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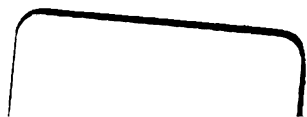
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THE  
**Statutes at Large,**

FROM THE

23<sup>d</sup> to the 26<sup>th</sup> Year of King GEORGE II.

BY

DANBY PICKERING, of GRAY'S INN, Esq;

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THE  
**Statutes at Large,**

FROM THE

23<sup>d</sup> to the 26<sup>th</sup> Year of King GEORGE II.

To which is prefixed,

A TABLE containing the TITLES of all the STATUTES  
during that Period.

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VOL. XX.

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

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CUM PRIVILEGIO.

57,820

## TABLE of the STATUTES,

Containing the Titles of all such Acts as are extant in print, from the Twenty Third to the Twenty Fifth Year of King GEORGE II. inclusive.

*Anno 23 Georgii II.*

- Cap. 1. **F**OR reducing the several annuities, which now carry an interest after the rate of four pounds *per centum per annum*, to the several rates of interest therein mentioned.
- Cap. 2. For granting an aid to his Majesty by a land tax, to be raised in *Great Britain*, for the service of the year one thousand seven hundred and fifty.
- Cap. 3. For continuing and granting to his Majesty certain duties upon malt, mum, cyder and perry, for the service of the year one thousand seven hundred and fifty.
- Cap. 4. For punishing mutiny and desertion; and for the better payment of the army and their quarters.
- Cap. 5. For enlarging the term and powers granted by an act passed in the fifth year of the reign of his present Majesty, for repairing and amending the roads leading from the town of *Manchester* in the county of *Lancaster*, through the town of *Alton under Line*, and parish of *Mottram Longendale*, and from thence to *Salters Brook* in the county palatine of *Chester*.
- Cap. 6. For repairing, improving and maintaining the haven and piers of *Great Yarmouth*; and for deepning, and making more navigable the several rivers emptying themselves into the said haven; and also for preserving ships, wintering therein, from accidents by fire.
- Cap. 7. For enlarging the term and powers granted and continued by two former acts of parliament, for repairing, widening and amending the roads from *Wigan* to *Preston* in the county palatine of *Lancaster*; and for making the said acts more effectual.
- Cap. 8. For enlarging the term and powers granted and continued by two acts of parliament, for amending the highways leading from *Brampton Bridge*, to *Welford Bridge* in the county of *Northampton*, and the great post road from *Morter Pitt Hill* to *Chain Bridge*, leading into *Market Harborough* in the county of *Leicester*; and for explaining and making more effectual the said acts; and also for repairing the roads leading from *Morter Pitt Hill* and *Brampton Bridge* to the town of *Northampton*.
- Cap. 9. For repealing the duties now payable upon *China raw silk*, and for granting other duties in lieu thereof.
- Cap. 10. For enlarging the term and powers granted by an act passed in the fourth year of the reign of his present Majesty, *For repairing the road leading from the town of Fulham in the county of Middlesex, through Fulham fields, to the great road near the pound at Hammersmith, in the said county.*
- Cap. 11. To render prosecutions for perjury, and subornation of perjury, more easy and effectual.
- Cap. 12. For improving the navigation

## A TABLE of the STATUTES.

- tion of the river *Loyne*, otherwise called *Lune*; and for building a quay or wharf, near the town of *Lancaster*, in the county palatine of *Lancaster*.
- Cap. 13. 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.
- Cap. 14. For assigning a place proper for holding the market in the city of *Westminster*, in lieu of the ancient market place called the *Round Woolstaple*; and for regulating the said market.
- Cap. 15. For taking down several buildings, and enlarging the streets and market places in the city of *Gloucester*.
- Cap. 16. For granting to his Majesty the sum of one million to be raised by annuities at three pounds *per centum per annum*, and charged on the sinking fund, transferrable at the bank of *England*.
- Cap. 17. For repairing the roads leading from *Dunglas Bridge* to the town of *Haddington*; and from thence to *Ravenshaughburn* in the county of *Haddington*.
- Cap. 18. For enlightning the open places, streets, lanes, passages and courts; and for the better regulating the nightly watch, within the parish of *Saint John Southwark* in the county of *Surrey*.
- Cap. 19. For making more effectual several acts of parliament passed for cleansing and making navigable the channel from the *Hithe at Colchester* to *Wivenhoe* in the county of *Essex*; and for repairing and cleansing the streets and lanes of the town of *Colchester*.
- Cap. 20. For encouraging the growth and culture of raw silk in his Majesty's colonies or plantations in *America*.
- Cap. 21. For granting to his Majesty the sum of nine hundred thousand pounds out of the sinking fund, for the service of the year one thousand seven hundred and fifty; and for applying certain surplus monies remaining in the exchequer, as part of the supply of the said year; and for the application of certain savings in the hands of the paymaster general; and for obviating a doubt in an act of the fifth year of King *George the First*, in respect to the payment of certain annuities thereby granted for the improvement of fisheries and manufactures in *Scotland*; and for the further appropriating the supplies granted this session of parliament; and for giving further time for the payment of duties omitted to be paid for the indentures or contracts of clerks and apprentices; and for transferring the bounties now payable upon the exportation of *British* sail cloth, to the customs; and for enforcing the laws against the clandestine importation of soap, candles, and starch, into this kingdom.
- Cap. 22. For giving further time to the proprietors of annuities, after the rate of four pounds *per centum per annum*, to subscribe the same in the manner and upon the terms therein mentioned; and for redeeming such of the said annuities, as shall not be so subscribed; and for empowering the *East India* company to raise certain sums by transferrable annuities.
- Cap. 23. To continue several laws for

