,000	0 0	For completing the Works of the <i>Caledonian Canal</i>	
	30,000	0 0	Towards building the New Courts of Justice, <i>Westminster Hall</i>	
	40,000	0 0	Towards the Buildings at the <i>British Museum</i>	
	41,000	0 0	For Works at the Harbour of <i>King's Town</i> (formerly <i>Dunleary</i> ) for the Year 1824.	
	14,467	11 0	For ditto at <i>Donaghadee</i> Harbour, to be paid without Fee, &c.	
	23,000	0 0	For the Penitentiary House at <i>Milbank</i> , from 24th <i>June</i> 1824, to <i>June</i> 24, 1825, and to be paid without Fee, &c.	
	25,500	0 0	For the Deficiency of the Fee Fund in the Treasury, for the Year 1824.	
	15,000	0 0	For ditto of the Home Secretary of State.	
	20,538	0 0	For ditto of the Foreign Secretary of State.	
	14,500	0 0	For ditto of the Secretary of State for the Colonies.	
	15,422	0 0	For ditto of the Privy Council, and Privy Council for Trade, &c.	

£.	8,000	0	0	For Contingent Expences and Messengers Bills in the Department of the Treasury.
	9737	0	0	For ditto of the Home Secretary of State.
	38,450	0	0	For ditto of the Foreign Secretary of State.
	7,500	0	0	For ditto of the Secretary of State for the Colonies.
	2,964	0	0	For ditto of the Privy Council, and Privy Council for Trade, &c.
	5,665	0	0	For Salaries of certain Officers, and Expences of the Court and Receipt of the Exchequer.
	8,640	0	0	For ditto of Commissioners of the Insolvent Debtors Court, of their Clerks and Contingent Expences of their Office.
	11,966	0	0	For Expences of the Houses of Lords and Commons.
	21,619	0	0	For Salaries and Allowances to the Officers of ditto.
	4,800	0	0	For Extraordinary Expences in the Department of the Lord Chamberlain of His Majesty's Household for Fittings and Furniture to the Two Houses of Parliament.
	6,000	0	0	For Compensation to Commissioners under 1 & 2 G. 4. c. 90. for enquiring into the Collection, &c. of the Revenue in <i>Ireland</i> , and the several Establishments connected therewith, to be paid without Fee, &c.
	3,000	0	0	For the National Vaccine Establishment, to be paid without Fee, &c.
	4,872	0	0	For Salaries of Officers and Contingent Expences of the Office for the Superintendance of Aliens, and also the Superannuations or retired Allowances to Officers formerly employed in that Service.
	10,910	6	8	For retired Allowances or Compensations to Persons formerly employed in Public Offices or Departments, or in the Public Service, to be paid without Fee, &c.
	16,520	0	0	For Relief of <i>Toulonese</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.
	6,500	0	0	For Relief of <i>American</i> Loyalists, to be paid without Fee, &c.
	3,306	10	0	For Confining and Maintaining Criminal Lunatics, to be paid without Fee, &c.
	6,512	7	10	For Allowances to Protestant 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.
	17,000	0	0	For Printing Acts of Parliament for the Two Houses of Parliament, for the Sheriffs, Clerks of

			of the Peace and Chief Magistrates throughout the United Kingdom, and for the Acting Justices throughout <i>Great Britain</i> ; also for Printing Bills, Reports, Evidence and other Papers and Accounts for the House of Lords.
£. 7,831	2	4½	For Deficiency of Grant of 1823, for ditto.
4,047	12	10	For Printing by Order of the Commissioners for carrying into Execution the Measures recommended respecting the Records of the Kingdom.
849	9	4	For Expences incurred in the Year 1823, for Printing, &c., Copies of Acts of 4 G. 4. relative to the Solemnization of Marriages in <i>England</i> , for the Use of the Archbishops of Canterbury and York, and the Bishops throughout their Dioceses.
20,000	0	0	For Printing Bills, Reports and other Papers, by Order of the House of Commons, during the present Session.
13,433	18	6	For Deficiency of Grant of 1823, for ditto during the last Session.
3,500	0	0	For Printing 1,750 Copies of the 79th Volume of the Journals of the House of Commons, being for the present Session.
1,597	4	6	For Deficiency of Grant of 1823, for Printing 1,750 Copies of the 78th Volume of the said Journals.
670	18	6	For Deficiency of Grant of 1822, for Reprinting Journals and Reports of the House of Commons.
3,500	0	0	For Printing Votes of the House of Commons during the present Session.
96,310	0	0	For Stationery, Printing and Binding for the several Public Departments, including the Expence of the Establishment of the Stationery Office.
17,000	0	0	For Law Charges.
60,754	0	0	For confining, maintaining and employing Convicts at Home.
1,171	6	9	For Salaries or Allowances granted to certain Professors at the Universities of <i>Oxford</i> and <i>Cambridge</i> , for reading Courses of Lectures.
38,000	0	0	For Foreign and other Secret Services.
5,000	0	0	For Extraordinary Expences of Prosecutions, &c. relating to the Coin.
10,000	0	0	For Extraordinary Expences of the Mint in the Gold Coinage.
100,000	0	0	For Loss upon the <i>Irish</i> Silver Tokens already recoined, and to be recoined in the Year 1824.
206,507	0	0	For Civil Contingencies.
150,000	0	0	For Bills drawn or to be drawn from <i>New South Wales</i> .

£. 2,442	10	0	For Colonial Services formerly paid out of the Extraordinaries of the Army.
15,532	0	0	For Charge of Society for the Propagation of the Gospel in the Colonies of <i>Upper and Lower Canada, Nova Scotia, New Brunswick, Newfoundland, Prince Edward Island, and the Cape of Good Hope.</i>
45,000	0	0	For Bills drawn from Abroad for the Abolition of the Slave Trade, and in Conformity to the Orders in Council, for the Support of Captured Negroes, Free <i>American</i> Settlers, &c.
17,425	0	0	For Paying in the Year 1824, the Salaries and incidental Expences of the Commissioners appointed on the Part of His Majesty under the Treaties with <i>Spain, Portugal and the 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, to be paid without Fee, &c.
5,000	0	0	For the Institution called the Refuge for the Destitute, to be paid without Fee, &c.
4,847	0	0	For the <i>British</i> Museum, to be paid without Fee, &c.
17,000	0	0	For the New Building at Whitehall, intended for the Board of Trade, to be paid without Fee, &c.
60,000	0	0	For the Purchase and Expences incidental to the Preservation and Public Exhibition of the Pictures which belonged to the late <i>Johannes Julius Angerstein</i> , Esquire.
3,000	0	0	For that Part of Expence of Rebuilding the Bridge at <i>Annan</i> , on the Line of Communication between <i>Great Britain and Ireland</i> by <i>Portpatrick and Dongahadee</i> , which it is proposed should be borne by the Public.
5,000	0	0	For improving the Navigation of the <i>Mesai Straits</i> , in the Year 1824, to be paid without Fee, &c.
34,450	0	0	For Outfit and Salaries to His Majesty's Consuls General, Consuls and Vice Consuls in <i>Spanish America</i> , in the Year 1823, and for the probable Charges for Salaries to the said Consuls General, Consuls and Vice Consuls, for the Year 1824, and to be paid without Fee, &c.
23,500	0	0	For the Special Commissions to <i>Spanish America</i> , for the Years 1823 and 1824, and to be paid without Fee, &c.
150,000	0	0	For the Charge which may be incurred in the Year 1824, for Repairs and Works to be executed at <i>Windsor Castle</i> , and for the Purchase or Exchange of certain Lands adjoining

			adjoining thereto, to be paid without Fee, &c.
XVI.	The following Sums,	in British Currency net, for the Year 1824; viz.	
	£. 16,800	0 0	For the Board of Works in <i>Ireland</i> .
	16,000	0 0	For Printing, Stationery and other Disbursements of the Chief and Under Secretaries Offices and Departments, and other Public Offices in <i>Dublin Castle</i> , &c. 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.
	6,500	0 0	For publishing Proclamations and other Matters of a Public Nature, in the <i>Dublin Gazette</i> and other Newspapers in <i>Ireland</i> .
	5,000	0 0	For printing and binding Public General Acts for the Use of the Lords, Bishops, Magistrates and Public Officers in <i>Ireland</i> .
	24,000	0 0	For Criminal Prosecutions and other Law Expences in <i>Ireland</i> .
	5,200	0 0	For Deficiency of Grant of the Year 1823, for Criminal and other Law Expences in <i>Ireland</i> .
	8,848	0 0	For supporting Non-conforming Ministers in <i>Ireland</i> , for the Year 1824.
	4,234	0 0	For ditto of Seceding Ministers from the Synod of <i>Ulster</i> in <i>Ireland</i> , for One Year ending the 25th March 1825.
	756	0 0	For ditto Protestant Dissenting Ministers in <i>Ireland</i> , for the Year 1824.
	1,072	12 4	For Salaries of the Lottery Officers in <i>Ireland</i> , for One Year ending the 24th June 1824.
	4,000	0 0	For improving and completing the Harbour of <i>Howth</i> , for the Year 1824.
	15,000	0 0	For Civil Contingencies in <i>Ireland</i> .
	4,500	0 0	For the Directors and Officers of Inland Navigations in <i>Ireland</i> , and for maintaining the said Navigations.
	27,000	0 0	For Police and Watch Establishments of <i>Dublin</i> .
	7,140	0 0	For Salaries, &c. of Commissioners for enquiring into the Duties and Fees of the Officers of Courts of Justice in <i>Ireland</i> .
	1,651	0 0	For Salaries, &c. of Commissioners of Enquiry into the Land Revenue of the Crown in <i>Ireland</i> .
	5,100	0 0	For Salaries, &c. of the Record Commission in <i>Ireland</i> .
	1,116	18 5	For Retired or Superannuation Allowances to Public Officers in <i>Ireland</i> .
	10,000	0 0	For Improvements on the Road from <i>London</i> to <i>Dublin</i> .
	5,000	0 0	For commencing a Trigonometrical Survey of <i>Ireland</i> .

XVII.	£. 10,000	0	0	For widening the Streets in <i>Dublin</i> .
	300	0	0	For the Royal <i>Irish</i> Academy.
	19,998	9	2½	For the Linen Board of <i>Ireland</i> .
XVIII.	21,615	0	0	For the Protestant Charter Schools of <i>Ireland</i> .
	18,790	0	0	For supporting the House of Industry, Hospitals and Asylum for Industrious Children in <i>Dublin</i> .
	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 Soldier's Children.
	1,600	0	0	For the <i>Hibernian</i> Marine Society in <i>Dublin</i> .
	1,878	0	0	For the Female Orphan House in <i>Dublin</i> .
	2,445	0	0	For the <i>Westmorland</i> Lock Hospital in <i>Dublin</i> .
	2,900	0	0	For the Lying-in Hospital in <i>Dublin</i> .
	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>Dublin</i> .
	350	0	0	For the Hospital for Incurables in <i>Dublin</i> .
	8,928	0	0	For 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 the Commissioners of Charitable Donations and Bequests in <i>Ireland</i> .
	4,473	0	0	For the Society for discountenancing Vice in <i>Ireland</i> .
	22,000	0	0	For promoting the Education of the Poor in <i>Ireland</i> .
	27,667	0	0	For the Foundling Hospital at <i>Dublin</i> .
	10,000	0	0	In Aid of Schools established by Voluntary Contributions.
XIX.	Supplies to be applied only for the Purposes aforesaid.			
XX.	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.			
XXI.	Persons concerned in issuing, paying and receiving Money for the Payment of Half Pay, not having taken the Oaths required by 4 G. 4. c. 100. indemnified.			
XXII.	Half Pay to Officers of <i>Mans</i> Fencibles.			
XXIII.	Ditto to Chaplains of Regiments, although in Possession of Ecclesiastical Benefices by private Patronage.			
XXIV.	Application of Overplus of Sums appropriated to Half Pay Officers under 4 G. 4. c. 100. § 11.			



## 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 altering and enlarging the powers of an Act of His late Majesty King George the Third, for the better Relief and Employment of the Poor within the Hundreds of Tunstead and Happing in the County of Norfolk. 25 G.3. c.27.

[16th March 1824.]

### Cap. ii.

An Act for repairing, improving, widening and keeping in Repair the several Roads within the District called The Kidwelly District of Roads, in the County of Carmarthen. (b)

[16th March 1824.]

Present Tolls to continue till 3d Feb. 1825, and after that Time New Ones to be paid instead thereof.—New Trustees. 5 G.3. c.76. 19 G.3. c.103. 42 G.3. c.lxvi. all repealed. Powers of 3 G.4. c.126. and 4 G.4. c.95. extended to this Act.]

### Cap. iii.

An Act for more effectually repairing the Road leading from the Lord Nelson Public House, upon the Road between Burnley and

and *Colne*, in the Township of *Marsden* in the Parish of *Whalley*, in the County Palatine of *Lancaster*, to *Gisburne* in the West Riding of the County of *York*, and from thence to the Road leading from *Skipton* to *Settle*, at or near *Long Preston*, in the said West Riding of the County of *York*. (b)

[16th March 1824.]

[*New Trustees.* 43 G. 3. c. lxxix. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. iv.*

An Act for more effectually amending, improving and keeping in Repair the Road leading from *Penrith* to *Cockermouth*, and several other Roads therein mentioned, all in the County of *Cumberland*. (b)

[16th March 1824.]

[*New Trustees.* 2 G. 3. c. 81. 23 G. 3. c. 108. and 44 G. 3. c. 11. repealed as far as they relate to the Roads in the County of *Cumberland*. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. v.*

An Act to amend and render more effectual an Act of His late Majesty relative to the Asylum for Female Orphans.

[23d March 1824.]

39 & 40 G. 3.  
c. lx.

‘ WHEREAS an Act was passed in the Thirty ninth and Fortieth Years of the Reign of His late Majesty King George the Third, intituled *An Act for establishing and well governing the Charitable Institution commonly called The Asylum, or House of Refuge for the Reception of Orphan Girls, the Settlements of whose Parents cannot be found; and for incorporating the Subscribers thereto, and for the better empowering and enabling them to carry on their charitable and useful Designs*, whereby it was (among other Things) enacted that the President, Vice Presidents, Treasurer and Guardians, should be a Body Corporate and Politic, by the Name of “The President, Vice Presidents, Treasurer and Guardians of the Asylum for the Reception of Orphan Girls, the Settlements of whose Parents cannot be found:” and that they and their Successors, by the Name aforesaid, should and might at any Time thereafter without Licence in Mortmain purchase, take or receive, hold and enjoy any Lands, Tenements or Hereditaments, or any Estate or Interest arising or derived out of any Lands, Tenements or Hereditaments, for the Purposes of the said Charity: And Whereas the President Vice Presidents, Treasurer and Guardians of the said Asylum have erected or provided for the Purposes of the said Charity a Messuage and Buildings commonly called “The Asylum,” with a Chapel thereto adjoining, upon Leasehold Ground situate in the Parish of *Saint Mary, Lambeth*, in the County of *Surrey*, holden by them, with other Hereditaments, under a Lease granted by the Mayor and Commonalty and Citizens of the City of *London*, for a Term of Years which will shortly expire: And Whereas, in order to extend and render permanent the Benefits of the said Charity, the said President, Vice-Presidents, Treasurer and Guardians of the said Asylum are desirous now



‘ Presidents, Treasurer and Guardians of the Asylum for the  
 ‘ Reception of Orphan Girls, the Settlements of whose Parents  
 ‘ cannot be found, acting by virtue of an Act passed in the Thirty  
 ‘ ninth and Fortieth Years of the Reign of His late Majesty King  
 ‘ George the Third, intituled [*here set forth the Title of that Act*],  
 ‘ or by virtue of an Act passed in the Fifth Year of the Reign of  
 ‘ His present Majesty [*here set forth the Title of this Act*], do  
 ‘ hereby grant, release and convey to the said President, Vice-  
 ‘ Presidents, Treasurer and Guardians of the said Asylum, and  
 ‘ their Successors, all [*here describe the Lands and Premises to be*  
 ‘ *conveyed*], and all our Right, Title and Interest to and in the  
 ‘ same and every Part thereof, to hold the same unto the said  
 ‘ President, Vice Presidents, Treasurer and Guardians, and their  
 ‘ Successors for ever, for the Purposes in the said Acts. In  
 ‘ Witness whereof we have hereunto set our common Seal this  
 ‘ Day of \_\_\_\_\_ in the Year of our  
 ‘ Lord \_\_\_\_\_

And if the Premises are Leasehold for Years they shall be assigned by a Form answerable to the above, *mutatis mutandis*; and all such Bodies Politic, Corporate, Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, Executors, Administrators, Guardians, Committees of Idiots, Lunatics and Husbands, and all other Persons, shall be and are hereby indemnified for what they shall do by virtue or in pursuance of this Act.

Estates conveyed to vest in President, Vice Presidents, Treasurer and Guardians.

II. And be it further enacted, That immediately after the Execution of every such Conveyance as aforesaid the said President, Vice Presidents, Treasurer and Guardians of the said Asylum, and their Successors, shall be deemed in Law to be in the actual Seisin and Possession respectively of the Messuages or Tenements, Grounds, Lands, Chapel, Buildings, -Erections, Works and other Hereditaments and Premises respectively conveyed and assigned as aforesaid to all Intents and Purposes whatsoever, as fully and effectually as if every Person having an Estate, Right, Title or Interest in the Premises had actually conveyed and assigned the same, or concurred in the Conveyance and Assignment thereof by Lease and Release, Bargain and Sale, enrolled Feoffment, and Livery of Seisin Fine, Common Recovery, Surrender or any other Conveyance, Assignment or Assurance in Law whatsoever.

The Charity may surrender Lands as Part of the Consideration for the Purchase of other Lands.

III. And be it further enacted, That in case any of the Leasehold Lands and Tenements now held by the said President, Vice Presidents, Treasurer and Guardians of the said Asylum for the Time being, or any Person or Persons in Trust for them, shall be deemed by them not necessary or not useful or advisable to be retained for the Purposes of their said Charitable Institution, it shall be lawful for the said President, Vice Presidents, Treasurer and Guardians, to surrender or cause to be surrendered such Lands or Tenements, or any Part or Parts thereof, which shall or may be so deemed not necessary or not useful or advisable to be retained as aforesaid, to the Lessor or Lessors, or Owner or Owners of the Reversion of the same Lands or Tenements, and any Body or Bodies Politic, Corporate or Collegiate, or other Corporation or Corporations, who may be such Lessor or Lessors, or the Owner or Owners of such Reversion, are hereby authorized

and empowered, if they shall think proper, to accept and take such Surrender as the Consideration or Part of the Consideration for the Purchase of any Lands or Hereditaments which may be sold and conveyed by such Corporation or Corporations respectively by virtue of this Act.