## A TABLE of the STATUTES

- for preventing the spreading of the *plague* which now rages amongst the *horned cattle*; and for impowering his Majesty to prohibit the killing of cow calves.
- Cap. 24. For the encouragement of the *British* white herring fishery.
- Cap. 25. For making good a deficiency upon the revenue of the office of keeper or clerk of the hanaper, and for preventing any future deficiency therein, to answer the publick services provided for out of the same; and for augmenting the income of the office of master or keeper of the rolls.
- Cap. 26. To continue several laws for the better regulating of pilots, for the conducting of ships and vessels from *Dover*, *Deal*, and *Isle of Thanet*, up the rivers of *Thames* and *Medway*; and for permitting rum or spirits of the *British* sugar plantations to be landed before the duties of excise are paid thereon; and to continue and amend an act for preventing frauds in the admittance of coals within the city and liberty of *Westminster*, and several parishes near thereunto; and to continue several laws for preventing exactions of occupiers of locks and weirs upon the river *Thames* westward, and for ascertaining the rates of water carriage upon the said river; and for the better regulation and government of *seamen* in the merchants service; and also to amend so much of an act made in the first year of the reign of King *George* the First, as relates to the better preservation of salmon in the river *Ribble*; and to regulate fees in trials at assizes, and *Nisi Prius*, upon records issuing out of the office of pleas of the *chancery*; and for the apprehending of persons in any county or place, upon warrants granted by justices of the peace in any other county or place; and to
- repeal so much of an act made in the twelfth year of the reign of King *Charles* the Second, as relates to the time during which the office of excise is to be kept open each day, and to appoint for how long time the same shall be kept open upon each day for the future; and to prevent the stealing or destroying of turnips; and to amend an act made in the second year of his present Majesty, for better regulation of attorneys and solicitors.
- Cap. 27. For the more easy and speedy recovery of small debts within the city and liberty of *Westminster*, and that part of the duchy of *Lancaster* which adjoineth thereto.
- Cap. 28. To explain part of an act passed in the thirteenth and fourteenth years of the reign of King *Charles* the Second, for the uniformity of publick prayers, and administration of sacraments; and also part of an act passed in the thirteenth year of the reign of Queen *Elizabeth* for the ministers of the church to be of sound religion.
- Cap. 29. To encourage the importation of pig and bar iron from his Majesty's colonies in *America*; and to prevent the erection of any mill or other engine for slitting or rolling of iron, or any plateing forge to work with a tilt hammer, or any furnace for making steel, in any of the said colonies.
- Cap. 30. For the more easy and speedy recovery of small debts within the *Tower Hamlets*.
- Cap. 31. For extending and improving the trade to *Africa*.
- Cap. 32. For granting to his Majesty certain duties upon such species of sail cloth as are therein mentioned, which shall be imported from *Ireland* into *Great Britain*, during the time therein limited.
- Cap. 33. For preventing delays and expences in the proceedings in the county court of *Middlesex*; and

## A TABLE of the STATUTES:

for the more easy and speedy recovery of small debts in the said county courts.

Cap. 34. For permitting raw silk of the growth or produce of *Persia*, purchased in *Russia*, to be imported into this kingdom, from any port or place belonging to the empire of *Russia*.

Cap. 35. For making a better and more effectual provision for the relief of the poor, for the cleansing the streets, and for keeping a nightly watch, within the parish of *Saint Martin in the Fields*, within the liberties of the city of *Westminster*.

Cap. 36. For settling a stipend or maintenance upon the rector of the parish of *Saint George the Martyr*, in the borough of *Southwark*, in the county of *Surrey*, and his successors, in lieu of tythes.

Cap. 37. For building a bridge cross the river of *Thames*, from *Hampton Court* in the county of *Middlesex*, to *East Moulsey* in the county of *Surrey*.

Cap. 38. For repairing the road from the city of *York* over *Skipbridge*, to *Boroughbridge* in the county of *York*.

Cap. 39. For the more effectual repairing and preserving the piers and harbour of *Whitby* in the county of *York*.

Cap. 40. For repairing and widening the roads leading from *Egremont* to *Dudden Bridge*, *Santon Bridge*, and *Salthouse*, in the county of *Cumberland*.

### Private Acts.

#### Ann. 23 Georgii II.

1. An act for naturalizing *Thomas Abraham Ogier*, *Peter Henry Gauvain*, and others.
2. An act for naturalizing *Charles Lindegren*.
3. An act for naturalizing *Henry Joly*.
4. An act for naturalizing *Germain Lovie*.

5. An act for vesting in trustees certain leases and estates therein mentioned, of and in the manors, of *Spalding* and *Holbeck*, and of several lands, tenements and hereditaments to the same belonging, in the county of *Lincoln*, which were forfeited by *James* late duke of *Monmouth*, put in exigent upon an indictment of high treason, to the intent that the lots of the record of such indictment, and of the *Capias* and exigent thereon, may be supplied for the purposes therein mentioned.

6. An act to empower the committees of *Thomas* earl of *Bradford*, a lunatick, to lay out part of his personal estate in the purchase of lands and estates of inheritance for the purposes therein mentioned.

7. An act to enable his Majesty to grant the inheritance of the manor of *Garstang* in the county of *Lancaster*, and of a messuage or tenement in *Newbigginge* in *Leinfale*, in the county of *Westmorland*, to trustees, in trust for the honourable *Edward Walpole* esquire, and his heirs, upon a full and valuable consideration to be paid for the same.

8. An act to enable *Roger Manslock*, doctor in divinity, now called *Roger Pettward*, and the heirs of his body, to take and use the surname and arms of *Pettward*.

9. An act to enable *Beckford Kendall* esquire, now called *Beckford Kendall Cater*, and his issue male, to take and use the surname and arms of *Cater*.

10. An act for naturalizing *John Peter Mandrot*, *Louis Chabanel*, *William de Drufina*, and others.

11. An act for naturalizing *Isaac Schomberg*, doctor in physick.

12. An act for naturalizing *Engelbert Hake*.

13. An act to empower the guardians of *Henry* earl of *Bumbroke* and *Montgomery*, an infant, to make leases

A TABLE of the STATUTES.

- leaves of his real estate during his minority.
14. An act to enable *Hugh* earl of *Northumberland*, and *Elizabeth* countess of *Northumberland* and baroness *Percy*, his wife, and their children, progeny, and issue, to take and use the name of *Percy*, and bear and quarter the arms of the *Percy* earls of *Northumberland*.
15. An act for sale of part of the settled estate of *Sir Thomas Moystyn* baronet, in the county of *Anglesey*, for payment of debts, and for providing a recompence to his eldest son and issue in lieu thereof.
16. An act for establishing a partition made between dame *Mary Latre*, and others, of divers estates in the parishes of *West Thorock* and *Stifford*, in the county of *Essex*, in pursuance of several orders of the high court of *Chancery*.
17. An act for empowering trustees to cut down and sell timber upon the estate late of *John Trevor* esquire, in the counties of *Denbigh* and *Flint*, for discharging his debts, and also to make leases of mines in the said counties.
18. An act for investing part of the personal estate of *Charles Churchill* Schepherd, deceased, in the purchase of lands to be settled, pursuant to an agreement in the settlement made on the marriage of *Charles Churchill* junior esquire, with the lady *Maria Walpole*.
19. An act for sale of the manor of *Murphy*, and other estates in the county of *Bucks*, lately belonging to *Hugh Barker* the younger esquire, deceased, pursuant to an agreement made with him for that purpose.
20. An act for making effectual an agreement for sale of a messuage at *White Hill* in the county of *Berks*, with the appurtenances, late the estate of colonel *Charles Lane*, deceased, to *Alexander Walker* esquire.
21. An act for sale of the estates devised by the will of *John Hilton* esquire, deceased, and for applying the money arising thereby in the payment of his debts and legacies.
22. An act for explaining and amending several powers contained in the settlements made in the marriage of *Henry Walters* gentleman, and *Anne* his wife, for rendering the same more effectual for the purposes thereby intended.
23. An act to empower the executors and trustees of *Samuel Shephard* esquire, deceased, to sell his houses at *Exning* in *Suffolk*, and in *Cavendish Square*, and the plate and furniture thereto belonging, and to apply the money produced by such sale, as the court of *Chancery* shall direct or appoint.
24. An act for sale of part of the estates of *John Needham* esquire, and *Anne* his wife; *John Leche* esquire, and *Mary* his wife; and *Elizabeth Hurlston*, for discharging incumbrances affecting the same, and other purposes therein mentioned.
25. An act to enable *William Cowper* esquire, to settle a jointure upon his present wife, and to make leases of certain estates in the county of *Hertsford*.
26. An act for empowering trustees to raise money out of the settled estate of *Robert Dolman* esquire, for discharging several debts and sums of money contracted and borrowed by him.
27. An act for vesting the estates of *Richard Stanley* esquire, a lunatick, lying in the counties of *Kent* and *Middlesex*, in trustees, to be sold for the payment of several debts and incumbrances thereon, and for other purposes therein mentioned.
28. An act to sell part of the settled estate of *Thomas Sergison* esquire, and to lay out the money arising thereby, in the purchase of lands and hereditaments to be settled in lieu thereof.
29. An