IV. And be it further enacted, That all Monies which shall be paid for the Purchase of any Lands, Tenements or Hereditaments, by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Body Politic, Corporate or Collegiate, or to any Corporation whatsoever, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee or other Trustee for or on Behalf of any Infant, Lunatic, Idiot, Feme Covert or other *Cestuique* Trust or Ward, or to any Person whose Lands, Tenements or Hereditaments, are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, shall, in case the same Monies shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there, *ex parte* the President, Vice Presidents, Treasurer and Guardians of the said Asylum, pursuant to the Method prescribed by the Act of the Twelfth Year of King *George* the First, Chapter Thirty-two, and the General Orders of the said Court, and without Fee or Reward; and some One of the Cashiers of the said Bank shall give a Receipt for the Money so paid, which shall be a sufficient Discharge for the same; and 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 Corporation or Corporations, or Person or Persons who would have been entitled to the Rents and Profits of the said 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 Lands, Tenements or Hereditaments, 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 Lands, Tenements and Hereditaments which shall be so purchased as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the Meantime and until such Purchase shall be made, the said Money shall by Order of the said Court upon Application thereto be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum per Annum* Reduced Bank Annuities, or Three Pounds *per Centum* Consolidated Bank Annuities; and in the Meantime and until the same Bank Annuities shall be ordered by the said Court to be sold for the Purposes

Application of  
Purchase  
Money when  
amounting to  
200*l.*

aforesaid, the Dividends and Annual Produce of the said Bank Annuities shall from time to time be paid by Order of the said Court to the Corporation or Corporations, or Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements and Hereditaments, to be purchased and settled by virtue of this Act, in case such Purchase and Settlement were made.

When less than  
200*l.* and  
amounting to  
20*l.*

V. Provided always, and be it further enacted, That if any Money agreed to be paid for the Purchase of any Lands, Tenements or Hereditaments as aforesaid, and belonging to any Corporation or to any Person or Persons under Disability or Incapacity as aforesaid, or which shall be limited in strict or other Settlement, shall be less than the Sum of Two hundred Pounds, and 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 Corporation or Corporations, or Person or Persons who would have been entitled to the Rents and Profits of the Lands, Tenements or Hereditaments so purchased, or of his, her or their Guardian or Guardians, Committee or Committees, or Trustee or Trustees, 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 the Manner hereinbefore directed, (One of the Cashiers of the said Bank giving a Receipt for the said Money, which shall be a sufficient Discharge for the same,) or otherwise the same shall be paid at the like Option to Two Trustees, to be nominated by the Party making such Option and approved of by the said President, Vice Presidents, Treasurer and Guardians, or their Successors, (such Nomination and Approbation to be signified in Writing under the Hands or Seals of the nominating and approving Parties,) and the Money so paid to such Trustees shall be by them applied in any Manner hereinbefore directed with respect to the Money so to be paid as aforesaid into the Bank, in the Name of the Accountant General of the said Court of Chancery, but without any Order of the said Court touching the Application thereof.

When less than  
20*l.*

VI. Provided also, and be it further enacted, That if any Money agreed to be paid for the Purchase of any Lands, Tenements or Hereditaments as aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Twenty Pounds, then and in all such Cases the same shall be paid to the Corporation or Corporations, or Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements or Hereditaments, in respect whereof the same shall be paid for his, her or their own Use and Benefit, or to his, her or their Guardian or Guardians, Committee or Committees, or Trustee or Trustees, for the Use and Benefit of such Person or Persons so entitled respectively; and the Receipt or Receipts of the Corporation or Corporations, or Person or Persons to whom the same shall be paid, shall be a sufficient Discharge or sufficient Discharges for the same.

VII. Pro-

VII. Provided always, and be it enacted, That if any Question shall arise touching the Title of any Corporation or Corporations, 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 any Lands, Tenements or Hereditaments, or of any Right, Title, Charge or Interest therein, or of any Bank Annuities to be purchased with any such Money, or the Dividends and Interest of any such Bank Annuities, the Corporation or Corporations, Person or Persons who shall have been in the Possession of such Lands, Tenements, or Hereditaments, Estates, Interests and Charges, at the Time of such Purchase, and all Corporations or Persons claiming under or under the Possession of such Corporation or Corporations, Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements or Hereditaments, 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, 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 Lands, Tenements or Hereditaments, or to some Estate or Interest therein, or Charge thereon.

VIII. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation entitled to any Lands, Tenements or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, and to be applied in the Purchase of other Lands, Tenements or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall and may be lawful to and for the said Court of Chancery to order the Expences of all Purchases from time to time to be made in pursuance of this Act, or so much of the said Expences as to the said Court shall seem reasonable, to be paid by the said President, Vice Presidents, Treasurer and Guardians of the said Asylum, or their Successors, who shall from time to time pay such Sums of Money for such Purposes as the said Court shall direct.

IX. And be it further enacted, That in case any of the Leasehold Lands and Tenements now held by the said President, Vice Presidents, Treasurer and Guardians of the said Asylum, or any Person or Persons in Trust for them, or any Lands or Hereditaments to be purchased by virtue of this Act, shall at any Time hereafter be deemed by the President, Vice Presidents, Treasurer and Guardians for the Time being of the said Asylum not necessary or not useful or proper to be retained for the Purposes of their said Charity, then and in every such Case it shall and may be lawful for the President, Vice Presidents, Treasurer and Guardians for the Time being of the said Asylum to sell and dispose of the same Lands and Hereditaments, or any Part thereof, unto any Person or Persons, in such Manner and for such Price or Prices as they shall think proper, and by Indenture

In case of 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.

The Court of Chancery may order reasonable Expences to be paid.

Power to sell Lands purchased which may not be wanted.

ture under their common Seal to convey the Hereditaments so to be sold to the Purchaser or respective Purchasers thereof, as he, she or they shall direct or appoint; and upon Payment of the Money which shall arise by any such Sale or Sales as last mentioned, it shall and may be lawful for the Treasurer of the said Asylum to sign and give Receipts for the Monies to arise and be received upon any such Sale or Sales; which Receipts shall be sufficient Discharges to any Person or Persons paying the same Sale Monies, or for so much thereof as in the said Receipt or Receipts shall be expressed or acknowledged to be received, and such Person or Persons shall not afterwards be answerable or accountable for any Loss, Misapplication or Non-application of such Purchase Money or any Part thereof; and no such Purchaser as aforesaid shall be obliged to enquire or see into the Necessity or Propriety of any Sale so authorised to be made as aforesaid.

‘ X. And Whereas it is expedient to restrain the said President, Vice Presidents, Treasurer and Guardians, from selling any Lands purchased by virtue of this Act from any Body or Bodies Politic, Corporate or Collegiate, or from any Corporation, or from Trustees or Feoffees in Trust for Charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees or other Trustees for or in Behalf of Infants, Lunatics, Idiots, Femes Covert, *Cestuique* Trusts, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons under legal Disability or Incapacity, and again purchasing other Lands from the same, or any other Body or Bodies Politic, Corporate or Collegiate, or from any Corporation, or from Trustees or Feoffees in Trust for Charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees or other Trustees for or in Behalf of Infants, Lunatics, Idiots, Femes Covert, *Cestuique* Trusts, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, in lieu or Stead of the Lands so sold; Be it therefore enacted, That it shall not be lawful for the said President, Vice Presidents, Treasurer and Guardians, to purchase from any Body or Bodies Politic, Corporate or Collegiate, or from any Corporation, or from Trustees or Feoffees in Trust for Charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees or other Trustees for or in Behalf of Infants, Lunatics, Idiots, Femes Covert, *Cestuique* Trusts, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, more than Three Statute Acres; and in case the said President, Vice Presidents, Treasurer and Guardians shall afterwards sell the Whole or any Part of such Three Statute Acres so purchased, it shall not be lawful for the said President, Vice Presidents, Treasurer and Guardians to purchase from the same or any other Body or Bodies Politic, Corporate or Collegiate, or from any Corporation, or from Trustees or Feoffees in Trust for Charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees or other Trustees for or in Behalf of Infants, Lunatics, Idiots

Restraint of the Asylum from selling more than Three Acres of Land purchased from incapacitated Persons.



Idiota, Femee Covert, *Cestuique* Trusts, Tenants for Life or in Tail, or Persons for whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, or for the same Bodies and Persons respectively to sell to the said President, Vice Presidents, Treasurer and Guardians, any other Lands in lieu or in Stead of those Three Statute Acres or any Part thereof, so sold or disposed of by the said President, Vice Presidents, Treasurer and Guardians.

XI. And be it further enacted, That it shall be lawful for the Guardians of the said Corporation assembled in a General Court pursuant to the said recited Act, or the major Part of the Guardians so assembled, but not less than Seven such Guardians, to reduce and diminish the several Rates of Contribution or Subscription respectively made payable by the said recited Act, in order to constitute the Contributors or Subscribers thereof respectively Guardians of the said Asylum, to such lower Rates of Contribution or Subscription respectively as they shall think fit, and in Consideration thereof to make such Compensation to the several Persons respectively, at the Time of such Reduction or Diminution being Guardians of the said Asylum, according to the Rates of Contribution or Subscription respectively made payable by the said recited Act in the Way of such additional Rights or Privileges of voting, or other Rights or Privileges, as to the said Guardians of the said Asylum in such General Court assembled as aforesaid, or the major Part of them so assembled, but not less than Seven such Guardians, shall seem convenient, advisable and proper; and every Person who shall thereafter contribute or subscribe according to such reduced or diminished Rates of Contribution or Subscription as are hereby authorized to be made, shall thenceforth become and be to all Intent and Purposes a Guardian of the said Asylum, as fully and effectually as if he or she had been appointed a Guardian in and by the said recited Act for the several or any of the Purposes thereof.

Power to reduce the Qualifications of Guardians.

XII. And be it further enacted, That the Guardians of the said Asylum, at a General Court to be held pursuant to the said recited Act, or the major Part of them present at such General Court, but not less than Seven such Guardians, shall have Power from time to time to add to the Number of the Vice Presidents for the Time being of the said Asylum, and to nominate such additional Vice Presidents accordingly as they from time to time shall think proper or see occasion.

Power to increase the Number of Vice Presidents.

XIII. And be it further enacted, That the Power in the said recited Act given and reserved for the making of Bye Laws shall be deemed and henceforth construed to extend to enable the making, ordaining and constituting a Bye Law or Bye Laws for empowering, with or without Restrictions, the Guardians for the Time being of the said Asylum to vote by Proxy at all such Elections at which a Vote by Proxy shall be conceived to be beneficial to the Interests of the said Charitable Institution.

Power to enable the Guardians to vote by Proxy.

XIV. And be it further enacted, That so much of the said recited Act as enacts that no Person who shall be admitted into the said Asylum as an Orphan Girl, or who shall be employed in the said Asylum as an hired Servant, shall, by reason of such Admittance or Service, gain a Settlement in the Parish in which the

39 & 40 G. S. c. 60. § 15. repealed.

the said Asylum is or shall be situate, shall be and the same is hereby repealed.

Public Act.

XV. 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 specially pleading the same.

*Cap. vi.*

An Act for more effectually repairing, improving and maintaining the Road leading from *Thirsk* to *Yarm* in the County of *York*. (a) [23d March 1824.]

[*New Trustees.* 43 G. 3. c. ii. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 25. extended to this Act.]

*Cap. vii.*

An Act for more effectually amending, improving and keeping in Repair the Roads from the City of *Carlisle* to the Market Town of *Cockermouth* in the County of *Cumberland*. (b) [23d March 1824.]

[*New Trustees.* Royal Family exempt from Toll. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. viii.*

An Act for amending, improving and keeping in Repair the Roads leading from *Wetherby* to *Knaresborough* in the West Riding of the County of *York*. (b) [23d March 1824.]

[*New Trustees.* 23 G. 3. c. 103. and 44 G. 3. c. xliii. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. ix.*

An Act for amending and maintaining the Roads from the *Hand and Post* at the Top of *Burford Lane* in the County of *Gloucester*, to *Stow-on-the-Wold*, and from thence to *Paddle Brook*; and from the *Cross Hands* on *Salford Hill* in the County of *Oxford*, to the *Hand and Post* in the Parish of *Withington* in the County of *Gloucester*. (b) [23d March 1824.]

[*New Trustees.* 28 G. 2. c. 47. 27 G. 3. c. 77. 44 G. 3. c. xiii. repealed.]

*Cap. x.*

An Act for more effectually repairing and improving the Roads from *Hurdlow House* in the County of *Derby* to *Manchester* in the County Palatine of *Lancaster*, and other Roads in the said Counties, and in the County Palatine of *Chester*. (b) [23d March 1824.]

[*New Trustees.* 1 & 2 G. 4. c. xviii. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. xi.*

An Act for amending and maintaining the Roads leading from the Town of *Newent* in the County of *Gloucester*, and other Roads in the Counties of *Gloucester* and *Hereford*. (b)

[23d March 1824.]

*New Trustees.* 12 G.1. c.13. 20 G.2. c.31. 33 G.2. c.34. 9 G.3. c.50. 42 G.3. c.xlv. and 52 G.3. c.cl. all repealed. Powers of 3 G.4. c.126. and 4 G.4. c.95. extended to this Act.]

*Cap. xii.*

An Act for more effectually repairing and improving the Road leading from the End of the *Exeter* Turnpike Road to *Biddaford*, and also several other Roads leading from *Bridgetown Pomeroy* and *Totnes*; and for making and repairing several other Roads communicating therewith, all in the County of *Devon*; and for taking down and rebuilding *Totnes Bridge* in the same County. (a)

[23d March 1824.]

*New Trustees.* 20 G.3. c.79. and 43 G.3. c.xiv. repealed. Powers of 3 G.4. c.126. and 4 G.4. c.95. extended to this Act.]

*Cap. xiii.*

An Act for the better Maintenance, Employment and Regulation of the Poor of the Town of *Kingston upon Hull*, and for repairing or rebuilding the Workhouse there.

[31st March 1824.]

9 & 10 W.3. c.47. Pr. 8 Ann. c.11. Pr. 15 G.2. c.10. and 28 G.2. c.27. all repealed.]

*Cap. xiv.*

An Act for more effectually repairing and improving so much of the Road from *Keswick* in the County of *Cumberland*, by *Dunmail Raise* and *Ambleside*, to *Kirkby in Kendal* in the County of *Westmorland*, as is situate in the said County of *Westmorland*; and also the Road from *Plumbgarth's Cross*, near *Kirkby in Kendal* aforesaid, to the Lake called *Windermere*, in the County of *Westmorland*. (a)

[31st March 1824.]

*New Trustees.* 1 & 2 G.3. c.81. 23 G.3. c.108. 44 G.3. c.xx. repealed so far as they relate to the *Westmorland District of Roads*. Powers of 3 G.4. c.126. and 4 G.4. c.95. extended to this Act.]

*Cap. xv.*

An Act for more effectually improving and keeping in Repair the Road from *Appleby* in the County of *Westmorland*, to *Kirkby in Kendal*; and from *Orton* to the Turnpike Road near *Shap*; and from *Highgate* near *Tebay*, through *Kirkby Stephen*, to *Market Brough*, in the said County. (a)

[31st March 1824.]

*New Trustees.* 1 G.3. c.43. 22 G.3. c.111. 44 G.3. c.lx. repealed. Powers of 3 G.4. c.126. and 4 G.4. c.95. extended to this Act.]

*Cap. xvi.*

An Act for making and maintaining a Turnpike Road from *Marehill*, in the Parish of *Pulborough*, through *Shipley*, to the Direction Post on the Turnpike Road leading from *Horsham* to *Steyning*, at *Southwater* in the Parish of *Horsham*, with several Branches therefrom, all in the County of *Sussex*. (a)

[31st March 1824.]

[*New Trustees. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.*]

*Cap. xvii.*

An Act for more effectually repairing and amending the Road leading from the High Street in the Town of *Arundel* to the Turnpike Road leading from *Petworth* to *Stopham*, on *Fildeworth Common*, in the County of *Sussex*. (a)

[31st March 1824.]

[*New Trustees. 43 G. 3. c. lxxvii. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.*]

*Cap. xviii.*

18 G. 3. c. 35.  
21 G. 3. c. 13.

An Act for altering and enlarging the Powers of Two Acts of His late Majesty for the better Relief and Employment of the Poor within the Hundred of *Stow* in the County of *Suffolk*.

[12th April 1824.]

*Cap. xix.*

An Act for providing a convenient House, with suitable Accommodations, for His Majesty's Judges at the Assizes for the County Palatine of *Lancaster*, and for maintaining and supporting the same.

[12th April 1824.]

*Cap. xx.*

49 G. 3. c. cxiv. An Act to revive and amend an Act of the Forty ninth Year of His late Majesty, for building a Chapel of Ease in the Town of *Worthing* in the County of *Sussex*.

[12th April 1824.]

*Cap. xxi.*

An Act for building a Church or Chapel of Ease, in the Township of *Roundhay*, and Parish of *Barwick* in *Elmet*, in the West Riding of the County of *York*.

[12th April 1824.]

[*Proviso for Rights of Rector in respect of Tithes, &c.*]

*Cap. xxii.*

An Act for better paving, lighting, cleansing, watching and improving the Town and Borough of *Plymouth* in the County of *Devon*; and for regulating the Police thereof; and for removing and preventing Nuisances and Annoyances therein.

[12th April 1824.]

[10 G. 3. c. 14. 12 G. 3. c. 8. 14 G. 3. c. 8. repealed.]

*Cap. xxiii.*

An Act for paving, lighting, cleansing, watching, regulating and otherwise improving the Town of *Keighley*, within the Parish of *Keighley*, in the West Riding of the County of *York*.  
[12th April 1824.]

*Cap. xxiv.*

An Act for amending, repairing and maintaining the Road from *Sandon* in the County of *Stafford*, to *Bullock Smithy* in the County of *Chester*; and from *Hilderstone* to *Draycott in the Moors*, and from *Wetley Rocks* to *Tean* in the said County of *Stafford*. (a)  
[12th April 1824.]

[*New Trustees*. 2 G. 3. c. 42. 23 G. 3. c. 99. 43 G. 3. c. lii. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. xxv.*

An Act for improving and keeping in Repair the Road from *Span Smithy* in the County of *Chester*, to *Talk* in the County of *Stafford*. (b)  
[12th April 1824.]

[*New Trustees*. 28 G. 3. c. 104. 43 G. 3. c. i. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. xxvi.*

An Act for further extending the Powers of the Company of Proprietors for embanking Part of the *Lairy* near *Plymouth*.  
[12th April 1824.]

42 G. 3. c. 32.  
43 G. 3. c. xv.

*Cap. xxvii.*

An Act for exonerating the Inhabitants of the several Hamlets, Tithings and Places within the Parish of *Wedmore* in the County of *Somerset*, from the exclusive Maintenance and Repair of the Public Highways within the Limits of the said Hamlets, Tithings and Places respectively, and for charging the same in future on the Inhabitants at large of the said Parish.  
[12th April 1824.]

*Cap. xxviii.*

An Act for repairing the Road leading from the *Worcester Turnpike Road*, in the Village of *Broadway* in the County of *Worcester*, to the *Stratford-upon-Avon Turnpike Road*, in the Village of *Mickleton* in the County of *Gloucester*. (b)  
[12th April 1824.]

[*New Trustees*. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. xxix.*

An Act for making a Turnpike Road from *Redbrook* to *Saint Arvans* in the County of *Monmouth*, and for building a Bridge on the Line of the said Road over the River *Wye*, and for mak-

ing other Turnpike Roads to communicate therewith, in the Counties of *Monmouth* and *Gloucester*. (b) [12th April 1824.]  
 [New Trustees. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

Cap. xxx.

An Act for repairing, improving and maintaining several Roads leading to and from *Cerne Abbas* in the County of *Dorset*. (a)  
 [12th April 1824.]  
 [New Trustees. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

Cap. xxxi.

An Act for making and maintaining certain Roads from *Kingsbridge* to *Dartmouth*, *Modbury*, *Salcombe* and other Places in the South Part of the County of *Devon*. (b)  
 [12th April 1824.]  
 [New Trustees. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

Cap. xxxii.

An Act for more effectually amending the Roads from *Whitchurch* in the County of *Salop*, to that Part of the Road leading from *Nantwich* in the County of *Chester*, to *Newcastle-under-Lyne* in the County of *Stafford*, which passes through the Township of *Madeley* in the said County of *Stafford*; and also from *Hinstock* in the said County of *Salop*, to *Nantwich* aforesaid. (b)  
 [12th April 1824.]  
 [New Trustees. 7 G. 3. c. 92. 25 G. 3. c. 102. 44 G. 3. c. xviii. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

Cap. xxxiii.

An Act for widening, improving and maintaining the Turnpike Road leading from the City of *Worcester*, through *Droitwich* to *Spadesbourne Bridge*, within the Parish of *Bromsgrove* in the County of *Worcester*, and other Roads therein mentioned. (a)  
 [12th April 1824.]  
 [New Trustees. 33 G. 3. c. 175. and 43 G. 3. c. lxiv. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

Cap. xxxiv.

An Act for repairing the Road from *Burtryford* in the County of *Durham*, through *Alston* in the County of *Cumberland*, to *Burnstones* in the County of *Northumberland*, and from *Summerrood Bar* near *Hexham* to *Alston* aforesaid, and several other Roads in the said Counties, and in the North Riding of the County of *York*, and for erecting Bridges over the River *Tyne*. (a)  
 [12th April 1824.]  
 [New Trustees. 34 G. 3. c. 125. 55 G. 3. c. viii. 2 G. 4. c. x. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. xxxv.*

In Act for amending and improving the Road from *Glossop to Marple Bridge* in the County of *Derby*, and the several Branches of Roads leading to and from the same. (b)

[12th April 1824.]

*New Trustees.* 43 G.3. c. xviii. repealed. Powers of 3 G.4. c. 126. and 4 G.4. c. 95. extended to this Act.]

*Cap. xxxvi.*

In Act for improving and keeping in Repair the Road from the End of the County of *Stafford* to the City of *Chester*, lying betwixt the End of the said County of *Stafford* and One hundred Yards of the East End of a certain Smithy called *Duddon Smithy* in *Clotton* in the said County of *Chester*. (b)

[12th April 1824.]

*New Trustees.* 9 G.3. c. 94. 29 G.3. c. 91. 43 G.3. c. xciv. all repealed. Powers of 3 G.4. c. 126. and 4 G.4. c. 95. extended to this Act.]

*Cap. xxxvii.*

In Act to alter and amend *An Act for erecting a New Gaol and Court House in the Burgh of Ayr in the Shire of Ayr.* 56 G.3. c. xix.

[15th April 1824.]

*Cap. xxxviii.*

In Act for continuing and enlarging the Term and Powers of several Acts passed in the Thirty second Year of the Reign of King *George* the Second, and the Twentieth and Forty second Years of His late Majesty King *George* the Third, charging a Duty of Two Pennies Scots, or One sixth Part of a Penny Sterling, upon every Scots Pint of Ale, Porter and Beer brewed for Sale, brought into, tapped or sold within the Town and Parish of *Kelso* in the County of *Roxburgh*, for the Purposes therein mentioned.

[15th April 1824.]

32 G.2. c. 56. 20 G.3. c. 11. and 42 G.3. c. xxxiii. continued for 21 years.]

*Cap. xxxix.*

In Act to alter and amend *An Act for the Regulation of the Corporation of the Masters and Assistants of the Trinity House of Leith.* 1 G.4. c. 37.

[15th April 1824.]

*Cap. xl.*

In Act for taking down, rebuilding and enlarging *Maidenhead Chapel*, in the County of *Berks.*

[15th April 1824.]

*Cap. xli.*

In Act for the better levying and collecting the Rates for the Relief and Maintenance of the Poor of the Parish of *South Lynn*, otherwise *All Saints*, in the Borough of *King's Lynn* in the

the County of *Norfolk*, by assessing the Owners of certain Messuages and other Property in the said Parish, instead of the Occupiers thereof; and also for erecting a Workhouse in the same Parish. [15th April 1824.]

Cap. xlii.

See 47 G. 3. An Act for lighting the City of *Dublin* and Environs thereof with  
Sess. 2. c. cix. Oil Gas. [15th April 1824.]

Cap. xliii.

An Act for repairing the Road from *Dunchurch* to *Stonebridge* in the County of *Warwick*. (a) [15th April 1824.]

[*New Trustees*. 10 G. 1. c. 15. 13 G. 2. c. 22. 26 G. 2. c. 73. 10 G. 3. c. 90. 42 G. 3. c. c. all repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

Cap. xliiv.

An Act for making and maintaining a Turnpike Road from *Colne* in the County of *Lancaster*, to communicate with the Road leading from *Clitheroe* in the same County, to *Skipton* in the County of *York*. (a) [15th April 1824.]

[*New Trustees*. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

Cap. xlv.

An Act for making and maintaining a Turnpike Road from *Rugeley*, through *Armitage*, to *Alrewas*, with a Branch therefrom, in the County of *Stafford*. (a) [15th April 1824.]

[*New Trustees*. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

Cap. xlvi.

An Act for more effectually repairing the Road from the *Trent Bridge* in the County of the Town of *Nottingham*, to *Coles Bridge* in the County of *Leicester*. (a) [15th April 1824.]

[*New Trustees*. 20 G. 3. c. 87. 44 G. 3. c. iv. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

Cap. xlvii.

An Act for making and maintaining a Navigable Canal from the River *Lee* Navigation in the Parish of *Saint Mary Stratford Bow* in the County of *Middlesex*, to join the *Regent's Canal* at or near a Place called *Old Ford Lock*, in the Parish of *Saint Matthew Bethnal Green*, in the said County of *Middlesex*. [17th May 1824.]

Cap. xlviii.

2 G. 4. c. xlv. An Act to authorize the Company of Proprietors of the *Stockton*  
4 G. 4. c. xxxiii. and *Darlington* Railway to relinquish One of their Branch Railways, and to enable them to make another Branch Railway in lieu



lieu thereof; and to enable the said Company to raise a further Sum of Money, and to enlarge the Powers and Provisions of the several Acts relating to the said Railway.

[17th May 1824.]

Cap. xlix.

An Act for making a Railway from *Palace-Craig* in the Parish of *Old Monkland* in the County of *Lanark* to the *Forth* and *Clyde Canal* near *Kirkintilloch* in the County of *Dumbarton*.

[17th May 1824.]

Cap. l.

An Act for enlarging the Powers and Provisions of an Act of His late Majesty, intituled *An Act for taking down and rebuilding the Parish Church of Blackburn in the County Palatine of Lancaster, and for providing additional Burial Ground, and for equalizing the Church Rates in the said Parish, and other Purposes.* 59 G.3. c.liv.

[17th May 1824.]

Cap. li.

An Act for establishing and regulating a Market, and for erecting a Town Hall and Market Place, in the Township of *Bilston* in the County of *Stafford*.

[17th May 1824.]

Cap. lii.

An Act for repealing so much of an Act of the Thirteenth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for appointing Wardens and Assay Masters for assaying Wrought Plate in the Towns of Sheffield and Birmingham*, as relates to the Town of *Birmingham*, and within Twenty Miles thereof; and for granting further and more effectual Powers for assaying and marking Gold and Silver Plate, wrought or made within the said Town of *Birmingham*, and within Thirty Miles thereof, and for other Purposes relating thereto.

[17th May 1824.]

WHEREAS an Act was passed in the Thirteenth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for appointing Wardens and Assay Masters for assaying Wrought Plate in the Towns of Sheffield and Birmingham*, whereby the Towns of *Birmingham* and *Sheffield* are appointed for the assaying and marking of Wrought Silver Plate, and whereby certain Persons were incorporated a Company belonging to the Town of *Birmingham*, and styled "The Guardians of the Standard of Wrought Plate," with Power to appoint Wardens and an Assayer of Silver Manufactures made or wrought in the said Town, or within Twenty Miles thereof: And Whereas by an Act passed in the Twelfth Year of the Reign of King *George the Second*, intituled *An Act for the better preventing Frauds and Abuses in Gold and Silver Wares*, the Standard in the making of any Gold Vessel, Plate or Manufacture of Gold whatsoever, was limited to Twenty two Carats of fine Gold in every Pound Weight Troy, and in the making of any Silver

13 G.3. c.52.  
§ 1.

12 G.2. c.26.

38 G. 3. c. 69.

‘ Silver Vessel, Plate or Manufacture of Silver whatsoever, was  
 ‘ limited to Eleven Ounces and Two Pennyweights of fine Silver  
 ‘ in every Pound Weight Troy; and by an Act passed in the  
 ‘ Thirty eighth Year of His said late Majesty, intituled *An Act*  
 ‘ *for allowing Gold Wares to be manufactured at a Standard lower*  
 ‘ *than is now allowed by Law*, the Standard in the making of any  
 ‘ Gold Vessel, Plate or Manufacture was allowed to be Eighteen  
 ‘ Carats of fine Gold in every Pound Weight Troy, and certain  
 ‘ Marks were thereby required to be made thereon: And  
 ‘ Whereas it is by the said last recited Act declared to be lawful  
 ‘ for the respective Companies of Goldsmiths in *London, Edin-*  
 ‘ *burgh, Birmingham* and *Sheffield*, and other Places therein men-  
 ‘ tioned (being respectively duly authorized), to touch, assay and  
 ‘ mark any Gold Vessel, Plate or Manufacture of Gold, to be made  
 ‘ and wrought as therein specified; but inasmuch as the said Act  
 ‘ of the Thirteenth Year of the Reign of His late Majesty,  
 ‘ whereby the said *Birmingham* Company was established, does  
 ‘ not contain such Authority, the Persons exercising the Trades  
 ‘ or Businesses of Goldsmiths, Jewellers and Gold Plate Workers,  
 ‘ residing within the said Town of *Birmingham* and the Neigh-  
 ‘ bourhood thereof, cannot exercise and enjoy the Privileges and  
 ‘ Advantages which by the said Act of the Thirty eighth Year of  
 ‘ the Reign of His late Majesty it was assumed they had and  
 ‘ intended that they should have and enjoy, and great Difficul-  
 ‘ ties, Delays and Inconveniences are occasioned to them in re-  
 ‘ gard to the assaying and marking of such Gold Manufactures:  
 ‘ and it would be of great Convenience and Advantage to them  
 ‘ in the Exercise of their Trades if the said Company of Guar-  
 ‘ dians belonging to the Town of *Birmingham* were empowered to  
 ‘ examine, mark and assay Manufactures wrought or made in  
 ‘ Gold, as contemplated by the said Act of the Thirty eighth Year  
 ‘ of His said late Majesty, in like Manner as they are empowered  
 ‘ by the said Act of the Thirteenth Year of His said late Majesty, to  
 ‘ assay Manufactures wrought or made in Silver in the said Town  
 ‘ of *Birmingham*, and within Twenty Miles thereof: And Where-  
 ‘ as the Purposes of the said Act of the Thirteenth Year of the  
 ‘ Reign of His late Majesty might be more effectually executed  
 ‘ if the said Guardians were empowered to purchase Lands and  
 ‘ Buildings for an Office or Offices: And Whereas it is expedient  
 ‘ that the Powers and Provisions of the said recited Act of the  
 ‘ Thirteenth Year of the Reign of His said late Majesty, so far as  
 ‘ the same relate to the Town of *Birmingham*, and within Twenty  
 ‘ Miles thereof, should be repealed, and further and other Powers  
 ‘ be granted for effecting the Purposes thereof; but the several  
 ‘ Purposes aforesaid cannot be effected without the Aid and  
 ‘ Authority of Parliament: May it therefore please Your Ma-  
 ‘ jesty 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 Thirtieth Day of *June* One thousand eight  
 ‘ hundred and twenty four, the said recited Act of the Thirteenth  
 ‘ Year of the Reign of His said late Majesty King *George* the  
 ‘ Third, so far as the same relates to the said Town of *Birming-*  
 ‘ *ham*,

13 G. 3. c. 52.  
 repealed, so far  
 as relates to  
 Birmingham,  
 &c.

ham, and within Twenty Miles thereof, and no further, shall be and the same is hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever.

II. And be it further enacted, That the present Assay Office in *Birmingham*, and the Ground and Appurtenances thereto belonging, and all Messuages, Lands, Tenements, Rents, Rent Charges and all other Hereditaments whatsoever and wheresoever, and of what Nature, Tenure or Kind soever, vested in or belonging to or possessed by the Company of Guardians of the said Town of *Birmingham*, constituted under and by virtue of the said recited Act of the Thirteenth Year of the Reign of His late Majesty, and all Goods, Chattels, Monies, Securities for Money and Effects, Debts, Demands, Rights, Remedies, Cause and Causes of Action, which at the Time of the passing of this Act shall belong to the said Company, or which shall be in the Hands, Custody or Possession of any Person or Persons whomsoever, for the Use or on account of the same, and all Materials, Articles and Things which shall have been provided for the Purposes of the said Company, shall be fully and absolutely vested in the Company by this Act constituted for such and the like Estates, Terms and Interests, and to such and the like Effect in Law, as the same were previously vested in or held or possessed by or for the said Company of Guardians, constituted under and by virtue of the said recited Act of the Thirteenth Year of the Reign of His late Majesty.

Property of the former Company vested in the Company hereby constituted.

III. And be it further enacted, That the Company by this Act constituted shall be and is hereby made subject and liable to and for all Agreements, Bonds, Covenants, Matters and Things to and for which the Company of Guardians of Wrought Plate in *Birmingham*, constituted by the said recited Act of the Thirteenth Year of the Reign of His late Majesty, are or shall be at the Time this Act shall take effect subject and liable, in the same Manner to all Intents and Purposes as if such Agreements, Bonds, Covenants, Matters and Things had been made, entered into or given or done under the Powers or Provisions of this Act.

New Corporation made liable to the Obligations of the Old.

IV. And be it further enacted, That the Right Honourable the Earl of *Warwick*, *James Alston*, *William Charles Alston*, *Anderson Ashmore*, *William Anderton*, *Matthew Robinson Boulton*, *Thomas Beilby*, *William Blakeway*, *Dugdale Stratford Dugdale*, *Samuel Galton*, *Samuel Tertius Galton*, *William Hamper*, *Hyla Holden*, *Francis Lawley*, *Heneage Legge*, *Matthew Linwood*, *John Lawrence*, *Robert Mitchell*, *Theodore Price*, *Thomas Pemberton*, *William Phipson*, *James Pearson*, *Samuel Ryland*, *Westley Richards*, *John Rotton*, *George Simcox*, *Timothy Smith*, *Richard Spooner*, *Francis Sheppard*, *Joseph Taylor*, *Edward Thomason*, *William Villers*, *John Vale*, *William Wheelwright*, *Joseph Willmore*, and *James Woolley*, shall be and they are hereby appointed Guardians of the Standard of Wrought Plate of or belonging to the Town of *Birmingham*, and within Thirty Miles thereof; and the said Guardians shall be and they are hereby incorporated and declared to be a Company, and shall be called or known by the Name of "The Guardians of the Standard of Wrought Plate in *Birmingham*," and by that Name shall have perpetual Succession, and

Guardians appointed and incorporated.

## Qualification.

from thenceforth for ever remain and continue to be a Body Politic and Corporate in Law to all Intents and Purposes, and shall have a Common Seal, and shall be enabled to sue and be sued by that Name in all Courts and Places of Judicature within these Realms, and by that Name shall and may from time to time without Licence in Mortmain purchase and hold any Lands, Tenements or Hereditaments for the Purposes of this Act; and the said Guardians hereinbefore named, and their respective Successors to be appointed as hereinafter mentioned, shall respectively continue Members of such Company so long as they shall occupy any Lands, Tenements or Hereditaments in the said Town, or within Thirty Miles thereof.

## Appointment of Guardians in Cases of Death, &amp;c.

V. And in order that the said Company may have perpetual Succession, be it further enacted, That in case the said Guardians, or any or either of them, shall die or shall cease to occupy any Lands, Tenements or Hereditaments situate in the said Town, or within Thirty Miles thereof, it shall be lawful for the said Company, and they are hereby authorized and directed annually at their General Meeting, to be held as hereinafter is mentioned, to supply all Vacancies so occasioned, and for that Purpose to choose and elect, by a Majority of the Guardians present, some fit and proper Person or Persons occupying Lands, Tenements or Hereditaments situate in the said Town, or within Thirty Miles thereof, to be a Guardian or Guardians in the Place and Stead of such Guardian or Guardians who shall have died, or have ceased to occupy any Lands, Tenements or Hereditaments situate in the said Town, or within the Distance of Thirty Miles thereof: Provided always, that when the Number of Guardians is complete, there shall not at any Time be more than Nine nor less than Six Persons exercising the Trades of Goldsmiths and Silversmiths, or either of those Trades, Members of the said Company of Guardians.

## Proviso.

## Annual and other Meetings.

VI. And be it further enacted, That the said Company shall hold an annual Meeting at some convenient House or Place in the said Town of *Birmingham*, on the First *Monday* in the Month of *July*, or within Fourteen Days thereof, for executing the Powers of this Act; and it shall and may be lawful for any Five or more of the said Guardians, upon any special Occasion, to convene any other Meeting or Meetings of the said Company, to be held at the same or such other Place or Places within the said Town of *Birmingham*, and at such Time and Times as to them shall seem convenient, upon giving Three Days' Notice thereof in Writing, and shall and may, if they shall think fit, from time to time adjourn any such Meeting or Meetings to any Place or Places in the said Town of *Birmingham*; and at all such Meetings a Chairman shall and may be appointed, who, in case of an Equality of Votes on any Question, shall have and give the decisive or casting Vote.

## Power to make Bye Laws.

VII. And be it further enacted, That it shall be lawful for the said Company at any of their Meetings to be held in pursuance of this Act, from time to time to make and appoint or cause to be made and appointed a Common Seal or Common Seals for the Use of the said Company, and to alter or vary the same from time to time as they shall think proper; and also from time to time

to make Bye Laws, Rules, Orders and Regulations for the well Government and Management of their Assay Office, and for fixing the Salaries and Rewards of the Officers belonging thereto, and for fixing the Time and Manner for receiving in and delivering out Gold and Silver Plate brought to be assayed, and also for determining the Rates and Prices to be charged for assaying and marking the same, and for every other Purpose relative to the Conduct or Management of such Office; and likewise from time to time to vary, alter, amend or repeal all or any of such Bye Laws, Rules, Orders and Regulations, provided that the same, or any Alteration to be made therein, do not in any respect contradict this Act, or the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*; and such Bye Laws, Rules, Orders and Regulations, and any Alteration thereof, shall be subject to Appeal in Manner hereinafter mentioned.

VIII. And be it further enacted, That it shall be lawful for the said Company, and they are hereby required, at their First Meeting and at their subsequent annual Meetings, to elect and appoint not less than Four nor more than Six Persons (being Guardians as aforesaid) to be Wardens of the said Company, which Wardens shall continue in Office for the Term of One Year and no longer, unless re-elected to such Office in pursuance of this Act; and if any of the Wardens so chosen as aforesaid shall, before the Expiration of his Term of Service, die or cease to occupy any Lands, Tenements or Hereditaments in the said Town, or within the Distance of Thirty Miles thereof, then the said Company shall, at their next Meeting after such Death or Removal shall happen or be known, choose another of such Guardians in Manner aforesaid, to be a Warden in his Room, and such Person so elected shall be and is hereby authorized and required to act as Warden for the Remainder of such Term and no longer, unless re-elected to such Office in pursuance of this Act:

Wardens to be elected.