## A TABLE of the STATUTES.

29. An act to enable *William Nisbet* of *Dirleton* esquire, and the heirs of intail for the time being, to make leases of lands in the county of *Haddington*, and for other purposes therein mentioned.
30. An act for raising money by sale or mortgage of the estate of *Garton Orme* esquire, in the county of *Sussex*, for the payment of his debts, and the portion of *Charlotte Orme* his daughter, and for other purposes therein mentioned.
31. An act for inclosing and dividing certain common fields and common grounds, called *Nether Heyford Common Fields*, lying and being in the parishes of *Nether Heyford*, *Stow with nine Churches*, and *Bugbrooke*, in the county of *Northampton*, and for extinguishing all right of common in certain meadows, pastures, and inclosed grounds in the said parishes, and providing a recompence to the rectors of the said parishes, in lieu of tythes.
32. An act for confirming articles of agreement for inclosing and dividing the commons and waste grounds within the manor of *Culceth* in the county of *Lancaster*.
33. An act for securing the sole property, benefit and advantage of an engine invented by *Israel Pownoll*, deceased, for raising ballast, sullage, and sand, and for removing banks, shelves and shoals, in rivers and harbours, to the children of the said *Israel Pownoll*, for a certain term of years.
34. An act for naturalizing *Jacob Van Wylick*.

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### Anno 24. Georgii II.

- Cap. 1. For continuing and granting to his Majesty certain duties upon malt, mum, cyder and perry, for the service of the year one thousand seven hundred and fifty one.
- Cap. 2. For granting to his Majesty

the sum of two millions one hundred thousand pounds, to be raised by annuities, and a lottery, and charged on the sinking fund, redeemable by parliament.

- Cap. 3. For enlarging the terms and powers granted by an act passed in the twelfth year of the reign of his present Majesty, for repairing the road between *Stamford* and *Grantbam* in the county of *Lincoln*; and for making the same more effectual.
- Cap. 4. For enabling his Majesty to raise the several sums of money therein mentioned, by exchequer bills, to be charged on the sinking fund; and for empowering the commissioners of the treasury to pay off the old and new unsubscribed *South Seas* annuities out of the supply granted to his Majesty for the service of the year one thousand seven hundred and fifty one; and for enabling the bank of *England* to hold general courts, and courts of directors, in the manner therein directed; and for giving certain persons liberty to subscribe bank and *South Seas* annuities omitted to be subscribed pursuant to two acts of the last session of parliament.
- Cap. 5. To indemnify persons who have omitted to qualify themselves for offices and employments within the time limited by law, and for allowing further time for that purpose.
- Cap. 6. For punishing mutiny and desertion; and for the better payment of the army and their quarters.
- Cap. 7. For granting an aid to his Majesty by a land tax, to be raised in *Great Britain*, for the service of the year one thousand seven hundred and fifty one.
- Cap. 8. For the better carrying on, and regulating, the navigation of the river *Thames* and *Isis*, from the city of *London* westward to the town

## A TABLE of the STATUTES.

- to rebuild the church of the said parish.
- Cap. 9. For repairing the road leading from *Wils-Lovington* to the *Devizes*, and from the *Devizes* to *Strath*, in the county of *Wils.*
- Cap. 10. For enlarging the term and powers granted by two acts of parliament, for repairing the highways through the several parishes of *Saint Michael*, *Saint Alban*, *Saint Peter*, *Stenley-Ridge*, and *South-Mims*, in the counties of *Hertsford* and *Middlesex.*
- Cap. 11. For reducing the interest upon the capital stock of the *South Sea* company, from the time, and upon the terms, therein mentioned; and for preventing of frauds committed by the officers and servants of the said company.
- Cap. 12. For appointing commissioners to put in execution an act made in the twenty second year of the reign of *King Charles* the Second, for making navigable the rivers commonly called *Brandon* and *Woveney*; so far as the same relates to the navigation of the river commonly called the *Lesser Ouse*, from *Thetford* to *Brandon*, and from *Brandon* to a place called the *White House*, near *Brandon Ferry*, in the counties of *Norfolk* and *Suffolk.*
- Cap. 13. For repairing the road from *Crosford Bridge*, through the townships of *Streitford* and *Hulme*, to the town of *Manchester*, in the county palatine of *Lancaster.*
- Cap. 14. For explaining and amending an act passed in the twenty first year of the reign of his present Majesty, intituled, *An act for the relief of the assistants of the wardens and commonalty of the mystery of Mercers of the city of London, and for other purposes therein mentioned.*
- Cap. 15. To enable the parishioners of the parish of *Saint Mary, Islington*, in the county of *Middlesex*, to rebuild the church of the said parish.
- Cap. 16. For the more speedy and easy recovery of small debts within the city of *Lincoln*, and county of the same city, and the liberties and precincts thereof; and within the bail of *Lincoln* in the county of *Lincoln.*
- Cap. 17. For repairing the road leading from the east end of *Brampston High Lane* in the county of *York*, to the town of *Richmond*, and from thence to and through the towns of *Asterrigg* and *Ingleton* in the said county, to the town of *Lancaster* in the county of *Lancaster.*
- Cap. 18. For the better regulation of trials by jury; and for enlarging the time for trials by *Nisi Prius* in the county of *Middlesex.*
- Cap. 19. For making the river *Nar* navigable, from the town and port of *King's Lynn*, to *Westacre*, in the county of *Norfolk.*
- Cap. 20. For repairing and widening the road from *Preston* to *Lancaster*, and from thence to a place called *Heiring Syke*, that divides the counties of *Lancaster* and *Westmoreland.*
- Cap. 21. For enlarging the term and powers granted by an act passed in the third year of the reign of his present Majesty, for repairing and amending the several roads leading from *Woodstock* through *Kiddington* and *Enstone* to *Rallright Lane*, and from *Enslow Bridge* to *Kiddington* aforesaid, in the county of *Oxford*; and for making the said act more effectual.
- Cap. 22. For explaining and amending so much of an act passed in the fourteenth year of the reign of his present Majesty for the repairing and enlarging the roads from the town of *Selby*, in the west riding of the county of *York*, to the town of *Leeds*; and from thence in two several branches, one through *Bradford* and *Horton*, and the other through