IX. And be it further enacted, That each of the said Wardens shall after his Election, and before he shall take upon himself the Execution of the said Office, take and subscribe an Oath or Affirmation in the Form or to the Effect following; (that is to say),

‘ I *A. B.* do swear [or, being one of the People called *Quakers*, do solemnly affirm], That I will, so long as I continue a Warden, well and faithfully conduct myself in the said Office; and that I will not discover, by Description in Words or otherwise, to any Person or Persons whomsoever, any Pattern, Design or Invention of any Piece or Pieces of Gold or Silver Plate, brought or to be brought to the Office to be assayed, or wittingly or willingly permit the same or any of them or any Part thereof to be viewed or examined by any Person whomsoever but the Persons necessarily employed or to be employed in the said Assay Office; and that I will not disclose or give any Information which may be injurious to any Manufacturer of Wrought Gold or Silver Plate, which I may learn, derive or know by Means of such my Office, (except to the Guardians or Wardens of the said Assay Office or other competent Authority); and that

Warden's Oath.

‘ that I will in all Things conform to the Rules prescribed for  
 ‘ my Conduct in an Act passed in the Fifth Year of the Reign of  
 ‘ His Majesty King *George* the Fourth, intituled *An Act for, &c.*  
 ‘ [here insert the Title of this Act.] So help me GOD.’  
 [or being One of the People called *Quakers*, omit the Words ‘ So  
 help me GOD.’]

Which Oath or Affirmation any Justice of the Peace acting for  
 the County of *Warwick* is hereby required and empowered to  
 administer to such Wardens.

Assayers to be  
 appointed.

X. And be it further enacted, That the said Company shall at  
 their First Meeting after the passing of this Act, and afterwards  
 from time to time as Occasion shall require, at any Meeting to be  
 held in pursuance of this Act, elect and choose One or more able  
 and skilful Person or Persons experienced in the assaying of Gold  
 and Silver, to be the Assayer or Assayers of the said Company; and  
 that such Person or Persons so chosen shall continue in the said  
 Office during his or their Life or Lives, unless he or they shall  
 refuse or neglect to attend to the said Business, or be rendered  
 incapable of executing the said Office of Assayer (for which said  
 Assayer or Assayers it shall and may be lawful to detain Six  
 Grains only from every Pound Troy of Gold Plate he or they shall  
 assay, One Part whereof shall be put into the Diet Box, and the  
 other Part shall be allowed him towards his Waste and Spillings  
 in making the said Assays of Gold Plate; and it shall and may be  
 lawful for such Assayer or Assayers to detain Eight Grains only  
 from every Pound Troy of Silver he or they shall assay, One  
 Part whereof shall be put into the Diet Box, and the other Part  
 shall be allowed him towards his Waste and Spillings in making  
 the said Assays of Silver Plate); and every Assayer and Assayers  
 chosen in pursuance of this Act, immediately after his or their  
 Election or Elections, and before he or they shall take upon him-  
 self or themselves the Execution of the said Office, shall enter into  
 a Bond or Obligation to the Master of His Majesty's Mint for  
 the Time being, with Two sufficient Sureties to be approved of  
 by the said Master, in the Penalty of Five hundred Pounds, for  
 the Execution of the said Office, and for the due Payment of all  
 such Fines and Sums of Money as are and shall be charged and  
 imposed on him or them by this Act, for Neglect or Fraud in the  
 Execution of the said Office; and shall also take and subscribe an  
 Oath, or, if one of the People called *Quakers*, an Affirmation, in  
 the Form or to the Effect following; (that is to say),

Security for ex-  
 ecuting Office.

Assayer's  
 Oath.

‘ I *A. B.* do swear [or, being one of the People called *Quakers*,  
 ‘ do solemnly affirm], That I will, so long as I continue an  
 ‘ Assayer to the Guardians of the Standard of Wrought Plate in  
 ‘ the Town of *Birmingham*, well and faithfully conduct myself in  
 ‘ the said Office, and no undue Profit to myself take, to the Hurt or  
 ‘ Hindrance of any Person that is Owner or Bringer of any Gold  
 ‘ or Silver in Plate to be assayed, except of Wrought Gold  
 ‘ Plate only Six Grains of every Pound Troy, a Part whereof to  
 ‘ be taken and put into the Diet Box, and other Part whereof  
 ‘ to be taken for my Waste and Spillings in making the said  
 ‘ Assays, and except of Wrought Silver Plate only Eight Grains  
 ‘ of every Pound Troy, a Part whereof to be taken and put into  
 ‘ the

‘ the Diet Box, and other Part whereof to be taken for my Waste  
 ‘ and Spillings in making the said Assays ; and that I will touch  
 ‘ no Gold nor Silver but what shall be of the Goodness and  
 ‘ according to the Standard of this Kingdom, which for the Time  
 ‘ being is or shall be appointed by Law for Wrought Gold and  
 ‘ Silver Plate, or better ; and all such Gold or Silver as shall be  
 ‘ brought to me to be touched, I will carefully examine, to see if  
 ‘ it be all of one Sort of Gold or Silver, and forward enough in  
 ‘ the Workmanship, and whether all the Pieces be together that  
 ‘ are intended to be affixed together, and whether it be not  
 ‘ charged with unnecessary Solder ; and if I find the said Gold or  
 ‘ Silver Plate liable to either of the Objections aforesaid, I will  
 ‘ not assay the same ; and that I will truly set down in Writing all  
 ‘ such Gold and Silver as shall be brought to me to be touched,  
 ‘ and the same at all Times as I shall be required will duly and  
 ‘ truly deliver again (except as aforesaid), and will true Accounts  
 ‘ make thereof when required by the Wardens of this Company ;  
 ‘ and that I will no Assays make of Things new wrought before  
 ‘ they be marked with the Mark of the Maker or Owner thereof ;  
 ‘ and that I will, according to the best of my Skill and Judgment,  
 ‘ make every Assay so and in such Manner as may best ascertain  
 ‘ the true intrinsic Standard of such Plate so to be assayed ; and  
 ‘ that I will not put, or wittingly or willingly suffer to be put,  
 ‘ into the aforesaid Diet Box any Gold or Silver but that Gold or  
 ‘ Silver which has been scraped and taken from the Plate which  
 ‘ I shall assay and pass for Standard ; and that I will not by  
 ‘ myself, or in Partnership with any other Person, directly or  
 ‘ indirectly, be concerned in the buying or selling of Gold or  
 ‘ Silver Bullion, or in the manufacturing of Gold or Silver  
 ‘ Wrought Plate. So help me GOD.’

[*or being One of the People called Quakers, omit the Words ‘ So help me GOD.’*]

Which Oath or Affirmation any Justice of the Peace acting for the County of *Warwick* is hereby required and empowered to administer to such Assayer.

XI. And be it further enacted, That the said Company at any of their annual General Meetings to be held under or by virtue of this Act shall and may appoint some fit and proper Person to be a Treasurer, and also appoint some fit and proper Person to be a Clerk, and such other Officers as the said Company shall think necessary (not being one of the said Guardians) ; and from time to time remove any such Treasurer, Clerk or other Officer or Officers, and on his or their Death, Neglect, Disqualification or Removal, may appoint another or others in his or their Stead : Provided always, that the said Guardians shall and they are hereby required to take sufficient Security from every such Treasurer for the due and faithful Execution of his Office, before such Treasurer shall enter upon the Duties of his Office ; and the said Guardians shall and may, if they think proper, also take such sufficient Security from any other Officer to be appointed under or by virtue of this Act.

Appointment  
of Treasurer  
and other  
Officers.

Treasurer to  
give Security  
for Execution  
of Office.

XII. Provided always, and be it further enacted, That it shall not be lawful for the said Company to continue or appoint the

Treasurer and  
Clerk not to  
be the same  
Person.

Accepting both  
Offices.

Penalty 100*l*.

Assistants' and  
Servants' Oath.

Person who has been or may be appointed their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, the Treasurer for the Purposes of this Act; or to continue or appoint any Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer, the Clerk to the said Company; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same; to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit or Information, wherein no Essoign, Protection or Wager of Law, nor more than One Impar lance shall be allowed.

XIII. Provided also, and be it further enacted, That all and every Assistant and Servant to be employed in the Assay Office under such Wardens, Assayer or Assayers, shall, previous to their or any of their being engaged in the said Office, take and subscribe an Oath, (or being one of the People called *Quakers*, an Affirmation), in the Form or to the Effect following; (that is to say),

' I *A. B.* do swear [*or, being one of the People called Quakers, do solemnly affirm*], That I will, so long as I continue an Assistant or Servant of the Company of the Guardians of Wrought Plate in the Town of *Birmingham*, well and faithfully conduct myself in the said Office; and that I will not discover, by Description in Words or otherwise, to any Person or Persons whomsoever, any Pattern, Design or Invention of any Piece or Pieces of Gold or Silver Plate, brought to the said Office to be assayed, or wittingly or willingly permit the same, or any of them or any Part thereof, to be viewed or examined by any Person whomsoever but the Persons by or under whom I am or shall be employed in the said Assay Office; and that I will not disclose or give any Information which may be injurious to any Manufacturer of Wrought Gold or Silver Plate, and which I may derive or know in Consequence of my being employed in the said Office, except to the Guardians or Wardens of the said Assay Office or other competent Authority; and that I will in all Things conform to the Rules laid down for my Conduct in or by virtue of an Act passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for, &c.* [*here insert the Title of this Act*], and to all Rules laid down or to be laid down by any Bye Law to be made in pursuance of the same Act. So help me GOD.'

[*or being a Quaker, omit the Words ' So help me GOD.'*]

Which



Which Oath or Affirmation any Justice of the Peace acting for the said County of *Warwick* is hereby required and empowered to administer.

XIV. And be it further enacted, That the said Assay Office shall be for receiving and assaying Wrought Gold and Silver Plate, which shall be brought to be assayed in pursuance of this Act; and all Wrought Gold and Silver Plate that shall be brought to the said Office for the Purposes aforesaid shall be examined by Two of the Wardens and the Assayer of the said Company, to see if it be all of one Sort of Gold or Silver, and forward enough in the Workmanship, and whether all the Pieces be together that are intended to be affixed together, and whether it be marked with the Maker or Owner's Mark, or be not charged with unnecessary Solder; and if the said Wardens and Assayer shall find any of such Gold or Silver Plate liable to either of the Objections aforesaid, then they shall return the same without making any Assay thereof; but if they shall find such Gold and Silver Plate free from all the Objections aforesaid, then there shall be drawn, scraped or cut off, in the Presence of Two of the Wardens and the Assayer, so much from each Piece of Gold Plate in proportion to the Weight thereof, as will not exceed in the Whole the Rate of Six Grains for every Pound Troy, and so much from each Piece of Silver Plate in proportion to the Weight thereof, as will not exceed in the Whole the Rate of Eight Grains for every Pound Troy; and the Drawings, Scrapings or Cuttings from each Piece or Parcel of Gold or Silver Plate, shall be delivered to the Assayer for him to make his Assays, reserving always a due Proportion thereof for Diet, to be disposed of as hereinafter is directed.

Purpose of Assay Office;

and Duty of Wardens and Assayers;

and Wrought Plate to be examined;

XV. And be it further enacted, That the Assayer or Assayers to be appointed by virtue of this Act, shall keep a Book or Books wherein shall be entered the Names of every Owner of Gold and Silver Plate brought to be assayed, and the Weight of the same respectively, and an Account of the Money received for the Assaying thereof; and likewise an Account of the Monies arising from the Scrapings and Cuttings of the said Gold and Silver Plate brought to be assayed; and also an Account of the Officers' and Servants' Salaries and Wages, and other incidental Expences attending the carrying this Act into Execution; and every Member of the said Company shall have free Access to the said Books, and may examine and inspect the same without Fee or Reward.

The Names of Owners, Salaries, &c. entered in Books;

Inspected without Fee.

XVI. And be it further enacted, That if on view of any Gold or Silver Plate so brought to be assayed, by virtue and in pursuance of this Act, the Wardens and Assayer or either of them shall have Suspicion of Iron, or other base Metal, being introduced or concealed in any Piece of Gold or Silver Plate so brought to be assayed as aforesaid, then and in such Case it shall be lawful for the said Wardens and Assayer to cut the same or cause the same in their Presence to be cut; and if upon cutting thereof any Iron or other base Metal shall be found therein, the said Piece of Gold or Silver Plate shall be broken and defaced, and they are hereby authorized and directed to break and deface the same; and the said Piece of Gold or Silver

If base Metal found, the Plate to be broken and Value forfeited.

Plate, or the Value thereof, shall be forfeited to the said Wardens and Assayer, and the Produce thereof be by them applied for and towards the Expences which shall or may be attendant upon or incurred on account of the said Assay Office.

If no base Metal be found on cutting, Recompence to be made.

XVII. Provided always nevertheless, and be it further enacted, That if on cutting such Gold or Silver Plate as aforesaid, no Piece of Iron or other base Metal shall be found therein, then and in such Case the said Wardens and Assayer shall forthwith make a Recompence and Satisfaction in Money to the Owner or Owners of such Gold or Silver Plate, to the full Amount of the Damage done to the same, and charge the same to the Account of the Expences of the said Assay Office.

Drawings, Scrapings, &c. how to be disposed of.

XVIII. And be it further enacted, That the Drawings, Scrapings or Cuttings of each Piece of Gold or Silver Plate as aforesaid, shall be put in separate Papers and marked with corresponding Numbers, and the Assayer who shall assay the same shall make his Report to the Wardens upon each Number or Parcel, and such of the said Numbers as the Assayer shall report to be worse than Standard, the Pieces of Gold and Silver Plate corresponding with such Numbers shall be broken to Pieces in the Presence of the said Wardens and Assayer, and returned to the Owner, he paying not exceeding One Shilling *per* Ounce in respect to Gold Plate, nor exceeding Sixpence *per* Ounce in respect to Silver Plate, to the Assayer for assaying the same, over and above the usual Fees hereinafter authorized to be taken; and such Numbers as the said Assayer shall report to be Standard or better, the Pieces of Gold and Silver Plate respectively corresponding with such Numbers shall be forthwith marked in the Presence of the Wardens and Assayer, with the Marks of the said Company, and delivered to the Owner or Bringer of such Gold or Silver Plate, (he paying for making the respective Assays thereof such Sums of Money as are hereinafter directed to be paid for the same); and all, or a sufficient Portion of the Scrapings belonging to such corresponding Numbers which shall be so reported Standard or better, shall be folded up, and the Name of the Maker of the said Piece of Gold or Silver Plate endorsed thereon, and immediately deposited in a Box to be provided for that Purpose (which shall be called the Diet Box), and which Box shall be locked with Three different Locks, and the respective Keys thereof shall be kept by Two of the said Wardens and the Assayer, and which said Box shall not be opened but in the Presence of Two of the said Wardens and Assayer, nor any of the Diet taken thereout but for the Purpose of Trial thereof, as hereinafter is mentioned; and the Scrapings, Drawings and Cuttings, or so much thereof as shall remain after such Process, shall, in the Presence of the said Wardens and Assayer, be put together into the Assayer's Box, to be disposed of as by this Act is hereinafter directed.

Scrapings of different Standards to be kept separate.

XIX. Provided always, and be it further enacted, That all Gold Plate brought to be assayed, which shall be reported to be of the Standard of Twenty two Carats, or of the Standard of Eighteen Carats, as the same shall respectively be, or any Silver Plate which shall be reported to be of the Standard of Eleven Ounces Ten Pennyweights, or of the Standard of Eleven Ounces Two Pennyweights,

weights, as the same shall respectively be, or better, than the Drawings, Scrapings or Cuttings from such Gold and Silver Plate respectively shall be put into the Diet Box, in separate Partitions thereof, and not blended together, to the Intent that the Diet of such Gold Plate of each of the aforesaid Standards, and of such Silver Plate of the Standards aforesaid, may be separately tried in the annual Trial of the Diet hereinafter directed.

XX. And be it further enacted, That no Goldsmith, Jeweller or Gold Plate Worker, nor any Silversmith or Silver Plate Worker, or any other Person or Persons whomsoever in the said Town of Birmingham, or within Thirty Miles thereof, shall knowingly put to Sale, exchange or sell any Gold Plate, Vessel or Manufacture of Gold, nor any Silver Plate, Vessel or Manufacture of Silver, made or wrought in the said Town of Birmingham, or within Thirty Miles thereof, after the First Day of July One thousand eight hundred and twenty four, or export the same out of this Kingdom, until such Time as such Gold or Silver Plate, Vessel or Manufacture of Gold or Silver shall be marked as follows; (that is to say), every Gold Vessel, Plate or Manufacture of Gold, being of the Standard of Twenty two Carats of fine Gold every Pound Troy, with the Mark or Figure of the Lion passant, and every Gold Vessel, Plate or Manufacture of Gold, being of the Standard of Eighteen Carats, with the Mark of a Crown and the Figures Eighteen; and all and every Silver Vessel, Plate or Manufacture of Silver, being of the Standard of Eleven Ounces two Pennyweights of fine Silver per Pound Troy, with the Lion passant; and all and every Silver Plate or Manufacture of Silver, being of the Standard of Eleven Ounces Ten Pennyweights of fine Silver per Pound Troy, with the Figure of Britannia; and all and every Gold Vessel, Plate or Manufacture of Gold, of either of the Standards or Fineness aforesaid, and all and every Silver Vessel, Plate or Manufacture of Silver of either of the Standards aforesaid, shall be respectively marked in addition to the aforesaid Marks as or Figures as follows; (that is to say), with the Mark of the Worker or Maker thereof respectively, which shall be the First Letters of his Christian and Surname (or in case of any Partnership, the Initials of the Name or Firm of such Partnership) and with the peculiar Mark of this Company, (that is to say), an Anchor to denote the Goodness thereof, and the Place where the same were respectively assayed and marked, and also with a distinct variable Mark or Letter, which Letter or Mark shall be annually changed, on the Election of new Wardens for the said Company, to denote the Year in which such Gold or Silver Plate is marked; upon pain that all Gold and Silver Vessels, Plate or Manufacture of Gold or Silver, which shall be made, exposed to Sale, exchanged or exported contrary to this Act, shall be forfeited or the Value thereof; one Moiety thereof to the King's Majesty, His Heirs and Successors, and the other Moiety thereof to such Person or Persons as will sue for the same, to be recovered by Action of Debt, Bill, Suit or Information in any of His Majesty's Courts of Record at Westminister, wherein no Essoign, Protection, Wager of Law or other than One Impar lance shall be allowed, and over and above other Penalties or Forfeitures imposed by any Act or Acts of Parliament now in force relating to Gold and Silver Plate, or either

No Gold or Silver Plate to be sold until the same shall be marked with certain Marks.

Penalty.

- of them, excepting always such Things as by reason of their Smallness or Thinness are not capable of receiving a Touch; and excepting also such Articles as are specially excepted by an Act passed in the Twelfth Year of the Reign of His Majesty King George the Second, intituled *An Act for the better preventing Frauds and Abuses in Gold and Silver Wares*; and by an Act passed in the Twenty fourth Year of the Reign of His late Majesty King George the Third, intituled *An Act for granting to His Majesty certain Duties on all Gold and Silver Plate imported, and also certain Duties on all Gold and Silver Wrought Plate made in Great Britain*; and by an Act passed in the Thirtieth Year of the Reign of His said late Majesty King George the Third, intituled *An Act to alter so much of an Act made in the Twelfth Year of the Reign of His late Majesty King George the Second, intituled 'An Act for the better preventing Frauds and Abuses in Gold and Silver Wares,' and also so much of another Act, made in the Twenty fourth Year of the Reign of His late Majesty, intituled 'An Act for granting to His Majesty certain Duties on all Gold and Silver Plate imported, and also certain Duties on all Gold and Silver Wrought Plate made in Great Britain,' as relates to the marking of Silver Wares.*

Goldsmiths and Silversmiths shall enter their Names with the Wardens of the Company, &c. ;

Penalty.

Persons counterfeiting Marks, &c. or transposing or exposing to Sale, guilty of Felony.

XXI. And be it further enacted, That from and after the Thirtieth Day of June One thousand eight hundred and twenty four, every Person residing in the said Town of Birmingham, or within Thirty Miles thereof, who shall carry on or follow the Trade or Business of a Goldsmith or Gold Plate Worker, or Silversmith or Silver Plate Worker, shall enter his Name and his Mark and Place of Abode, and if Partners, then their Names with the Style or Firm of their Partnership, and their Mark and Place of Abode, with the Wardens of the said Company, which Entry shall be made by the said Wardens, upon Demand, without Fee or Reward; and if any such Goldsmith or Gold Plate Worker, or Silversmith or Silver Plate Worker, shall not enter his Name and Mark and Place of Abode as aforesaid, or shall reside and carry on his said Trade in any other Place than where he has so entered as the Place of his Abode, and shall not have entered his Removal, or shall strike any other Mark on such Gold or Silver Plate than what shall be so entered, every Person offending in an or either of the Cases aforesaid, shall forfeit the Sum of One hundred Pounds, to be recovered by Action of Debt or on the Case, in any of His Majesty's Courts of Record at Westminster wherein no Essoign, Protection or Wager of Law, nor more than One Imparllance shall be allowed, One Half of which Penalty shall be paid to the Informer, and the other Half shall be applied for and towards the Purposes of this Act.

XXII. And be it further enacted, That if any Person who soever shall cast, forge or counterfeit, or cause or procure to be cast, forged or counterfeited, any Mark or Stamp used or to be used for marking Gold or Silver Plate in pursuance of this Act or by any Maker or Worker of Gold or Silver Plate, or any other of them, or shall cast, forge or counterfeit, or cause or procure to be cast, forged or counterfeited, any Mark, Stamp or Impression, in Imitation of or to resemble any Mark, Stamp or Impression, made or to be made with any Mark or Stamp used

or to be used as aforesaid by the said Company, or by any Maker or Worker of Gold or Silver Plate, or any or either of them, or shall mark or stamp, or cause or procure to be marked or stamped, any Gold Wrought Plate, or Silver Wrought Plate, with any Mark or Stamp which hath been or shall be forged or counterfeited, in Imitation of or to resemble any Mark or Stamp used or to be used as aforesaid by the said Company, or by any Maker or Worker of Gold or Silver Plate, or any or either of them, or shall transpose or remove, or cause or procure to be transposed or removed from One Piece of Gold Wrought Plate or Silver Wrought Plate to another, or to any Gold or Silver Vessel, or to any Vessel of base Metal, any Mark, Stamp or Impression made or to be made by or with any Mark or Stamp used or to be used as aforesaid by the said Company, or by any Maker or Worker of Gold or Silver Plate, or any or either of them, or shall sell, exchange, or expose to sale, or export out of this Kingdom any Gold Wrought Plate, or Silver Wrought Plate, or any Vessel of base Metal with any such forged or counterfeited Mark, Stamp or Impression thereon, or any Mark, Stamp or Impression which hath been or shall be transposed or removed from any other Piece of Gold or Silver Plate, knowing such Mark, Stamp or Impression to be forged, counterfeited or transposed, or removed as aforesaid, shall wilfully or knowingly have or be possessed of any Mark or Stamp, which hath been or shall be forged or counterfeited, in Imitation of and to resemble any Mark or Stamp used or to be used as aforesaid by the said Company, or by any Maker or Worker of Gold or Silver Plate, or any or either of them, every Person offending in any, each or either of the Cases aforesaid, and being thereof lawfully convicted, shall be guilty of Felony, and shall be punished as Felons are directed to be punished by the Laws and Statutes of this Realm.

XXIII. And be it further enacted, That all and every Goldsmith and Gold Plate Worker, and all and every Silversmith and Silver Plate Worker, shall first fix his or their Mark upon his or their Gold Plate and Silver Plate which shall be made from and after the Thirtieth Day of *June* One thousand eight hundred and twenty four, (except such Things as are exempted by any Law now in force, and also except such Things which by reason of their Smallness or Thinness are not capable of receiving the Touch), and shall then bring or send the same respectively to the said Assay Office, and the same shall be there assayed according to the Provisions of this Act; and if it shall be found that the Assayer to be of the Fineness of Standard which for the time being is or shall be appointed by Law for Wrought Gold or Silver Plate, or better, then the same shall be respectively marked with the Company's Marks, in the Presence of Two of the Wardens and Assayer; and it shall and may be lawful to allow for the said Assayer, or such other Person as the Wardens for the Time being of the said Company shall appoint, to ask, demand, take and receive of and from all and every such Person or Persons as shall from time to time bring to the said Assay Office any Piece or Parcel of Wrought Gold or Silver Plate to be assayed, tried and marked, such Prices, Sums of Money or Rewards, as the said Company of Guardians shall from time to time

Goldsmiths, &c.  
to fix their  
Mark before  
sending to the  
Assay Office.

time think fit, so as such Prices, Sums of Money or Rewards do not exceed for Wrought Gold Plate the several and respective Prices, Sums of Money and Rewards following; (that is to say). for assaying, trying and marking each Gold Watch Case or Box, Ten Pence; each single Case or Box, One Shilling and Three Pence; each Sword Hilt or Watch Chain, One Shilling and Sixpence; each Hook, Cane Head, Frame for Picture, Toothpick Case, Coral Socket, Spectacle Frame, Seal, Medal, Spoon, Badge, Pencil Case or Pap Boat, Ten Pence; each Buckle or Piece of Chain, Five Pence; each Snuff Box or other Box, One Shilling and Three Pence; each Thimble, Broach, Slide or Blade, Sixpence; each Pair of Sleeve Buttons, Two Pence; each Ring, Coat or Breast Button, One Penny; every other Piece or Parcel of Wrought Gold Plate weighing Thirty Ounces or under, Two Shillings and Sixpence; and for Pieces of large Gold Plate weighing upwards of Thirty and under Fifty Ounces, Four Shillings, and so in Proportion for greater Pieces or Parcels; and for Wrought Silver Plate such Prices, Sums of Money or Rewards, as shall not exceed the Sum of One Shilling for every Pound Troy, and so in Proportion for every greater Quantity of Silver Plate so assayed and marked.

Prices allowed to be taken by this Act for assaying and marking small Pieces of Wrought Plate.

XXIV. Provided always, and be it further enacted, That if any Parcel or single Piece of Wrought Gold or Silver Plate shall be brought or sent to the said Assay Office to be assayed and marked, which, according to the Rates or Prices hereinbefore limited, shall not amount to the Sum of One Shilling and Sixpence on a Parcel of Gold Plate or Manufacture of Gold, and One Shilling on a Parcel of Silver Plate or Manufacture of Silver then there shall be paid for assaying and marking such Parcel or single Piece of Wrought Gold or Silver Plate respectively a Sum of Money or Reward not exceeding One Shilling and Sixpence for the Parcel of Gold, and One Shilling for the Parcel of Silver Plate: Provided also, that for all small Pieces of Silver Ware which shall be sent to be assayed and marked, it shall be lawful to take and receive such other Prices, Sums and Rewards as shall not exceed the Rate of Sixpence *per* Dozen for assaying and marking such small Pieces, such Dozen Pieces not exceeding in Weight Six Ounces Troy; any Thing herein contained to the contrary in any wise notwithstanding.

Marks to be locked up as herein mentioned. Plate marked in Presence of Two Wardens and Assayer.

XXV. And be it further enacted, That the Marks of the said Company shall be locked up in a Box with three different Locks and the respective Keys thereof shall be kept by Two of the Wardens and the Assayer of the said Company, and shall not be taken thereout but in the Presence of Two of the said Wardens and the Assayer for the Time being, for the Purpose of marking the Gold and Silver Plate which shall have been assayed and reported Standard; and which Gold and Silver Plate shall be marked in the Presence of Two of the said Wardens and the Assayer, and the Marks immediately after locked up in Manner aforesaid.

Assayers not to discover any Design, Pattern, &c. of Plate brought to be assayed.

XXVI. And be it further enacted, That it shall not be lawful for the Assayer or Assayers so to be appointed or elected in virtue of this Act, to discover or explain, by Description in Writing or otherwise, to any Person or Persons whomsoever, any Pattern, Design or Invention of any Piece of Gold or Silver Plate brought

or to be brought to the Assay Office to be assayed as aforesaid, or permit the same to be viewed or examined by any Person whomsoever but the Wardens and other Persons necessarily employed or to be employed in the said Office; and if by Connivance of the said Wardens or otherwise, the Assayer shall mark any Gold or Silver Plate with the Company's Mark any otherwise than in the Presence of the Two Wardens, or if he shall mark any Gold or Silver Plate which has not been assayed and found Standard, or if he shall discover by Description in Words or otherwise, to any Person or Persons whomsoever, any Pattern, Design or Invention of any Piece of Gold or Silver Plate brought to the Office to be assayed as aforesaid, or wittingly or willingly permit or suffer the same to be viewed or examined by any Person whomsoever but the Wardens and other Persons necessarily employed in the said Office, such Assayer shall forfeit and pay the Sum of Two hundred Pounds, to be recovered and disposed of as any other Penalty herein directed to be recovered and disposed of, and shall be turned out of Office, and be rendered ever after incapable of exercising the Office of Assayer.

XXVII. And be it further enacted, That the said Diet Box shall once in every Year be opened in the Presence of an Assayer and Four of the Wardens, and the Diet therein be taken out and carefully packed up in separate Parcels, according to the different Standards, without opening the Papers containing the same, and carefully secured and sealed with the respective Seals of the said Four Wardens and Assayer, and by them, in each other's Presence, delivered to a Messenger, to be by him conveyed to His Majesty's Mint in London, and delivered to the Master of the Mint or his Deputy, taking a Receipt for the same from him who shall so receive it, which Receipt the said Master or his Deputy is hereby directed to give; and the Messenger conveying the same shall, at the Time of the Delivery thereof to the said Master or his Deputy, make Oath before the Master or his Deputy (which Oath be said Master or his Deputy is hereby authorized and directed to administer), that he received the Box or Parcel (as the Case may be) from the Wardens and Assayer of the said Company, so sealed, as on the Delivery thereof to such Messenger, and that the said Box or Parcel had not been opened after he had so received the same.

XXVIII. And be it further enacted, That the Master of His Majesty's Mint for the Time being or his Deputy shall, within fourteen Days next after the said Diet shall have been delivered over to him as aforesaid, prefer a Memorial to the Lord High Treasurer or Commissioners of the Treasury of the United Kingdom of Great Britain and Ireland for the Time being, requesting Time to be fixed for the Trial of the said Diet by the King's Assay Master of His Majesty's Mint, before the Lord High Treasurer or the said Commissioners of the Treasury of the United Kingdom of Great Britain and Ireland for the Time being, or whom he or they shall appoint; and the said Master of the Mint or his Deputy shall, by Letter to be sent by the General Post, give such Assayer whose Diet is to be tried Notice of the Time and Place appointed for such Trial, that he may be present if he thinks fit, and shall on that Day whereon the Lord High Treasurer

On Connivance of the Wardens, if the Assayer discover Patterns, &c. he shall forfeit 200*l*.

Diet Box to be once in every Year opened in the Presence of an Assayer and Four Wardens, and conveyed to the Mint.

Master of the Mint to prefer a Memorial to the Lords of the Treasury for Trial of the Diet by the King's Assay Master.

surer or the Lords Commissioners of the Treasury of the United Kingdom of *Great Britain and Ireland* for the Time being shall appoint, and in the Presence of him or them, or of such Persons to be appointed by him or them as aforesaid, deliver the said Diet so received by him as aforesaid, unopened, to the Assay Master of His Majesty's Mint aforesaid, who, in the Presence of the Lord High Treasurer or the Lords Commissioners of the Treasury of the United Kingdom of *Great Britain and Ireland*, or of such Persons to be appointed as aforesaid, shall duly assay and try the same by the indented Pieces hereinafter directed to be made, in such Manner as by the Persons then present shall be thought necessary, and make a true Report thereof; and if upon such Trial the same shall be found agreeable in Fineness to the said respective Trial Pieces, or better, then the Assay Master of His Majesty's Mint shall return the said Diet to or to the Order of the Wardens and Assay Master of the said Company, who are hereby authorized to sell and dispose thereof, and having entered the Produce thereof in the Books of Accounts of Receipts and Payments relative to the Assay Office belonging to the said Company, shall pay and apply such Produce for and towards the necessary Expences of the said Office.

Diet not found sufficient in Fineness, Penalty on Assayer 200*l*.

XXIX. Provided always nevertheless, and be it further enacted, That if on the said Trial the said Diet shall be found not agreeable in Fineness with the said Trial Pieces according to the respective Standards thereof, but worse, then and in such Case the said Assayer shall forfeit and pay the Sum of Two hundred Pounds, to be recovered and disposed of as any other Penalty is herein directed to be recovered and disposed of, and shall ever after be rendered incapable of acting as an Assayer under this Act.

Overplus of Money arising to be applied in prosecuting Offenders.

XXX. Provided also, and be it further enacted, That in case at any time or times more Money shall be raised by or from the said Prices, Sums of Money or Rewards hereby given, granted or allowed for the assaying and marking of Gold and Silver Plate, than shall be sufficient to defray the necessary Expences attendant upon the said Assay Office, and in prosecuting Offences against this Act, then the Overplus Money so from time to time arising shall at any Meeting of the said Company be directed to be invested and laid out in some of the Public Funds or in Government Securities, in the Name of "The Guardians of the Standard of Wrought Plate in *Birmingham*;" and all Interest thereon, if wanted for the Purposes of the said Office, shall be applied for such Purposes, or if not so wanted, shall be added to the Principal Sum so invested and laid out; and any Part of or the Whole of such Principal Sum may from time to time, or at any Time, be called in by an Order of the said Company made under their Common Seal at any Annual Meeting of the said Company; and when the said Sums so invested and laid out, or the Interest thereof, shall amount to the Sum of Three thousand Pounds, then the aforesaid Prices, Sums or Rewards for the assaying, trying and marking Wrought Gold and Silver Plate, shall be reduced in such Proportion as the said Company shall think fit; and the Deficiency (if any) in the Receipts of the Office, occasioned by such Reduction, shall be made good out of the Principal Monies so invested,



invested, or the Interest thereof, until such Principal Monies shall be reduced to the Sum of One thousand Pounds, and then such Prices, Sums of Money or Rewards, shall or may be raised again to the Amount by this Act granted, and so *toties quoties* as often as the said Principal Sum shall amount to the Sum of Three Thousand Pounds, or be reduced to the Sum of One thousand Pounds.

XXXI. And be it further enacted, That the said Wardens and Assay Master shall from time to time, as Occasion shall require, make or cause to be made indented Trial Pieces of Gold and Silver of each of the various Standards required by Law for Gold and Silver Plate respectively, and shall cause the same Trial Pieces respectively to be brought or sent to His Majesty's Mint in London, and there be assayed and tried by His Majesty's Assay Master; and when the same shall have been so assayed and tried, and found to be of the respective Standards aforesaid, one Moiety of each Piece shall be returned to the Assayer who brought or sent the same, and such Moieties respectively shall be deposited by him in his Office as Guides for trying such Gold and Silver Plate as shall be brought to the said Assay Office to be assayed, and the other Moieties respectively shall remain in His Majesty's Mint, in the Custody of the Master and Worker for the Time being, thereby to try the Diet directed to be assayed by His Majesty's Assay Master as aforesaid.

Indented Trial Pieces to be made by the Wardens and Assayer.

XXXII. And be it further enacted, That the said Company shall, before the Assay of their Diet, yearly and every Year pay to the Master of His Majesty's Mint or his Deputy, for the Use of his Deputy, and to the King's Assay Master, the several Sums following; (that is to say), to the Master of His Majesty's Mint or his Deputy, the Sum of Three Pounds and Three Shillings, and to the King's Assay Master the Sum of Ten Pounds and Ten Shillings, by Way of Recompence for the Trouble and Expence they will respectively have and incur by Means of the Trial of the said Diet in Manner aforesaid.

Sums payable yearly to the Master of His Majesty's Mint.

XXXIII. And be it further enacted, That if any Person or Persons shall at any Time hereafter recover Judgment in any Court of Record against any Assay Master of the said Company for any Penalty which shall or may be imposed on him by or in pursuance of this Act, for Neglect or Fraud in the Execution of his Office, and such Penalty, together with the Costs adjudged, shall not be paid within the Time prescribed by the Court wherein the said Judgment shall be obtained, then and in such Case it shall and may be lawful to and for the Master of His Majesty's Mint for the Time being, and he is hereby authorized and directed to assign over to such Person or Persons so recovering such Judgment, the said Bond or Obligation so directed to be entered into by the said Assayer and his Sureties to the Master of His Majesty's Mint as aforesaid, in order to enable such Person or Persons to bring One or more Action or Actions thereon against such Assayer and his Sureties, or either of them, or the Heirs, Executors or Administrators of them or either of them, for the Recovery of such Penalty so recovered against the said Assayer, together with the Costs adjudged; in which last mentioned Action or Actions it shall be sufficient for the Plaintiff to prove the

Persons recovering Judgment against the Assay Master, and not being paid the Penalty adjudged, may have the Assay Master's Bond assigned to them.

Proviso, if Verdict be given for Defendant, Costs to be paid by the Assignee.

Assay Office to be provided.

To enable Bodies Politic &c. to convey.

the Execution of the said Bond, and of the Assignment thereof, and the former Judgment recovered against the Assayer, in order to entitle such Plaintiff to Judgment and Execution: Provided always nevertheless, that if in any Action to be brought on the same Bond as last aforesaid a Verdict shall be given for the Defendant, or the Plaintiff be nonsuited, then the Costs of such Verdict or Nonsuit shall be paid by the Assignee of such Bond, and the Master of His Majesty's Mint be wholly exonerated and discharged therefrom; any Law, Usage or Statute to the contrary in any wise notwithstanding.

XXXIV. And be it further enacted, That it shall be lawful for the said Company to purchase or rent any Land (not exceeding Two Acres), and any Building or Buildings thereon, in the said Town of *Birmingham*, or the Neighbourhood thereof, as and for an Assay Office, and other necessary Offices and Accommodations for carrying the Purposes of this Act into Execution.