## A TABLE of the STATUTES

- through *Bevving* and *Wibley*, to the town of *Haltfax* in the same riding, as relates to that part of the said roads which lies between *Selby* and *Leeds*; and also for repairing the road from *Tapscaster* in the said west riding, over *Bramham Moor* thro' *Kidball Lane*, over *Wia Moor*, and through *Seacroft*, to a place called *Hakon Dyal*, where it comes into the above-said road, between *Selby* and *Leeds*.
- Cap. 23. For regulating the commencement of the year; and for correcting the calendar now in use.
- Cap. 24. To provide for the administration of the government, in case the crown should descend to any of the children of his late royal highness *Frederick* prince of *Wales*, being under the age of eighteen years; and for the care and guardianship, of their persons.
- Cap. 25. For laying out, making, and keeping in repair, a road proper for the passage of troops and carriages from the city of *Carlisle*, to the town of *Newcastle upon Tyne*.
- Cap. 26. For cleansing and enlightening the open places, streets, and other passages, and regulating the nightly watch and bedels, in the parish of *Saint Matthew*, *Bethnal Green*, in the county of *Middlesex*.
- Cap. 27. To enable the present and future proprietors and inhabitants of the houses in *Golden Square*, in the parish of *Saint James*, *Westminster*, in the county of *Middlesex*, to make and levy a rate on themselves, for raising money sufficient for the better inclosing, paving, enlightening, and adorning of the said square; and supporting and keeping of the same in repair for the future.
- Cap. 28. For repairing the road from the top of *Crickley Hill* in the county of *Gloucester*, to *Frogg-Mill*, through the towns of *Northleach*, *Buxford*, and *Witney*, and parishes of *Hamberough* and *Bidden*, to *Swingfield*, in the parish of *Killingtun*, in the county of *Oxford*; and also the road from *Witney*, through *Sharnham*, *Gummer* and *Botley*, to the city of *Oxford*.
- Cap. 29. For repairing the road leading from the town of *Ludlow* in the county of *Salop*, through *Welferton* and *Little Hereford*, to a place called *Monk's Bridge*, in the said county; and also from the said town of *Ludlow*, to a place or house called the *Maidenhead* at *Orleton* in the county of *Hereford*.
- Cap. 30. For repairing the high roads leading from *Darlington* in the county of *Durham*, to *West Auckland*, and several other roads in the said county therein mentioned.
- Cap. 31. 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 linen and hampden manufactures in that part of Great Britain called Scotland*; and for further regulating and encouraging the said manufactures.
- Cap. 32. For enlarging the terms and powers granted by two acts of parliament for repairing the road from *Wendover*, to the town of *Buckingham* in the county of *Bucks*; and also for repairing and widening the road leading from the west end of the said town of *Wendover*, to the end of a lane called *Oak Lane*; next the great road called *The Oxford Road*, lying between the town of *Beaconsfield*, in the said county of *Bucks*, and *Uxbridge* in the county of *Middlesex*, and that part of the said great road which leads from the west end of the said town of *Beaconsfield*, to the river *Colne* near *Uxbridge* aforesaid.
- Cap. 33. For enlarging the terms and powers granted by an act passed in the fourth year of his present Majesty's reign, for repairing the roads leading

## A TABLE of the STATUTES.

leading from the most southern part of *Antony* in the parish of *Loo-ton*, in the county palatine of *Chester*, to *Armitage*; and from thence to *Hampol*; *Beaumont*; *Caput Grange Green* in the said county; and for making the said act more effectual.

Cap. 31. For the better preservation of the game in that part of *Great Britain* called *Scotland*.

Cap. 35. For repairing the high roads in the county of *Edinburgh*, to and from the city of *Edinburgh*; and from *Crammond Bridge* to the town of *Queen's Ferry* in the county of *Linlithgow*.

Cap. 36. For building a bridge over the river *Ribble*, between the townships of *Prayton* and *Penwortham*, near a place called the *Fish-house*, in the county palatine of *Lancaster*.

Cap. 37. For dividing the parish of *Saint Philip and Jacob* in the county of *Gloucester*, and in the city and county of *Bristol*; and for erecting a church in the new intended parish.

Cap. 38. For levying a duty of two pennies *Scots*, or a sixth part of a penny sterling, on every *Scots* pint of ale and beer which shall be brewed for sale, brought into, tapped or sold, within the town of *Greenock*, and baronies of *Easter* and *Wester Greenock*, and *Finnart*, and liberties thereof, in the county of *Renfrew*, for repairing the harbour of the said town, and for other purposes therein mentioned.

Cap. 39. For the better regulating the navigation of the river *Avon*, running through the counties of *Warwick*, *Worcester* and *Gloucester*; and for ascertaining the rates of water-carriage upon the said river.

Cap. 40. For granting to his Majesty an additional duty upon spirituous liquors; and upon licences for retailing the same; and for repealing the act of the twentieth year of his present Majesty's reign, intituled,

*An act for granting a duty to his Majesty to be paid by distillers upon Licences to be taken out by them for retailing spirituous liquors; and for the more effectually restraining the retailing of distilled spirituous liquors; and for allowing a drawback upon the exportation of British made spirits; and that the parish of Saint Mary le Bon, in the county of Middlesex, shall be under the inspection of the head office of excise.*

Cap. 41. For the more effectual securing the duties upon tobacco.

Cap. 42. To explain and amend an act passed in the last session of parliament, intituled, *An act for the more easy and speedy recovery of small debts within the city and liberty of Westminster, and that part of the duchy of Lancaster, which adjoineth thereto; and for making the said act more effectual.*

Cap. 43. For the more effectual preservation of the turnpike roads in that part of *Great Britain* called *England*; and for the disposition of penalties given by acts of parliament relating to the highways in that part of *Great Britain* called *England*, and for enforcing the recovery thereof; and for the more effectual preventing the mischiefs occasioned by the drivers riding upon carts, drays, carrs and waggons, in the city of *London*, and within ten miles thereof.

Cap. 44. For the rendering justices of the peace more safe in the execution of their office; and for indemnifying constables, and others, acting in obedience to their warrants.