XXXV. And be it further enacted, That it shall be lawful to and for all Bodies Politic, Corporate or Collegiate, Corporations, whether Aggregate or Sole, Spiritual or Lay, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees of or for Lunatics and Idiots, and other Trustees whomsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their respective *Cestuique* Trusts, whether Infants or Issue unborn, Lunatics, Idiots, Femes Covert or other Person or Persons, and also to and for all Femes Covert who are or shall be seised in their own Right, and to and for all Persons, whether Tenants for Life or Tenants in Tail General or Special, or for Years determinable on any Life or Lives, and to and for all and every Person and Persons whomsoever who are or shall be seised, possessed of or interested in any such Lands, Tenements or Hereditaments, or any Part thereof, which shall be thought necessary to be purchased for the Purposes of this Act, to treat, contract and agree with the said Company for the Sale thereof, or of any Part thereof, and to sell, convey, surrender and assure all or any Part thereof, and all his, her or their Estate, Right, Title and Interest whatsoever, of, in and to the same, to the said Company and their Assigns, or to such Person or Persons, and his, her or their Heirs, Executors or Administrators, as the said Company shall direct, in Trust for them the said Company, or their Assigns, for any of the Purposes of this Act; and that all Contracts, Agreements, Bargains, Sales and Conveyances, Assignments, Surrenders and Assurances which shall be so made by virtue and in pursuance of this Act, shall be good, valid and effectual in the Law to all Intents and Purposes whatsoever, not only to convey the Estate and Interest of the Person or Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim and Demand whatsoever of the said several and respective *Cestuique* Trusts, and all Persons claiming or to claim by, from or under them, any Law, Statute, Usage or any other Matter or Thing whatsoever, to the contrary thereof in any wise notwithstanding; and all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Spiritual or Lay, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees and all other Persons whomsoever.

whomsoever, are and shall be hereby indemnified for what they shall do by virtue and in pursuance of this Act.

XXXVI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements or Hereditaments purchased, taken or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* the Guardians for executing this Act, pursuant to the Directions of an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, 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 and Hereditaments, 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 Lands, Tenements or Hereditaments standing settled therewith to the same or the like Uses, Intents and 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 Lands, Tenements and Hereditaments which shall be so purchased, taken or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the Court of Exchequer 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 Lands, Tenements and Hereditaments so hereby directed to be purchased in case such Purchase or Settlement were made.

Application of  
Compensation  
Money when  
exceeding 200*l*.

1 G. 4. c. 35.

Application when Compensation less than 200*l.* and not less than 20*l.*

XXXVII. And be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements or Hereditaments purchased, taken or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements and Hereditaments so purchased, taken or used, or of his, her or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, 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 Guardians, or any Three or more of them (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.

Application where less than 20*l.*

XXXVIII. And be it further enacted, That where such Money so agreed or awarded to be paid as before mentioned shall be less than the Sum of 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 Lands, Tenements and Hereditaments so purchased, taken or used for the Purposes of this Act, in such Manner as the said Guardians, or any Three or more of them, 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.

In case of not making out Titles, Money to be paid into the Bank.

XXXIX. 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 Lands, Tenements or Hereditaments 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 Guardians, or any Three or more of them, 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 Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Guardians, or any Three or more of them, 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 said Court of Exchequer to be placed to his Account, to the Credit of the Person or Persons interested in the said Lands, Tenements

ments or Hereditaments [describing them], subject to the Order, Controul and Disposition of the said Court; which said Court, 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 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 *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.

**XL.** 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 Exchequer in pursuance of this Act, for the Purchase of any Lands, Tenements or Hereditaments, or of any Estate, Right or Interest in any Lands, Tenements or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements and Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; 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 Lands, Tenements or Hereditaments, or to some Estate or Interest therein.

**XLI.** And be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation entitled to any Lands, Tenements, Hereditaments and Premises, 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 Exchequer, and to be applied in the Purchase of other Lands, Tenements or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of 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 Company out of the Monies to be received by virtue of this Act,

Where any Question shall arise touching the Title to Money.

Court of Exchequer may order reasonable Expences of Purchases to be paid by Trustees.

who shall from time to time pay such Sums of Money for such Purposes as the said Court shall direct.

‘ XLII. And Whereas by reason of the Purchases which the said Company is required to make by virtue of this Act, they may happen to be seised of some Piece or Pieces of Ground, or of some Buildings, over and above what will be necessary for effecting the Purposes of this Act; Be it therefore further enacted, That it shall be lawful for the said Company to sell and dispose of such Piece or Pieces of Ground or Buildings, either together or in Lots, as they shall find most convenient and advantageous, to any Person or Persons who may be willing to contract for and purchase the same.

Power to  
resell Land,  
&c. not used.

Persons ag-  
grieved may  
appeal.

XLIII. And be it further enacted, That if any Person or Persons shall think himself, herself or themselves aggrieved by any Bye Law, Rule, Order or Regulation to be made under or by virtue of this Act, or by any Thing done or omitted to be done in pursuance of this Act, then and in every such Case, he, she or they may appeal to the General or Quarter Sessions which shall be holden in and for the said County of *Warwick*, within Four Calendar Months next after the Cause of Complaint shall have arisen, on giving to the Party and Parties concerned Fourteen Days' Notice in Writing of such Appeal, and of the Matter thereof; and the Justices, not interested in the Premises, in their said General or Quarter Sessions, are hereby authorized and required to hear and determine the Matter of every such Appeal, and to make such Order therein, and to award such Costs and Damages, as to them in their Discretion shall seem reasonable; and in case of Nonpayment thereof before the then next General or Quarter Sessions, to levy, by their Order or Warrant, the Costs and Damages which shall be awarded by Distress and Sale of the Goods and Chattels of the Party or Parties liable to pay the same, rendering the Overplus (if any), on Demand, to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charges of such Distress and Sale; which Determination of the said Justices shall be final and conclusive on 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 Justices to be frivolous or without Foundation, then the said Justices shall award such Costs to be paid by the Appellant or Appellants as to them the said Justices in their Discretion shall seem reasonable, and the same shall be levied in Manner aforesaid.

Public Act.

XLIV. 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. liii.

An Act for lighting, watching and otherwise improving the Town of *Ashford* in the County of *Kent*. [17th May 1824.]

*Cap. liv.*

An Act for repairing and improving the Road from *Back Lane* in the Parish of *Scartho* to *Hollowgate Head* in the Parish of *Louth* in the County of *Lincoln*. (b) [17th May 1824.]

[*New Trustees.* 43 G. 3. c. cxxxiii. repealed. 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. lv.*

An Act for making and maintaining a Road from *Blackburn* to *Preston*, and Two Branches therefrom, and erecting a Bridge on the Line of the said Road over the River *Ribble*, all in the County Palatine of *Lancaster*. (b) [17th May 1824.]

[*New Trustees.* 3 G. 4. c. iii. recited. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. lvi.*

An Act for repairing the Lower Road from *Greenwich* to *Woolwich* in the County of *Kent*. (b) [17th May 1824.]

[*New Trustees.* 58 G. 3. c. lxxviii. repealed. The Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. lvii.*

An Act for making and maintaining a Turnpike Road leading from the Eastern Side of a certain Bridge called *Spittle Hill Bridge*, over *Moorgate Beck* in the Parish of *Clarborough* in the County of *Nottingham*, to *Littleborough Ferry* in the same County. (a) [17th May 1824.]

[*New Trustees.* The Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. lviii.*

An Act for amending and maintaining the Roads from *Stafford* to *Sandon* in the County of *Stafford*, and from *Stafford* through *Bridgford* and *Eccleshall* to *Ireland's Cross* near *Woore* in the County of *Salop*, and from *Bridgford* aforesaid to the Stone which divides the Liberty of *Ranton* and *Ellenhall* in the Road between *Bridgford* and *Newport*. (b) [17th May 1824.]

[*New Trustees.* So much of 3 G. 3. c. 59. and 23 G. 3. c. 105. as relates to the Road herein described, and also the Act 44 G. 3. c. xxx. repealed. The Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. lix.*

An Act for amending and maintaining the Road from the Town of *Stone* to *Gaol Gate* in the Borough of *Stafford*, and from *Green Gate* in the said Borough, through the Towns of

*Dunston and Penkridge, to Streetway Road, in the Road leading to Wolverhampton in the County of Stafford. (b)*

[17th May 1824.]

[*New Trustees. So much of 1 G. 3. c. 39. and 22 G. 3. c. 96. as relates to the Road herein described, and the Act 43 G. 3. c. vi. repealed. The Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.*]

Cap. lx.

An Act for amending and improving the Road from Cambridge to Ely, and other Roads therein mentioned, in the County of Cambridge; and for making a Road from or near the Town of Littleport in the Isle of Ely, to the Ferry or Floating Bridge over the Hundred Feet River, in the Parish of Welney in the County of Norfolk. (b)

[17th May 1824.]

[*New Trustees. 3 G. 3. c. 36. 5 G. 3. c. 79. 10 G. 3. c. 97. and 44 G. 3. c. lxx. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.*]

Cap. lxi.

An Act for more effectually amending, improving and keeping in Repair the Road from the North East Side of the Goswell Street Road next Islington, to the North West Corner of Finsbury Square, by the Artillery Ground, in the County of Middlesex, commonly called and known by the Name of The City Road. (b)

[17th May 1824.]

[*New Trustees. 1 G. 3. c. 26. 23 G. 3. c. 102. and 43 G. 3. c. lxxviii. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.*]

Cap. lxii.

An Act for more effectually repairing the Road from the Post Road near Faversham, by Bacon's Water, through Ashford, to Hythe, and from Bacon's Water to Castle Street, in the City of Canterbury, all in the County of Kent. (b)

[17th May 1824.]

[*New Trustees. 2 G. 3. c. 76. 22 G. 3. c. 102. and 43 G. 3. c. cix. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.*]

Cap. lxiii.

59 G. 3. c. cxiv. An Act for raising a further Sum of Money for carrying into Execution an Act passed in the Fifty ninth Year of the Reign of His late Majesty King George the Third, intituled *An Act for repairing and improving, or rebuilding, the Church at Barnsley in the West Riding of the County of York, and for improving and enlarging the Churchyard and Burial Grounds thereof; and for amending the said Act.* [28th May 1824.]

[*Proviso for Title of Incumbent.*]



*Cap. lxiv.*

An Act for taking down and rebuilding the Body of the Church or ancient Parochial Chapel of Ease of *Oldham*, within the Parish of *Prestwich-cum-Oldham*, in the County Palatine of *Lancaster*, for providing additional Burial Ground, and for equalizing the Church Rates, and other Purposes.

[28th May 1824.]

[*Proviso for Rights of Rector and Patron.*]

*Cap. l xv.*

An Act for widening, deepening, enlarging and making navigable a certain Creek called *Counter's Creek*, from or from near *Counter's Bridge*, on the Road from *London* to *Hammer-smith*, to the River *Thames* in the County of *Middlesex*, and for maintaining the same.

[28th May 1824.]

*Cap. l xvi.*

An Act for lighting, watching, paving, cleansing and improving the Streets, Highways and Places within the Borough and Town of *Lancaster* in the County Palatine of *Lancaster*.

[28th May 1824.]

*Cap. l xvii.*

An Act for paving, cleansing, lighting, watching, regulating and improving the Borough of *Evesham* in the County of *Worcester*; for repairing, improving and maintaining the Bridge over the River *Avon* within the said Borough, and for selling certain Waste Lands within the said Borough, and for appropriating the Monies arising from such Sales towards the Purposes therein mentioned.

[28th May 1824.]

*Cap. l xviii.*

An Act for paving, lighting, watching, cleansing, widening, regulating and otherwise improving the Town of *Walsall* and the Neighbourhood thereof, within the Parish of *Walsall* in the County of *Stafford*.

[28th May 1824.]

*Cap. l xix.*

An Act to amend an Act of His present Majesty, for opening a Street from the Cross of *Glasgow* to *Monteith Row*.

1 G. 4.  
c. lxxviii.

[28th May 1824.]

*Cap. l xx.*

An Act for forming, paving, cleansing, lighting, watching and regulating Streets and other public Passages and Places on certain Plots of Ground called *Battle Bridge Fields*, near *Gray's Inn Lane*, in the Parish of *Saint Pancras* in the County of *Middlesex*.

[28th May 1824.]

## Cap. lxxi.

An Act to enable *The Australian Company of Edinburgh* to sue and be sued in the Name of the Manager for the Time being of the said Company. [28th May 1824.]

## Cap. lxxii.

50 G.3. c.xci. An Act to regulate the loading of Ships with Coals in the Port of  
57 G.3. c.xxx. *Newcastle-upon-Tyne*. [28th May 1824.]

## Cap. lxxiii.

An Act for the better Regulation and Encouragement of Pilots for the conducting of Ships and Vessels into and out of the Port of *Liverpool*. [28th May 1824.]  
[37 G.3. c.78. repealed.]

## Cap. lxxiv.

An Act to amend and enlarge the Powers of several Acts, so far as the same relate to the Right of voting at Vestries of the Parish of *Saint John Southwark* in the County of *Surrey*, and to establish a Select Vestry within the said Parish. [28th May 1824.]  
[6 G.2. c.11. and 26 G.3. c.114. in Part repealed.]

## Cap. lxxv.

An Act for lighting with Gas the Towns or Villages of *Margate*, *Ramsgate* and *Broadstairs*, and Places adjacent, in the County of *Kent*. [28th May 1824.]

## Cap. lxxvi.

An Act for the better lighting the City and Suburbs of *Edinburgh* by Oil Gas. [28th May 1824.]

## Cap. lxxvii.

An Act for lighting with Gas the City of *Hereford*, and the Suburbs and Liberties thereof. [28th May 1824.]

## Cap. lxxviii.

An Act to establish an additional Company for more effectually lighting with Gas certain Places within the Borough of *Southwark*, and certain other Parishes and Places in the Counties of *Surrey* and *Kent*. [28th May 1824.]

## Cap. lxxix.

An Act for lighting and watching the Parish of *Clifton* in the County of *Gloucester*. [28th May 1824.]

## Cap. lxxx.

An Act to enable the *Kent Fire Insurance Company* to sue and prosecute in the Name of their Secretary, or any Member of such Company. [28th May 1824.]

## Cap. lxxxii.

An Act for more effectually improving and keeping in Repair the several Roads in and near *Great Torrington*; and to make a new Line of Road on the Western Side of the River *Torridge*, in the County of *Devon*. (b) [28th May 1824.]

[*New Trustees*. 5 G. 3. c. 58. 26 G. 3. c. 128. and 47 G. 3. c. xcvi. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

## Cap. lxxxiii.

An Act for making and maintaining a Turnpike Road from *Roundhay Bridge* to *Collingham* in the County of *York*. (b) [28th May 1824.]

[*New Trustees*. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

## Cap. lxxxiiii.

An Act for amending the Roads leading from *Brickworth Pond* in the Parish of *Whiteparish* in the County of *Wilts*, through *Romsey* in the County of *Southampton*, to the County of the Town of *Southampton*. (b) [28th May 1824.]

[*New Trustees*. 29 G. 2. c. 45. 22 G. 3. c. 110. and 43 G. 3. c. lxxxii. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

## Cap. lxxxv.

An Act for repairing, widening and keeping in Repair the Road from the Town of *Carmarthen*, through *Velindre Shinkin*, to the Town of *Newcastle Emlyn*, and several other Roads in the County of *Carmarthen*. (b) [28th May 1824.]

[*New Trustees*. 43 G. 3. c. xxxi. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

## Cap. lxxxvi.

An Act for more effectually repairing and improving the Road leading from the Eastern End of the Borough of *Grampound* in the County of *Cornwall*, through the Towns of *Saint Austell* and *Lostwithiel*, and thence to the East End of the Western *Taphouse Lane* in the said County. (b) [28th May 1824.]

[*New Trustees*. 1 G. 3. c. 27. 21 G. 3. c. 90. and 43 G. 3. c. lxxxii. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

## Cap. lxxxvii.

An Act for amending and improving the Road from *Sacred Gate* in the Township of *Thornhumbald*, to *Pattrington Haven*, and from the Guide Post in *Winestead* to the Township of *South Frodingham*, in the East Riding of the County of *York*. (b) [28th May 1824.]

[*New Trustees.* 1 G. 3. c. 35. 20 G. 3. c. 89. and 43 G. 3. c. lxxi. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

Cap. lxxxvii.

An Act for more effectually repairing and improving the Road from *Wilmslow Bridge* in the County of *Chester*, through *Nether Alderney* and *Congleton*, to or near the *Red Bull*, in *Church Lawton*, in the said County. (b) [28th May 1824.]

[*New Trustees.* 21 G. 3. c. 82. and 42 G. 3. c. xii. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

Cap. lxxxviii.

An Act for more effectually repairing the Roads leading from *Saint Dunstan's Cross* to *North Lane* near to the City of *Canterbury*, and to the Sea Side at *Whitstable*, in the County of *Kent*, and for widening and improving the Road from *North Lane* aforesaid, over *West Gate Bridge*, to the West Gate of the said City, and for making a Foot Bridge on each Side of the said Bridge and Gate into the said City. (a)

[28th May 1824.]

[*New Trustees.* 44 G. 3. c. 1. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

Cap. lxxxix.

An Act for making and maintaining a new Road from *Salterhebble* in the Parish of *Halifax*, to the *Huddersfield* and *New Hey* Turnpike Road in the Parish of *Huddersfield*, and several Branches therefrom, in the West Riding of the County of *York*, with certain Bridges on the Line of the said Road and Branches. (b)

[28th May 1824.]

[*New Trustees.* Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

Cap. xc.

An Act for making and maintaining a Turnpike Road from the Turnpike Road leading from *Bradford* to *Wakefield* in the West Riding of the County of *York*, near *Holme Lane End*, in the Parish of *Birstal* in the said Riding, to the Turnpike Road leading from *Birstal* to *Huddersfield* in the said Riding, at the Township of *Heckmondwike*, in the Parish of *Birstal* aforesaid, with a Branch Road therefrom. (b)

[28th May 1824.]

[*New Trustees.* Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

Cap. xci.

An Act for making and maintaining a Road from *Brightelmston* to *Newhaven*, in the County of *Sussex*. (b)

[28th May 1824.]

[*New Trustees.* Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. xcii.*

An Act for taking down *Burrow Bridge*, over the River *Parrett*, in the County of *Somerset*, and erecting another in lieu thereof. [3d June 1824.]

*Cap. xciii.*

An Act for maintaining the Harbour of the Burgh of *Dingwall*, and regulating the Police of the said Burgh. [3d June 1824.]

*Cap. xciv.*

An Act for establishing a Ferry over the River *Arun*, at *Littlehampton*, in the County of *Sussex*, and making Roads to communicate therewith. [3d June 1824.]

*Cap. xc v.*

An Act for lighting, cleansing, watching and improving the Township of *Hulme* in the County of *Lancaster*, and for regulating the Police thereof. [3d June 1824.]

*Cap. xcvi.*

An Act for explaining, amending and rendering more effectual an Act of His late Majesty, for improving the Outfall of the River *Welland* in the County of *Lincoln*. [3d June 1824.] 34 G. 3. c. 102.

*Cap. xc vii.*

In Act for repairing, widening, improving and maintaining in Repair, the First District of Turnpike Roads leading to and from the Town of *Bridport* in the County of *Dorset*. (b) [3d June 1824.]

*New Trustees.* 59 G. 3. c. lxxxviii. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. xc viii.*

An Act for more effectually repairing and improving certain Roads leading to, through and from the Towns of *Langport*, *Somerton* and *Castle Cary*, in the County of *Somerset*, and for making and improving other Roads in the said County. (b) [3d June 1824.]