Cap. 45. For the more effectual preventing of robberies and thefts upon any navigable rivers, ports of entry or discharge, wharfs and keys adjacent:

Cap. 46. For repealing the duties now payable upon foreign linen

## A TABLE of the STATUTES

- linen yards, and for granting other duties in lieu thereof.
- Cap. 47. For granting to his Majesty the sum of six hundred thousand pounds out of the sinking fund, for the service of the year one thousand seven hundred and fifty one; and for allowances to the poor widows of commission and warrant officers of the royal navy; and for the farther appropriating the supplies granted this session of parliament; and for making forth duplicates of exchequer bills, lottery tickets, certificates, orders of loan, or annuity orders, payable at the exchequer in lieu of such as shall be lost, burnt or destroyed; and also for making forth new orders of loan or annuity orders, in lieu of such as shall become defaced, obliterated, or otherwise incumbered with assignments or endorsements thereon.
- Cap. 48. For the abbreviation of *Michaelmas* term.
- Cap. 49. For allowing further time to the commissioners appointed by and in pursuance of an act of the twenty third year of his present Majesty's reign, intituled, *An act for extending and improving the trade to Africa*, to inquire into the claims of certain creditors of the royal *African* company therein mentioned, and for the relief of *David Crichton*; and for restraining the said company from disposing of such of their effects as are therein mentioned; and for staying all suits for money due from or on the account of the said company, for the time therein mentioned.
- Cap. 50. To enable his Majesty to make leases and copies of offices, lands and hereditaments, parcel of his dutchy of *Cornwall*, or annexed to the same.
- Cap. 51. For encouraging the making of pot ashes and pearl ashes in the *British* plantations in *America*.
- Cap. 52. For continuing several laws therein mentioned; relating to the premiums upon the importation of masts, yards and bowsprits; tar, pitch and turpentine; to *British* made sail cloth, and the duties payable on foreign sail cloth; and to the allowances upon the exportation of *British* made gunpowder.
- Cap. 53. To regulate and restrain paper bills of credit in his Majesty's colonies or plantations of *Rhode Island* and *Providence* plantations, *Connecticut*, the *Massachusetts Bay*, and *New Hampshire* in *America*; and to prevent the same being legal tenders in payments of money.
- Cap. 54. For explaining, continuing, and enforcing several laws therein mentioned, more effectually to prevent the spreading of the distemper which now rages amongst the horned cattle in this kingdom.
- Cap. 55. For amending and making more effectual a clause in an act passed in the last session of parliament, for the apprehending of persons in any county or place, upon warrants granted by justices of the peace of any other county or place.
- Cap. 56. For ascertaining the admeasurement of wheat meal, or other corn or grain ground, for which a bounty is payable upon exportation; and for making allowances to the *East India* company, for their charges and expences in managing, paying, and transferring their reduced annuities.
- Cap. 57. To continue several laws therein mentioned; for preventing theft and rapine on the northern borders of *England*; for the more effectual punishing wicked and evil-disposed persons going armed in disguise, and doing injuries and violences to the persons and properties of his Majesty's subjects, and for the more speedy bringing the offenders to justice; for continuing two clauses to prevent the cutting or breaking down the bank of

## A TABLE of the STATUTES

of any mine or iron bank; and to prevent the malicious cutting of iron-bands; for the more effectual punishment of persons maliciously setting down any mine, pit, or delph of coal, or cannel coal; and of persons unlawfully hunting or taking any red or fallow deer in forests or chaces, or beating or wounding the keepers or other officers in forests, chaces or parks; for granting a liberty to carry sugars of the growth, produce, or manufacture of any of his Majesty's sugar colonies in America, from the said colonies, directly into foreign parts, in ships built in Great Britain, and navigated according to law; for preventing the committing of frauds by bankrupts; for giving further encouragement for the importation of naval stores from the British colonies in America; and for preventing frauds and abuses in the admeasurement of coals in the city and liberty of Westminster; and to make some further provisions in relation to the signing of certificates for the discharge of bankrupts.

Cap. 58. For making, widening, and keeping in repair, several roads in the several parishes of Lambeth, Newington, Saint George's Southwark and Bermondsey in the county of Surrey; and Lewisham in the county of Kent.

Cap. 59. For enlarging of the terms and powers, and making more effectual several acts of parliament for repairing and amending the highways leading from Royston in the county of Hertford, to Wansford Bridge in the county of Huntingdon, so far as relates to the amending of that part of the road as lies between a place called the White Ploth on Alenbury Hill in the county of Huntingdon, and Wansford Bridge in the same county, called the North Division; and that the tolls taken

at Salers and Wansford toll-gates may, from and after a certain time, be lowered; and for repairing the said road leading from *Stilton* in the said county of Huntingdon, to *Peterborough* in the county of Northampton.

### Private Acts.

Anno 24 Georgii II.

1. An act to dissolve the marriage of *Godfrey Copley* esquire, with *Anna Maria Brate*, his now wife, and to enable him to marry again, and for other purposes therein mentioned.
2. An act to enable *Samuel Smith* esquire to take and use the surname of *Holworthy* only, and bear the coat armour of *Matthew Holworthy* esquire, deceased, pursuant to the will of *Elizabeth* his widow, also deceased.
3. An act to enable *John Heath* esquire, and his heirs male, to take and use the surname and arms of *Duke*, according to the direction of the last will and testament of *Richard Duke* esquire, deceased.
4. An act for naturalizing *John Lotard*, *Daniel Richard*, *Daniel Perward*, *Charles Boucher* and *John Schnelly*.
5. An act for naturalizing *Christopher Jacob Krauter*.
6. An act for empowering the trustees, named in the settlement made upon the marriage of *Edward Hulfe* esquire, with *Hannab* his wife, to lay out part of the trust-moneys therein mentioned, in the purchase of reversionary estates, as well as lands in possession, to be settled to the uses of the said marriage settlement, with power to make leases thereof, according to the custom of the country.
7. An act to enable *George Lane*, heretofore called *George Fox* esquire, and his issue male, to take and use the surname and arms of *Lane*, pursuant to the will of *James* lord viscount

## A TABLE of the: STATUTES.

9. An act to enable *Lawborough*, in the kingdom of *Ireland*, deceased, and for enrolling the said will, and making the execution thereof evidence in all courts in *Great Britain* and *Ireland*.
10. An act to enable *Thomas Smith*, now called *Thomas Panuwell*, and the heirs of his body, to take and use the surname and arms of *Panuwell*.
11. An act to enable the most noble *Jane* duchess dowager of *Argyll* and *Greenwich* to grant leases of the ground; and repairing leases of the houses and buildings in the county of *Middlesex*, mentioned in the will of *John* late duke of *Argyll* and *Greenwich* deceased.
12. An act for charging divers houses, tenements and hereditaments, in the city of *London* and county of *Hertford*, part of the settled estate of *William* earl *Cowper*, with raising money towards defraying the expenses of rebuilding the said houses in *London*, burnt down and destroyed by fire.
13. An act for vesting divers lands, tenements and hereditaments in the county of *Cork* in the kingdom of *Ireland*, comprized in the marriage-settlement of *John* earl of *Egmont*, in him and his heirs, discharged of the uses of that settlement, and for settling other lands and hereditaments in the said county, of greater value, in lieu thereof, to the same uses.
14. An act for the sale of a capital messuage at *Bromley*, and divers messuages, lands and hereditaments in the counties of *Middlesex* and *Essex*, late the estate of *Sir Charles Pratt* knight deceased, some time since one of the aldermen of the city of *London*, and for purchasing another estate to be settled to the uses of his will.
15. An act to enable *John Primrose* esquire, commonly called lord *Dal-*
- maise, to secure a jointure to *Mary* countess of *Rosbrough*, his daughter, and make provisions for his brother and sister, out of the entailed estate late of *Sir Archibald Primrose* knight, deceased.
16. An act for vesting the undivided twelfth part of *John Fekyll*, an infant, in the real estate of *Sir Joseph Fekyll* knight, deceased, in trustees, to be sold for the purposes therein mentioned.
17. An act for sale of the estate late of *Edmund Pleydell* esquire, in *Gloucestershire*, and for laying out the money arising by such sale, in the purchase of another estate, to be settled to the uses of his will.
18. An act to enable *Sir William Maxwell*, of *Manseith*, baronet, or other heirs of entail for the time being, to sell lands in the county of *Wigtown*, for payment of debts, and other purposes therein mentioned.
19. An act for the effectual securing of a jointure, by way of year-charge, for *Barbara Mainwaring Ellerker*, wife of *Eaton Mainwaring Ellerker* esquire, and raising portions for their younger children, pursuant to an agreement contained in their marriage-settlement, and for confirming and establishing the surname of *Ellerker*, and the coat of arms of the *Ellerkers*, of *Risby* in the county of *York*; and the crest granted by King *Henry* the Eighth, to the said *Eaton Mainwaring Ellerker*, and his issue.
20. An act for confirming a partition of the estate late of *George Gardner* esquire, deceased, and for settling and disposing of the lands belonging to *Edward Bulstrode* esquire, upon the said partition, for discharging incumbrances, and for a provision for himself, and his wife and children, pursuant to his marriage-settlement.
21. An act to empower the guardian

## A TABLE of the STATUTES.

- of guardians of *Thomas Horner* esquire, an infant, for the time being, to make leases and copyhold grants of his estates in the county of *Somerset*, during his minority, according to the usage and custom of the country, and for other purposes therein mentioned.
20. An act for vesting a messuage and lands in *Suffolk*, part of the settled estate of *Thomas Moyle* esquire, in trustees, in trust to sell the same, pursuant to an agreement for that purpose, and for applying the moneys arising by such sale, towards the purchase of another estate of greater value, to be settled to the like uses.
21. An act for the better effecting the purposes mentioned in the will of *John Michel*, late of *Richmond* in the county of *Surrey* esquire, deceased, for the benefit and advantage of *Queen's College* in the university of *Oxford*.
22. An act to confirm and establish an agreement for inclosing and dividing several lands and grounds in the parish of *Welton* in the county of *York*, and for settling a yearly sum on the vicar in lieu of tithes, and other purposes therein mentioned.
23. An act for confirming articles of agreement for inclosing and dividing certain commons and waste grounds in the parish of *Yatton* in the county of *Somerset*.
24. An act for inclosing and dividing the common fields, common pastures, common meadows and waste grounds, in the manor and parish of *Eorlingham* in the county of *Northampton*.
25. An act for confirming articles of agreement for inclosing and dividing the common fields, meadows and common ten in the manor and parish of *Dunby* in the county of *Lincoln*, and for rendering the same more effectual, and for other purposes therein mentioned.
26. An act for impowering *Sir Thomas Saunders Stright* baronet, to inclose *Besford* common in the county of *Warwickshire*, and for setting out and appointing proper roads over the same; and for charging the said common with a perpetual yearly rent, in lieu of certain rights and privileges claimed by *James Cocks* esquire, as lord paramount of the manor of *Besford*.
27. An act for confirming articles of agreement for inclosing the common pastures and common grounds within the manor of *Hutton Bushell* in the county of *York*.
28. An act for vesting for a certain term of years, in *Michael Menzies* esquire, his executors, administrators and assigns, the sole property of a machine, by him invented, for conveying of coals from the places where they are dug, to the heaps at the mouths of the pits, and in some cases from the heaps to the staiths, or places where they are put on board ships or keels.
29. An act to enable *William Leybourne*, formerly called *William Leybourne Taylor*, to take and use the surname of *Leybourne* only, and bear the coat of arms of the family of *Leybourne*, pursuant to the will of his uncle *William Leybourne*, deceased.
30. An act for enabling *James Langston*, formerly called *James Haughton*, and his heirs, to use the surname, and bear the family arms of *Langston*, pursuant to the will of *James Langston* his uncle, deceased.
31. An act to enable *John Fenwick*, lately called *John Wilson*, and the heirs male of his body, to take the name and bear the arms of *Fenwick* only, pursuant to the wills of *Robert Fenwick* and *Nicholas Fenwick*.
32. An act for naturalizing count *Stephanus Laurentius Medo*.
33. An act for establishing and confirming



## A TABLE of the STATUTES.

- firming articles entered into upon marriage of *Henry Arthur* earl of *Powis*, with *Barbara* countess of *Powis*, his wife, an infant, and for the more effectually carrying the same into execution.
34. An act for enabling the right honourable *John Thynne*, lord *Chedworth*, to settle a jointure on *Marta Parker* spinster, upon their inter-marriage, and for making provision for their younger children, and for explaining the will of Sir *Philip Parker Long* baronet, deceased, and for other purposes therein mentioned.
35. An act for completing the sale of the estate late of *Francis Scott*, commonly called earl of *Dalbairn*, deceased, in the county of *Lincoln*; and for applying the money arising thereby pursuant to an agreement for that purpose; and for empowering the guardians of the heir of the said late earl, for the time being, to make leases of ground and buildings in the county of *Middlesex*, during the minority of such heir.
36. An act for sale of part of the settled estate of *Thomas* lord viscount *Kilmorey*, for raising money to discharge the incumbrances affecting the same, prior to his marriage-settlement, and for laying out the surplus thereof in the purchase of other lands and hereditaments, to be settled to the uses of the said settlement.
37. An act for vesting the undivided moiety of divers lands and hereditaments in the counties of *Leicester*, *Stafford* and *Derby*, devised by the will of *Sarah Prowde* widow, deceased, in *Ralph Blois* clerk, in fee-simple; and for settling an entire estate in the county of *Suffolk*, of greater value, to the uses limited by the same will.
38. An act for vesting part of the settled estate of *George Barlow* esquire, in him and his heirs, and for settling another part of his estate of greater value, to the same uses, except as therein is excepted, in lieu thereof.
39. An act for sale of the estates late of *William Newland* esquire, deceased, in *Gatton*, *Rygate* and *Masflam* in the county of *Sursey*, for discharging incumbrances.
40. An act for sale of certain estates in the county of *Stafford*, of *Christopher Wood*, esquire, for discharging incumbrances affecting the same, and for settling other lands in lieu thereof.
41. An act for making and granting leases of lands, tenements and mines in the county of *Cornwall*, comprized in the marriage settlement and will of *Kelrod Courtney* esquire, deceased, during the minority of his issue claiming under the said settlement and will.
42. An act for selling part of the settled estate of *George Courtney* esquire, for discharging incumbrances affecting the same, and for enabling him to make a provision for his wife and children, pursuant to his marriage articles.
43. An act to enable the honourable *John Fitz Maurice*, and his issue, to take and use the surname of *Petty*, pursuant to the will of the right honourable *Henry* earl of *Shelburne* in the kingdom of *Ireland*, deceased.
44. An act for enabling *Richard King* *Stubblefield* gentleman, and his issue, to take and use the surname of *King*.
45. An act for naturalizing *Philip Jacob* baron *de Soesdyk Van Cloon*, lord of *Rhynewick*.
46. An act for naturalizing *John Jaglu*, *Stephan Cogigian*, *John Jacob Zornim*, and *John Adolph Spect*.