*New Trustees.* 26 G. 2. c. 92. 18 G. 3. c. 100. and 32 G. 3. c. 130. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. xc ix.*

An Act for repairing certain Roads between *Stokenchurch* and the Borough of *New Woodstock*, in the County of *Oxford*, and several other Roads communicating therewith. (b) [3d June 1824.]

*New Trustees.* 18 G. 3. c. 91. and 29 G. 3. c. 90. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. c.*

An Act for more effectually repairing the Road from *Piff's Elm* in the Parish of *Boddington*, through *Cheltenham* to *Shipton Lane*, near *Frog Mill Inn*, and certain other Roads therein mentioned, in the County of *Gloucester*. (b) [3d June 1824.]

[*New Trustees.* 25 G. 3. c. 125. and 46 G. 3. c. cxxxvii. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. ci.*

An Act for more effectually repairing the Road from *Ashby-de-la-Zouch* in the County of *Leicester*, through *Burton-upon-Trent* in the County of *Stafford*, to *Tutbury* in the said County of *Stafford*. (b) [3d June 1824.]

[*New Trustees.* 26 G. 2. c. 85. 19 G. 3. c. 85. and 42 G. 3. c. xlv. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. cii.*

An Act for repairing the Road from the City of *Durham* to *Tyne Bridge*, and for making and maintaining a collateral Branch and certain other Branches to communicate respectively with certain Parts of the said Road, in the Parishes of *Chester-le-Street* and *Gateshead*, all in the County of *Durham*. (b) [3d June 1824.]

[*New Trustees.* 20 G. 2. c. 12. 26 G. 2. c. 48. 13 G. 3. c. 99. and 53 G. 3. c. cxxix. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. ciii.*

An Act for enlarging the Term and Powers of several Acts passed for repairing the Road from *Halifax* to *Sheffield* in the *West Riding* of the County of *York*, so far as relates to the First District of the Roads mentioned in the said Acts. (a) [3d June 1824.]

[*New Trustees.* 17 G. 3. c. 105. 33 G. 3. c. 142. and 50 G. 3. c. xxxiii. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. civ.*

An Act for making, repairing and improving several Roads in the Counties of *Radnor*, *Hereford* and *Merioneth*. (a) [3d June 1824.]

[*New Trustees.* 7 G. 3. c. 67. 24 G. 3. sess. 2. c. 69. and 44 G. 3. c. xlviii. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. cv.*

An Act for improving and more effectually repairing the Roads from the Town of *Baldon* in the *Moors* to *Nightingales* in the Township of *Heath Charnock*, and for making a Branch Road from

from *Little Bolton* to or near the *Crown* in *Horwich*; and for enabling the Trustees therein named, together with the Trustees North and South of *Yarrow*, and the Trustees of the Road from *Westhoughton* to *Duxbury Stocks*, to make a new Line of Road from *Hole House Brow* in the said Township, to the Town of *Chorley*, and a Branch Road from *Rawlinson Bridge* to *Halliwell Field* in the same Township, and another Branch Road in the Township of *Duxbury*, all in the County Palatine of *Lancaster*. (a) [3d June 1824.]

[*New Trustees.* 45 G. 3. c. xiv. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

Cap. cvi.

An Act for making and maintaining a Turnpike Road from *Godley Lane Head*, near *Halifax*, to *Northowram Green* in the West Riding of the County of *York*. (b) [3d June 1824.]

[*New Trustees.* Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

Cap. cvii.

An Act for making and maintaining a Road from the City of *Glasgow* to the Village of *Parkhead*. (b) [3d June 1824.]

[*New Trustees.* Powers of 4 G. 4. c. 49. extended to this Act.]

Cap. cviii.

An Act to provide for the paving, gravelling, lighting and watching certain Footways and Carriageways in and near *Brompton Square* in the Parish of *Saint Mary Abbots Kensington* in the County of *Middlesex*; and to provide for the Maintenance of a Garden and Shrubbery in the said Square. [4th June 1824.]

Cap. cix.

An Act for erecting new Market Places within the Town of *Maidstone* in the County of *Kent*, and for the better regulating and maintaining the said Markets. [4th June 1824.]

Cap. cx.

An Act for lighting with Gas the Town and Neighbourhood of *Leeds*, within the Parish of *Leeds*, in the West Riding of the County of *York*. [4th June 1824.]

Cap. cxí.

An Act for more effectually making and repairing the Road from the City of *Glasgow* to *Yoker Bridge*, and certain Roads communicating therewith. (b) [4th June 1824.]

[*New Trustees.* 14 G. 3. c. 105. 32 G. 3. c. 152. and 43 G. 3. c. xxxvi. repealed. Powers of 4 G. 4. c. 49. extended to this Act.]

*Cap. cxii.*

An Act for building a Bridge over the River *Thames* from the Hamlet of *Hammersmith* in the County of *Middlesex*, to the Parish of *Barnes* in the County of *Surrey*, and for making convenient Roads and Avenues to communicate with such Bridge. [9th June 1824.]

*Cap. cxiii.*

An Act for altering and amending an Act of the last Session of Parliament, for erecting a Bridge over the Water of *Lory*, in the County of *Devon*. [9th June 1824.]

[4 G. 4. c. x. repealed as to Height of the Bridge.]

*Cap. cxiv.*

An Act for building a Bridge over the River *Teign*, at *Teignmouth* in the County of *Devon*; and for making Approaches to the same. [9th June 1824.]

[Royal Family exempt from Toll.]

*Cap. cxv.*

An Act for improving and keeping in Repair several Roads in and near the Town of *Bideford*, and for making a new Line of Road on the Western Side of the River *Torrige*; and also a new Line of Road to unite such Road with the Road leading from *Bideford* to *Buckland Brewer* in the County of *Devon*. (b) [9th June 1824.]

†47G. 3. c. ii. ? [New Trustees. 4 G. 3. c. 87. 25 G. 3. c. 119. 46 G. 3. † repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. cxvi.*

An Act for amending and improving the Road from *Portdinllaen* to or near *Cerrig y Rhwydwr*, and from *Tan y Graig* in the Parish of *Bodvean* to *Pwllheli*, and from thence to *Llanystymdwy*, and from *Cerrig y Rhwydwr* aforesaid to or near *Capel Cerrig*, and for making a Road from *Pwllheli* aforesaid, to *Penrhyndu* in the Parish of *Llanengan*, all in the County of *Caernarvon*. (a) [9th June 1824.]

[New Trustees. 43 G. 3. c. xxxviii. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. cxvii.*

An Act for enabling the Commissioners acting in Execution of an Agreement made between the *East India Company* and the private Creditors of His late Highness *Ameer Sing*, formerly Rajah of *Tanjore*, deceased, the better to carry the same into effect. [17th June 1824.]



*Cap. cxviii.*

An Act to provide for valuing the Houses situate in and near the City of *Dublin*, and for the more equal Payment of the Local Taxes there. [17th June 1824.]

[*Proviso for Dublin Castle and all other Houses belonging to His Majesty.*]

*Cap. cxix.*

An Act for enabling the *Thames and Medway Canal Company* to raise a further Sum of Money to discharge their Debts, and to complete the said Canal and the Works thereunto belonging; and for altering, enlarging and rendering more effectual the Powers for making the said Canal and Works.

[17th June 1824.]

[39 & 40 G. S. c. xxiii. as to taking Water at 2000 Yards from Head, &c. of Canal, and as respects Compensation for Tithes, repealed.]

*Cap. cxx.*

An Act to abridge, vary, extend and improve the *Bristol and Taunton Canal Navigation*, and to alter the Powers of an Act of the Fifty first Year of His late Majesty for making the said Canal. [17th June 1824.]

[51 G. S. c. lx. as to Power to make the Canal from *Morgan's Pill to Clevedon and the Cut to Nailsea Railways and Stone Roads, &c.*; as to Power to take Water at 2000 or 1000 Yards; as relates to Works heretofore required on the *Yeo, Aze, Brue, Parrett and King's Sedgemoor Drain*; as to Authority of Commissioners of Sewers; to the Investment and Application of 10,000*l.*; to the Appointment of Commissioners for settling Disputes; as respects Compensation for Tithes; and as to Provisoes for applying Taxes on the Rates between the Parishes.]

*Cap. cxxi.*

An Act for making and maintaining a Railway or Tramroad from the Town of *Redruth* in the County of *Cornwall*, to *Point Quay* in the Parish of *Feock*, in the same County, with several Branches therefrom; and also for restoring, improving and maintaining the Navigation of *Restrongett Creek*, in the same County. [17th June 1824.]

*Cap. cxxii.*

An Act for completing the Port or Harbour of *Courtown*, at *Brenogue Head*, in the County of *Wexford*. [17th June 1824.]

*Cap. cxxiii.*

An Act to enable the Mayor and Commonalty and Citizens of the City of *London* to raise a Sum of Money at a reduced Rate of Interest, to pay off the Monies now charged on the Tolls and Duties payable by virtue of Four Acts of the Reign of His late

14 G. S. c. 91.  
17 G. S. c. 18.  
50 G. S. c. cciv.  
54 G. S.  
c. cxxiii.

late Majesty King *George* the Third, for improving the Navigation of the River *Thames* Westward of *London Bridge*, within the Liberties of the City of *London*. [17th June 1824.]

[52 G. 3. c. xlv. repealed as to verifying Collectors' Accounts by Oath.]

*Cap. cxxiv.*

An Act for lighting, cleansing and improving the Town and Neighbourhood of *Leeds* in the County of *York*.

[17th June 1824.]

*Cap. cxxv.*

An Act to repeal several Acts for the Relief and Employment of the Poor of the Parish of *Saint Mary Islington* in the County of *Middlesex*; for lighting and watching and preventing Nuisances and Annoyances therein; for amending the Road from *Highgate* through *Maiden Lane*, and several other Roads in the said Parish; and for providing a Chapel of Ease and an additional Burial Ground for the same; and to make more effectual Provisions in lieu thereof.

[17th June 1824.]

[17 G. 3. c. 5. 42 G. 3. c. xxviii. 53 G. 3. c. xxxi. 12 G. 3. c. 17. 46 G. 3. c. 1. 35 G. 3. c. 147. and 51 G. 3. c. cxxxiv. repealed.]

*Cap. cxxvi.*

An Act for better governing and regulating the Parish of *Paddington* in the County of *Middlesex*; for paving, lighting and watching such Parts of the said Parish as may be necessary, and for other Purposes relating to those Objects; and for altering and amending several Acts passed in the Twenty eighth, Thirty third and Fiftieth Years of the Reign of His late Majesty King *George* the Third, for rebuilding the Church and enlarging the Churchyard of the said Parish.

[17th June 1824.]

28 G. 3. c. 74.  
33 G. 3. c. 49.  
50 G. 3. c. xlv.

*Cap. cxxvii.*

An Act to amend an Act of the First and Second Year of His present Majesty, for rebuilding the Church of *Saint Nicholas, Harwich*, in the County of *Essex*.

[17th June 1824.]

1 & 2 G. 4.  
c. cxiv.

*Cap. cxxviii.*

An Act for erecting the Town of *Bathgate* in the County of *Linlithgow*, into a Free and Independent Burgh of Barony; paving, lighting and improving the same, and establishing a Police therein.

[17th June 1824.]

*Cap. cxxix.*

An Act for the better paving, lighting, watching and cleansing the Burgh of *Dundee*, and for building and maintaining a Bridewell there.

[17th June 1824.]

*Cap. cxxx.*

An Act for supplying with Water the Towns of *Great Bolton* and *Little Bolton*, and the Township of *Sharples*, in the Parish of *Bolton-le-Moors* in the County Palatine of *Lancaster*.

[17th June 1824.]

*Cap. cxxxi.*

An Act for better supplying the City of *Canterbury*, and the several Streets and Roads adjoining thereto with Water.

[17th June 1824.]

*Cap. cxxxii.*

An Act for better supplying the Town and Neighbourhood of *Cheltenham* in the County of *Gloucester* with Water.

[17th June 1824.]

*Cap. cxxxiii.*

An Act for better lighting with Gas the Town of *Manchester*, in the County Palatine of *Lancaster*.

[17th June 1824.]

*Cap. cxxxiv.*

An Act for erecting a Market House for the Sale of Corn, Hops and other Agricultural Produce in the City of *Canterbury*, and County of the same City, for improving and enlarging the Market Places for the Sale of Provisions in the said City and County, and for regulating and maintaining the said Markets.

[17th June 1824.]

*Cap. cxxxv.*

An Act for confirming certain Leases, and a Conveyance in Fee, of certain Plots of Land allotted by an Act, made in the Forty second Year of the Reign of King *George* the Third, for dividing, allotting and inclosing the Common or Waste, situate in the Manor of *Newton*, in the County Palatine of *Lancaster*, to the Overseers of the Poor of the Township of *Newton*; and for enabling the said Overseers to sell and convey in Fee other Plots of Land, all formerly Part of the said Waste, for building upon, in consideration of Yearly Chief or Ground Rents to be reserved for the same.

42 G. 3. c. 107.  
Pr.

[17th June 1824.]

*Cap. cxxxvi.*

An Act to encourage the working of Mines in *Ireland* by means of *English* Capital, and to regulate a Joint Stock Company for that Purpose.

[17th June 1824.]

*Cap. cxxxvii.*

An Act for enabling the Alliance *British* and Foreign Life and Fire Assurance Company to sue and be sued in the Name of the Chairman for the Time being, or of any other Member of the Company.

[17th June 1824.]

*Cap. cxxxviii.*

An Act for making and maintaining a Road from the *Hampstead Road* in *Camden Town*, to the North Road at *Holloway* in the Parish of *Saint Mary Islington* in the County of *Middlesex*. (b)  
[17th June 1824.]

[*New Trustees.* Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. cxxxix.*

An Act for more effectually amending and keeping in Repair the Road leading from the *London Turnpike Road*, near the South or Upper End of *Harwell Town*, in the Parish of *Harwell*, in the County of *Berks*, to the Turnpike Road, near the Village of *Streatley*, in the said County. (b)  
[17th June 1824.]

[*New Trustees.* 43 G. 3. c. xcii. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. cxl.*

An Act for maintaining and improving the Road leading from the *London Turnpike Road*, near the Borough of *Evesham*, in the County of *Worcester*, to the Village of *Bishop's Cleeve*, near *Cheltenham*, in the County of *Gloucester*. (b)  
[17th June 1824.]

[*New Trustees.* 29 G. 3. c. 102. and 49 G. 3. c. 1. repealed. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. cxli.*

An Act for repairing and amending the Road from the Town and Borough of *Buckingham* to the *Oxford* and *Northampton Turnpike Road* at *Lord's Field Gate*, near the Town of *Towcester*. (b)  
[17th June 1824.]

[*New Trustees.* Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. cxlii.*

An Act for amending and widening the Roads leading from *Stretford's Bridge*, in the County of *Hereford*, to the *Cross Moor*, or *Long Meadow End*, in the County of *Salop*; and other Roads therein mentioned, in the said County of *Hereford*. (b)  
[17th June 1824.]

[*New Trustees.* 32 G. 2. c. 66. 21 G. 3. c. 105. and 42 G. 3. c. lix. Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. cxliii.*

An Act for making and maintaining a Turnpike Road from the Road leading from *Manchester* to *Bolton*, to communicate with the Road from *Bury* to *Bolton*, in the County Palatine of *Lancaster*. (a)  
[17th June 1824.]

[*New Trustees.* Powers of 3 G. 4. c. 126. and 4 G. 4. c. 95. extended to this Act.]

*Cap. cxliv.*

An Act for enlarging the Term and Powers of several Acts of His late Majesty King *George* the Third, and of His present Majesty, 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*. (b) [17th June 1824.]

[42 G.3. c.ci. 44 G.3. c.cxxxvii. 46 G.3. c.cxxv. 48 G.3. c.xcii. 49 G.3. c.clxxii. 51 G.3. c.xlii. 55 G.3. c.lxxxix. and 2 G.4. c.xxxiii. continued.]

*Cap. cxlv.*

An Act for repairing the Roads leading out of the Turnpike Road between *Poole* and *Wimborne Minster*, into the Turnpike Road between *Blandford-Forum* and *Dorchester*; and for repairing and improving the Roads from *Durweston* Bridge to *Caundle Bishop*; from *Bagber Common* to *Holton Street*; and from *North Cheriton* to *Lattiford*; all in the Counties of *Dorset* and *Somerset*. (b) [17th June 1824.]

[*New Trustees.* 7 G.3. c.82. 17 G.3. c.85. and 49 G.3. c.xxvii. repealed as to the Turnpike Road herein mentioned. Powers of 3 G.4. c.126. and 4 G.4. c.95. extended to this Act.]

*Cap. cxlvi.*

An Act for making and maintaining a Turnpike Road from *Shepley Lane Head*, in the Township of *Shepley*, to the Termination of a Branch of the *Barnsley* Turnpike Road, in the Township of *Cawthorne*, in the West Riding of the County of *York*. (b) [17th June 1824.]

[*New Trustees.* Powers of 3 G.4. c.126. and 4 G.4. c.95. extended to this Act.]

*Cap. cxlvii.*

An Act to enable the Mayor and Commonalty and Citizens of the City of *London* to raise a Sum of Money at a reduced Rate of Interest to pay off the Monies now charged on the Duties payable by virtue of an Act made in the Forty third 43 G.3. Year of the Reign of His late Majesty King *George* the Third, c.cxxxiv for establishing a free Market in the City of *London* for the Sale of Coals. [21st June 1824.]

*Cap. cxlviii.*

An Act for the more effectually improving the Navigation of the River *Medway* from *Maidstone* to *Halling*, in the County of *Kent*, and to alter and enlarge the Powers of an Act of

the Forty second Year of His late Majesty for improving the Navigation of the said River. [21st June 1824.]

[42 G. 3. c. xciv. so far as relates to Compensation for Tithes, and to Commissioners for settling Disputes, repealed.]

Cap. cxlix.

3 G. 4. c. liv. An Act for amending an Act passed in the Third Year of the Reign of His present Majesty, for erecting a Bridewell for the County of *Lanark* and City of *Glasgow*. [21st June 1824.]

Cap. cl.

4 G. 4. c. l. An Act to amend an Act of the Fourth Year of His present Majesty, 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; and to divert Part of the Line of Road by the said Act authorized to be made. [21st June 1824.]

Cap. cli.

An Act for the Removal of *Fleet Market* in the City of *London*. [21st June 1824.]

[*Compensation for Tithes in the Parish of St. Bride's until the Market is completed. The like as to Tithes of St. Andrew's Holborn.*]

Cap. clii.

30 G. 3. (L) An Act to amend an Act of the Thirtieth Year of His late Majesty, for lighting and improving the City of *Londonderry*. [21st June 1824.]

Cap. cliii.

An Act to enable the *British Annuity Company* for the purchasing of Annuities, under certain Regulations to sue and be sued in the Name of the Chairman or Secretary for the Time being. [21st June 1824.]

Cap. cliv.

An Act to enable the *Patriotic Assurance Company of Ireland* to sue and be sued in the Name of the Secretary, or of One of the Members of the said Company. [21st June 1824.]

Cap. clv.

An Act to amend the Acts relating to the *Southwark Bridge*. [24th June 1824.]