Anno 25 Georgii II.

Cap. 1. For continuing and granting to his Majesty certain duties upon malt

## A TABLE of the STATUTES.

- ... order and petty for the service of the year one thousand seven hundred and fifty two.
- Cap. 2. For punishing mutiny and desertion; and for the better payment of the army and their quarters.
- Cap. 3. For granting an aid to his Majesty by a land-tax to be raised in *Great Britain* within the space of one year, from the twenty fifth day of *March* one thousand seven and fifty two.
- Cap. 4. For appointing the deputy or secondary of the chief clerk to in-roll pleas in the *King's Bench*, called *The Master of the King's Bench office*, one of the registers or masters for the inrollment of deeds, wills, and other conveyances in the county of *Middlesex*, in the place and stead of such chief clerk.
- Cap. 5. To continue and make more effectual an act passed in the second year of the reign of his present Majesty, for repairing the high ways between *Sheppard's Shord* and *Horsey*, *Upright Gate* leading down *Badgers Hill* in the county of *Wilts*, and other ruinous parts of the high ways thereunto adjacent.
- Cap. 6. For avoiding and putting an end to certain doubts and questions, relating to the attestation of wills and codicils, concerning real estates, in that part of *Great Britain* called *England*, and in his Majesty's colonies and plantations in *America*.
- Cap. 7. To rectify a mistake in an act passed in the twenty fourth year of the reign of his present Majesty, intituled, *An act for explaining and amending an act passed in the twenty first year of his present Majesty*, intituled, *An act for the relief of the apprentices of the wardens and commonalty of the mystery of Mercers in the city of London*; and for other purposes therein mentioned.
- Cap. 8. For repairing the road leading from the *Royal Oak* on *Wrotham Heath*, to the town of *Wrotham* in the county of *Kent*; and from thence to the village of *Foot's Cray* in the said county.
- Cap. 9. For enlarging the term granted by two several acts of the third and ninth years of his late Majesty's reign, for continuing the duty of two pennies *Scots* upon every pint of ale and beer sold in the city of *Edinburgh*, for the purposes therein mentioned; and for discontinuing payment of the petty port customs there.
- Cap. 10. For the more effectual securing mines of black lead from theft and robbery.
- Cap. 11. To enable the parishioners of the parish of *East Greenwich* in the county of *Kent*, to deposit corpses in the vaults or arches under the church in the said parish, and to ascertain the fees that shall be paid for the same.
- Cap. 12. For repairing and widening the road from the town of *Warminster* in the county of *Wilts*, to the city of *Bath* in the county of *Somerset*; and also the road from the town of *Frome* in the said county of *Somerset*, to the town of *Beckington* in the same county; and for repairing the road from *Hoyesbury* to *Austrew Hill* in the county of *Wilts*.
- Cap. 13. For repairing the road from the town of *Cirencester* to the town of *Stroud*, and that part of *Radborough Hill* which leads to *Dudbridge*; and also the road leading from *Cirencester* towards *Bisley*, so far as the bottom of *Gulph Hill*; all in the county of *Gloucester*.
- Cap. 14. To open the port of *Lancaster* for the importation of wool and woollen yarn from *Ireland*.
- Cap. 15. To indemnify persons who have omitted to qualify themselves for offices and employments; and also persons who have omitted to make and file affidavits of the execution

## A TABLE of the STATUTES.

- eution of articles of clerkship, within the time limited by law; and for allowing further time for those purposes.
- Cap. 16.** For enlarging the term and powers granted by two acts of parliament, for repairing and amending the highways between the town or village of *Tistenfor*, and the most northern part of *Talk on the Hill* in *Butt Lane* in the county of *Stafford*.
- Cap. 17.** For repairing the road leading from the *Green Man* in the chapelry of *Seend* in the county of *Wilt*, through *Trowbridge* to a place called *White Trough* in the parish of *Trowbridge* in the same county; and from thence by *Road Church* to *Beckington* in the county of *Somerset*.
- Cap. 18.** For repairing the road leading from *Long Horsley* bar or gate, on the post road near the town of *Morpeth*, by or through *Long Horsley*, *Weldon Bridge* and *Whittingham*, to the river *Breamish*, and from thence to *Piercy's Cross* in the county of *Northumberland*.
- Cap. 19.** To open the port of *Great Yarmouth* for the importation of wool and woollen yarn from *Ireland*.
- Cap. 20.** To obviate doubts that have arisen with regard to the admission of the vassals of the principality of *Scotland*, and payment of their rents and duties.
- Cap. 21.** For repairing the roads from *Wallingford* in the county of *Berks*, to *Wantage*, and from thence to *Farrington*, and also from *Wantage* to *Idson* in the said county.
- Cap. 22.** For repairing the roads from the town of *Sbrewsbury*, through *Ellesmere* in the county of *Salop*, and *Overton* in the county of *Flint*, to *Wrexham* in the county of *Denbigh*.
- Cap. 23.** For the better relief and employment of the poor in the parishes of *Saint Margaret* and *Saint John the Evangelist* in the city of *Westminster*; and for cleansing the
- streets, and repairing the highways within the said parishes.
- Cap. 24.** For repairing and widening the roads from *Tinhead Hill*, to the *Round Stone* in *Trowbridge*; and from *Flinty Nap*, to *Western Down* in the parish of *Edington* in the county of *Wilt*; and other roads in the counties of *Wilt* and *Somerset*, leading towards the cities of *Bristol* and *Bath*.
- Cap. 25.** For granting to his Majesty a certain sum of money therein mentioned, out of the sinking fund; and for enabling his Majesty to raise a further sum of money therein also mentioned, by exchequer bills, to be charged on the said sinking fund, for the service of the year one thousand seven hundred and fifty two; and for the further appropriating the supplies granted in this session of parliament.
- Cap. 26.** To restrain the making insurances on foreign ships bound to or from the *East Indies*.
- Cap. 27.** For converting the several annuities therein mentioned, into several joint stocks of annuities transferrable at the bank of *England*, to be charged on the sinking fund; and also for consolidating the several other annuities therein mentioned, into several joint stocks of annuities, transferrable at the *South Sea House*.
- Cap. 28.** For repairing the post road from the city of *Edinburgh* through the counties of *Linlithgow* and *Sterling*, from the *Boathouse Ford*, on *Almond Water*, and from thence to the town of *Linlithgow*, and from the said town to *Falkirk*, and from thence to *Sterling*; and also from *Falkirk* to *Kilysb*, and to *Inch Bellie Bridge*, on the post road to the city of *Glasgow*.
- Cap. 29.** For giving a proper reward to coroners, for the due execution of their office; and for the removal of coroners upon a lawful