[51 G. 3. c. clxvi. 53 G. 3. c. lxxxvii. 56 G. 3. c. xi. 58 G. 3. c. lxxviii. 1 G. 4. c. cxlix. 4 G. 4. c. cxvi. recited.]

Cap. clvi.

An Act for making and maintaining a Tunnel under the River *Thames*, from some Place in the Parish of *Saint John of Wapping* in the County of *Middlesex* to the opposite Shore of the

the said River in the Parish of *Saint Mary Rotherhithe* in the County of *Surrey*, with sufficient Approaches thereto.

[24th June 1824.]

*Cap. clvii.*

An Act to encourage the working of Mines in *Ireland*, and to regulate a Joint Stock Company for that Purpose, to be called "The Royal *Irish* Mining Company."

[24th June 1824.]

*Cap. clviii.*

An Act to enable the Mining Company of *Ireland* to sue and be sued in the Name of their Secretary, or of One of the Members of the said Company.

[24th June 1824.]

*Cap. clix.*

An Act to enable the *Hybernian* Joint Stock Company, for the Purpose of purchasing and selling Annuities, and all public and other Securities Real and Personal in *Ireland*, and to advance Money, and make Loans thereof, on the Security of such Real and Personal Security, at legal Interest, and on the Security of Merchandize and manufactured Goods, to sue and be sued in the Name of the Governor or Secretary for the Time being.

[25th June 1824.]

*Cap. clx.*

An Act to enable the *Saint Patrick* Assurance Company of *Ireland* to sue and be sued in the Name of their Secretary, or of One of the Members of the said Company.

[25th June 1824.]

## PRIVATE ACTS,

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N. B. *To each of these Acts is annexed a Clause in the Form following :*

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### Cap. 1.

**A**N Act for inclosing Lands in the Parish of *Sadston* in the  
County of *Derby*. [31st March 1824.]

[*Allotment to the Rector for Glebe*, § 28. *Rents ascertained as a  
Compensation for Tithes*, § 31. *When Tithes to cease*, § 35.  
*Proviso for Right of Rector to Tithes not commuted*, § 36.  
*Fencing Allotments for Glebe*, § 39.]

### Cap. 2.

An Act for enabling the Trustees under the Will of *Henry Baché  
Thornhill* Esquire, deceased, to sell the Manor of *Pleasley* in  
the County of *Derby*, with divers Estates within the Parish  
and Manor of *Pleasley*; and for applying the Monies to arise  
from the Sale thereof in the Purchase of other Estates in the  
County of *Derby*, to be settled to the subsisting Uses of the  
said Will. [12th April 1824.]

### Cap. 3.

An Act for enclosing Lands in the Parishes of *Wenden Lofis*  
and *Elmdon* in the County of *Essex*, and for extinguishing the  
Tithes in the said Parishes. [12th April 1824.]

[*Allotments to the Impropiators and Incumbents of Wenden Lofis  
and Elmdon for Glebe*, § 30.; *to the Impropiator and Vicar of  
Elmdon and to the Rector of Wenden Lofis in lieu of Glebe  
and fencing thereof* §§ 31. 34. *Corn Rent in lieu of Tithes*  
§§ 40, 41, 42, 44, 45, 46. *Proviso respecting Suits depending  
between*



*between the Rector, Vicar, Impropiator and Proprietors for Tithes, § 43. Power to Rector and Vicar to lease Allotments, § 47, 48.]*

Cap. 4.

An Act to amend an Act made in the Fourteenth Year of the Reign of His late Majesty, for confirming certain Sales and Purchases made by the Governors of the Possessions, Revenues and Goods of the Free Grammar School of King *Edward* the Sixth in *Macclesfield* in the County of *Chester*, and to enable them to grant Building Leases of certain of their Estates, and to improve and extend the Benefits of the Foundation of the said School, and for other Purposes therein mentioned. [17th May 1824.]

[14 G. 9. c. 51. as to making Leases repealed.]

Cap. 5.

An Act for vesting the Freehold and Copyhold or Customary Estates of Inheritance devised by the Will of *Robert Stone* Esquire, deceased, in Trustees for selling or leasing the same, or any Part thereof, with the Approbation of the High Court of Chancery. [17th May 1824.]

Cap. 6.

An Act for inclosing Lands in the Parish of *Long Crendon* in the County of *Buckingham*. [17th May 1824.]

[*Allotment for Tithes and Apportionment thereof, §§ 22, 23. Fencing thereof, § 25. Proviso for Curate making Leases of Allotments, § 34.*]

Cap. 7.

An Act for dividing, allotting and inclosing the Commons, Waste Lands and Commonable Woods of and within the several Tithings of *Pamber* and *Inhurst*, in the respective Parishes of *Pamber* and *Baughurst* in the County of *Southampton*.

[17th May 1824.]

Cap. 8.

An Act for abolishing certain Vicarial Tithes and *Easter Offerings* within the Parish of *Leeds* in the County of *York*, and for making Compensation in lieu thereof. [28th May 1824.]

[*All Tithes mentioned in the Schedule, and all mixed and personal Tithes, to cease, § 1.*]

Cap. 9.

An Act for inclosing, draining and exonerating from Tithes, Lands in the Parish of *Ulceby* in the Wapentake of *Yarborough* in the County of *Lincoln*. [28th May 1824.]

[*Allotments for Tithes, § 22. Divided between Impropiator and Vicar, §§ 23, 26. Proviso as to Moduses, § 24. Allotments to*

*Impropriator and Vicar to be in lieu of all Tithes, Moduses, &c.* § 25. *Proviso for Vicar leasing Allotments, § 27. Fencing Allotments, § 32.*

Cap. 10.

An Act for inclosing Lands in the Manor and Parish of *Alton* otherwise *Alton*, and the Parish of *Bradley in the Moors*, in the County of *Stafford*. [28th May 1824.]

[*Separate Allotments for separate Tithes, § 46.*]

Cap. 11.

An Act for building a Chapel in the Eastern Parts of the Town of *Brighthelmston* in the County of *Sussex*. [3d June 1824.]

[*Proviso for Right to Tithes, &c. of the Vicar of Brighton, § 11.—and for the Right of the Bishop of Chichester, § 12.*]

Cap. 12.

An Act for dividing, allotting and inclosing certain Lands within the Parish of *Bincombe* in the County of *Dorset*.

[3d June 1824.]

[*Allotment to Rector for his Glebe, &c. § 28. Power to Rector to lease Allotments, § 43.*]

Cap. 13.

An Act for inclosing Lands in the Townships of *Ferriby, Swanland, Kirk Ella, West Ella, and Willerby*, in the Parishes of *Ferriby and Kirk Ella*, in the County of the Town of *Kingston-upon-Hull*.

[3d June 1824.]

[*Allotments for Tithes. Compensation in Land in lieu of Tithes of ancient Inclosures in Ferriby and Swanland, § 25. Rent Charge to Vicar and Clerk of Kirk Ella, §§ 26, 27, 28. Tithes extinguished, § 29. Proprietors not having sufficient Land to make Compensation in Money, § 30. Fencing Allotments, § 31.*]

Cap. 14.

An Act for inclosing Lands within the Royal Town, Manor and Lordship of *Sutton Coldfield*, and the Parish of *Sutton Coldfield*, in the County of *Warwick*.

[3d June 1824.]

[*Allotment to Rector for Right of Common in respect of his Glebe, § 29. In lieu of Tithes in the Open Fields and Meadows, § 30. On the Common, § 31. Allotments on Exoneration from Tithes, but payable till Possession delivered, § 32. Proviso for Tithes of Sutton Park, § 33. Fencing Allotments, § 34. For ascertaining Rents to be paid in lieu of Tithes, §§ 61, 64. Rector may lease Allotments, § 65.*]

Cap. 15.

An Act for inclosing Lands in the Township and Manor of *High Abbotside*, and in the Township of *Lower Abbotside* and Manor of *Dalegrange*, otherwise *Lower Abbotside*, in the Parish of *Algarth* in the County of *York*.

[9th June 1824.]

*Cap. 16.*

An Act for empowering the Judges of the Court of Session in *Scotland* to sell such Parts of the Estates situated in the County of *Stirling* which were entailed by Sir *Archibald Edmonstone* of *Duntreath* Baronet, deceased, as shall be sufficient for Payment of the Debts and Burdens affecting the same.

[17th June 1824.]

*Cap. 17.*

An Act for empowering the Judges of the Court of Session in *Scotland*, to sell Parts of the entailed Estates of *George Earl of Galloway*, situated in the Shire of *Wigton* and Stewartry of *Kirkcudbright*, for Payment and Satisfaction of certain Debts incurred by the said Earl prior to the Eleventh Day of *July* One thousand eight hundred and twenty three.

[17th June 1824.]

*Cap. 18.*

An Act for vesting certain Parts of the entailed Estates of Sir *Thomas Smyth* Baronet, situate in the County of *Essez*, in Trustees for Sale, and for investing the Proceeds thereof in the Purchase of Lands lying intermixed with other Estates in the said County, standing settled to the like Uses; and also for effectuating the Exchange of Part of such last mentioned Estates for certain Glebe Lands belonging to the United Rectories of *Thoydon Mount* and *Stapleford Tawney* in the said County, and for other Purposes.

[17th June 1824.]

*Cap. 19.*

An Act for vesting the Estates of *Colin Campbell*, late of *Kilmartine*, in the County of *Argyle*, in Trustees, to be sold, and the Proceeds thereof to be applied in Payment of his Debts remaining due; and for laying out the Residue in the Purchase of other Lands to be entailed in favour of the same Persons, and on the Conditions of the Deed of Entail executed by the said *Colin Campbell*.

[17th June 1824.]

*Cap. 20.*

An Act to enable the Vicar, for the Time being, of the Parish and Parish Church of *Eccles*, in the County Palatine of *Lancaster*, to grant Building Leases of the Glebe Lands belonging to the said Vicarage.

[17th June 1824.]

*Cap. 21.*

An Act to empower the Judges of the Court of Session in *Scotland* to sell such Parts of the entailed Estate of *Holmains*, in the Sheriffdom of *Dumfries*, presently belonging to *James Charles Macrae* Esquire, of *Holmains*, as may be necessary for discharging the Debts and Burdens affecting the said Estate.

[17th June 1824.]

## Cap. 22.

An Act for settling the Lands of *Chilcarrock* and others, in the Sheriffdom of *Wigton*, to and in favor of Sir *William Maxwell* Baronet, and the Heirs entitled to take by a certain Deed of Entail by Sir *William Maxwell* Baronet, deceased, under the Conditions and Limitations in the said Deed, and for vesting in lieu thereof certain Parts of the entailed Estate of *Drummodie*, in the said Sheriffdom, in certain Trustees nominated by the said Sir *William Maxwell*, deceased, for the Purposes of the Trust; and for other Purposes therein mentioned.

[17th June 1824.]

## Cap. 23.

An Act for uniting the Rectory of *Clifton Maybank* otherwise *Clifton* in the County of *Dorset* with the Vicarage of *Bradford Abbas* otherwise *Bradford* in the same County; and for an Exchange of Part of the Glebe Lands of the said Vicarage for Lands of the Most Honourable *Henry William* Marquess of *Anglesey* and the Right Honourable *Henry Paget* commonly called Earl of *Uxbridge*, his eldest Son, in the same Parish; and for apportioning the Rectorial and Vicarial Tithes of the said Parish of *Milborne Port*; and for an Exchange between the Warden and Scholars, Clerks of *Saint Mary* College of *Winchester* near *Winchester*, and the said Marquess and Earl, of the Manor and Improprate Rectory and Advowson of the Vicarage of *Milborne Port* in the County of *Somerset*, and divers Lands and Hereditaments in the Parish of *Milborne Port*, for the Manor of *Sherborne Wyke*, and divers Farms and Lands and Improprate Tithes in the Parishes of *Sherborne*, *Bradford Abbas*, and *Thornford*, in the County of *Dorset*, and for the Advowsons of the said Rectory of *Clifton Maybank* and Vicarage of *Bradford Abbas*.

[17th June 1824.]

[*Tithes of both Parishes vested in Vicar of united Parishes, § 3. Tithes of Milborne Port to become parcel of Improprate Rectory, and vested in Vicar (Exception) in lieu of all Tithes, § 12. Tithes of Cannon Court Farm extinguished, § 13.*]

## Cap. 24.

An Act to enable the Right Honourable *Eleanor* Countess *Grosvenor* and the Person or Persons for the Time being entitled to the Estates, devised by the Wills of the Right Honourable *Thomas* late Earl of *Wilton*, and the Right Honourable *Eleanor* late Countess of *Wilton*, both deceased, to make Conveyances in Fee or Demises for long Terms of Years, of certain Parts of the said Estates for building on or improving the same under reserved Yearly Rents.

[17th June 1824.]

## Cap. 25.

An Act for effecting an Exchange of the undivided Moiety of certain Estates in the Parish of *Audley* in the County of *Stafford*, settled by the Will of *Catherine Tollet* Widow, and now

in the Possession of *Lawrence Armitstead* Esquire, for a certain other Estate in the County of *Chester* belonging to the said *Lawrence Armitstead* in Fee Simple, to be settled to the subsisting Uses of the said Will. [17th June 1824.]

Cap. 26.

An Act to enable Sir *Charles Morgan* Baronet, with the Licence of Sir *Charles Joshua Smith* Baronet, or other the Person or Persons claiming under a Settlement made on his Marriage with Dame *Belinda* his Wife, late *Belinda Colebrooke*, Spinster, to grant building Leases of certain Copyhold Lands held of the Manor of *Stebbunheath* otherwise *Stepney*, in the County of *Middlesex*, pursuant to Contracts entered into by the said Sir *Charles Morgan*; and to enable the said Sir *Charles Joshua Smith*, and other Persons claiming under the said Settlement, to license the granting of Leases of other Copyhold Lands within the said Manor, for a longer Term of Years than authorized by the Custom of the said Manor. [17th June 1824.]

Cap. 27.

An Act to give Powers of Sale over the Estates devised by the Will of *Ambrose Proctor* of *Ware* in the County of *Hertford*, Gentleman, deceased, for the Purpose of obtaining a more connected and convenient Estate, to be settled to the existing Uses of his Will; and of changing and appointing new Trustees for the Purposes of this Act. [17th June 1824.]

Cap. 28.

An Act to commute, for a Corn Rent, certain Tithes and Dues payable to the Vicar of the Parish of *Lancaster* in the County of *Lancaster*. [17th June 1824.]

[*Corn Rents to be in Satisfaction of Tithes and Dues, except Tithes of Fish, § 22. 25. 29.*]

Cap. 29.

An Act to amend an Act of His late Majesty King *George* the Third, for inclosing Lands in the several Parishes of *Llanvihangel Generglyn* and *Llanganfelin* in the County of *Cardigan*. [17th June 1824.]

[*53 G. 3. c. 71. Pr. repealed as to Power to try disputed Claims at Law.*]

Cap. 30.

An Act for extinguishing the Rights of Stray and Average over certain Lands called *Half Year Lands*, situate without *Walmgate Bar*, in the Suburbs or Precincts of the City of *York*. [17th June 1824.]

Cap. 31.

An Act for dividing, allotting and inclosing certain Lands and Waste Grounds, called the Town and undivided Lands of *Cattle Island* in the County of *Kerry*. [17th June 1824.]

## Cap. 32.

An Act for dividing, allotting and laying in Severalty Lands in the Districts or Tithings of *Potterne* and *Marston*, within the Parish of *Potterne* in the County of *Wilts*, and for vesting Part of the said Lands situate in *Potterne* in Trustees, for the Benefit of the Poor of that Part of the said Parish.

[17th June 1824.]

[*Allotments to the Bishop of Salisbury and Vicar for the Use of the Poor*, §§ 21, 22. *Allotment to the Poor to be Take free only so long as they shall be occupied by the Poor*, § 23. *Land to be deducted from Allotment to the Bishop of Salisbury for Expences*, § 27. *Fencing Vicar's Allotment*, § 43. *Vicar may lease Allotment*, § 48.]

## Cap. 33.

An Act to enable the Devises under the Will of *Thomas James Warren*, Lord Viscount *Bulkeley*, deceased, to grant building and repairing Leases of Parts of the devised Estates, and to establish and render valid and effectual a Term of Five hundred Years, limited or intended to have been limited by the said Will, for the Purposes thereby intended. [21st June 1824.]

## Cap. 34.

An Act for enabling certain Estates in *England* of the Most Honourable *Walter* late Marquis of *Ormonde*, deceased, to be sold, and the Proceeds arising therefrom, after Payment of certain Charges and Incumbrances, to be applied in reduction of the Charges and Incumbrances affecting the Family and other Estates in *Ireland*, late of the said Marquis of *Ormonde*; and for enabling the said last mentioned Estates to be settled, subject to the unliquidated Charges and Incumbrances thereon, to the subsisting Uses and Powers of the Estates in *England* sold under the Authority of this Act, and with additional Provisions to be inserted in such Settlement.

[21st June 1824.]

## Cap. 35.

An Act to carry into complete Effect certain Articles of Agreement made and entered into between *John* Lord Bishop of *London* since deceased, *Sir John Frederick* Baronet, *Arthur Stanhope* Esquire, *Sir Frederick Treise Morshead* Baronet, *Sir John Morshead* Baronet since deceased, and *Dame Elizabeth* his Wife, and *Selina Thistlethwayte* since deceased, and the Company of Proprietors of the Grand Junction Canal.

[21st June 1824.]

[*The King, in cases of Forfeiture, to hold Lands subject to the Agreement of the Canal Company. So as to Purchasers*, § 8.]

## Cap. 36.

An Act for vesting the Manor of *Keymer* in the County of *Sussex*, and certain other Freehold and Copyhold Estates, devised by the

the Will of *James Cooke* Esquire, deceased, in Trustees to be sold, and for authorizing the Enfranchisement of Copyhold Estates, holden of the said Manor for the Payment of Debts and Incumbrances, and for laying out Part of the Purchase Monies in the Purchase of other Estates, to be settled in lieu of the settled Moiety of the said Manor, and other Hereditaments, and to the same Uses as that Moiety is settled.

[21st June 1824.]

*Cap. 37.*

An Act for extending to other Estates belonging to the See of *Canterbury* the Powers of an Act passed in the Forty seventh Year of the Reign of His Majesty King *George* the Third, and of an Act passed in the First Year of the Reign of His present Majesty, for enabling the Archbishop of *Canterbury* to grant Building Leases and Repairing Leases. 47 G.S. c.128.

[21st June 1824.]

*Cap. 38.*

An Act to empower the Governors and Corporation of *Etwell Hospital* and *Repton Free School*, in the County of *Derby*, to extend and increase the Objects of that Charity, and to make Sales, and for other Purposes therein mentioned.

[21st June 1824.]

*Cap. 39.*

An Act for vesting certain Estates in the Counties of *Leicester* and *Chester*, devised by the Will of *Nathaniel Wright* Esquire, deceased, in Trustees, to be sold, and for authorizing the Purchase of other Estates, to be settled to the same Uses.

[21st June 1824.]

*Cap. 40.*

An Act for dissolving a certain Partnership called *The Kent Life Assurance and Annuity Institution or Company*, and for satisfying the Engagements entered into on Behalf of the same Institution, and dividing the Surplus of the Capital belonging to the same Institution, amongst the Holders of Shares of the same Capital.

[21st June 1824.]

# I N D E X

TO THE

## PUBLICK GENERAL ACTS, 5<sup>o</sup> GEO. IV.

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