## A TABLE of the STATUTES.

- conviction for certain misdemeanors.
- Cap. 30. To amend an act made in the last session of parliament, intituled, *An act for regulating the commencement of the year, and for correcting the calendar now in use.*
- Cap. 31. To continue, explain and amend several laws more effectually to prevent the spreading of the distemper which now rages amongst the horned cattle in this kingdom.
- Cap. 32. To allow the importation of gum senega into this kingdom, from any part of *Europe*, upon the payment of a duty; and for relief of *James Guthrie*, with respect to the duties paid and secured upon a quantity of tobacco, burnt at the port of *Kircudbright*; and for giving further time for payment of duties omitted to be paid for the indentures or contracts of clerks and apprentices.
- Cap. 33. For repairing the road leading from the town of *Morpeth*, by or through *Mitford*, *Thropple*, *Long Witton*, and by the north side of *Rothley Park* wall, to *Sting Cross*, and to the *High Cross* in *Elfdon* in the county of *Northumberland*.
- Cap. 34. For the more easy and speedy recovery of small debts within the town of *Birmingham*, and hamlet of *Deritend* thereto adjoining in the county of *Warwick*.
- Cap. 35. For continuing the act for encouraging the growth of coffee in his Majesty's plantations in *America*; and also for continuing, under certain regulations, so much of an act as relates to the *Premiums* upon the importation of masts, yards and bowsprits, tar, pitch and turpentine.
- Cap. 36. For the better preventing thefts and robberies, and for regulating places of publick entertainment, and punishing persons keeping disorderly houses,
- Cap. 37. For better preventing the horrid crime of murder.
- Cap. 38. For the more easy and speedy recovery of small debts within the borough of *Saint Albans* in the county of *Hertford*; and the several towns, parishes, wards, hamlets and places within the liberty of *Saint Albans*.
- Cap. 39. To obviate doubts that may arise upon an act made and passed in the eleventh and twelfth years of the reign of his late majesty King *William* the Third, intituled, *An act to enable his Majesty's natural born subjects to inherit the estate of their ancestors, either lineal or collateral, notwithstanding their father or mother were aliens.*
- Cap. 40. For the application of a sum of money therein mentioned, granted to his Majesty, for making compensation and satisfaction to the royal *African* company of *England*, for their charter, lands, forts, castles, slaves, military stores, and all other their effects whatsoever; and to vest the lands, forts, castles, slaves, and military stores, and all other their effects, in the company of merchants trading to *Africa*; and for other purposes in the act mentioned.
- Cap. 41. For annexing certain forfeited estates in *Scotland* to the crown unalienably; and for making satisfaction to the lawful creditors thereupon; and to establish a method of managing the same; and applying the rents and profits thereof, for the better civilizing and improving the highlands of *Scotland*; and preventing disorders there for the future.
- Cap. 42. To render valid and effectual all contracts and agreements which shall be made by the commissioners or governors of the royal hospital for seamen at *Greenwich*, for the purchase of lands, tenements and hereditaments, for the

## A TABLE of the STATUTES:

- finishing and completing the said hospital; and for ascertaining the recompence that shall be made for the same.
- Cap. 43. For the more easy and speedy recovery of small debts in the town and port of *Liverpoole*, and liberties thereof, in the county palatine of *Lancaster*.
- Cap. 44. To explain and amend an act passed in the fifth year of his present Majesty's reign, intituled, *An act to enlarge the pier and harbour of Scarborough in the county of York*; and for making the said act more effectual.
- Cap. 45. For the more easy and speedy recovery of small debts within the city and county of the city of *Canterbury*, and the liberties and precincts of the same.
- Cap. 46. For repairing and widening the road from *Almouth* through the town of *Alwick*, to *Rotbury*, and from thence to the town of *Hexham*, and also the road leading out of the aforesaid road, between *Alwick* and *Rotbury*, to *Jockey's Dike Bridge* in the county of *Northumberland*.
- Cap. 47. For repairing and widening the roads from the east end of *Monk Bridge*, near the suburbs of the city of *York*, to *New Malton*, and from thence to *Scarborough* in the north riding of the county of *York*; and also from *Spittle-house* in the east riding of the said county, to *Scarborough* aforesaid.
- Cap. 48. For repairing and widening the road leading from a part of the road (directed to be repaired by an act passed in the last session of parliament, from *Carlisle* to *Newcastle upon Tyne*) near *Glenwalt*, to another part of the road (so making from *Carlisle* to *Newcastle*) upon *Sbilden Common* in the county of *Northumberland*.
- Cap. 49. For repairing the high road from the town of *Sorewsbury*, thro' *Cressage*, *Harley*, *Much Wenlock*, by *Muchley Cross*, and through *Marville*, to *Bridgnorth* in the county of *Salop*.
- Cap. 50. For repairing the roads from the north end of *Malling Street*, near the town of *Leons*, to *Witch Cross*, and from the north end of *Malling Street* aforesaid, to the *Broil Park* gate; and from *Offham*, to *Witch Cross* aforesaid, all lying within the county of *Suffex*.
- Cap. 51. For amending and making more effectual several acts for amending the roads from the city of *London*, to *East Grinstead* in the county of *Suffex*; and to the towns of *Sutton* and *Kingston* in the county of *Surrey*; and for more effectually repairing the road from *Newington*, through *Camberwell* in the said county to *New Cross* in the county of *Kent*; and for repairing and widening the road from *Camberwell Green*, to the *Fox under the Hill* in the parish of *Camberwell*.
- Cap. 52. For widening and repairing the road from *Cambridge* in the county of *Somerset*, to *Bradford* in the county of *Wilts*; and from thence through *Hilperton*; and so far over *Abton Common*, as to join the road which leads from *Steeple Abton* to *Trowbridge*; and also the road leading from *Bradford* aforesaid, to *Cockhill Gate* in the said county of *Wilts*.
- Cap. 53. For repairing the road from *Knaresborough* in the county of *York*, by *Langflat Lane*, *Gauldsborough Fields*, *Flaxby*, *Allerton*, *Blawverer* and *Scate Moor*, to *Green Hamerton* in the same county; and for making the same a high carriage road.
- Cap. 54. For amending the several roads leading from the town of *Taunton* in the county of *Somerset*.
- Cap. 55. For explaining and amending so much of an act passed in the fourteenth year of the reign of his present Majesty, for the repairing and enlarging the roads from the town of *Selby* in the west riding of the

## A TABLE of the STATUTES.

the county of *York*, to the town of *Leeds*; and from thence in two several branches, one through *Bradford* and *Horton*, and the other through *Bawling* and *Wilsby*, to the town of *Haltfax* in the same riding; as relates to that part of the said roads which lies between *Leeds* and *Haltfax*.

Cap. 56. For repairing the several roads leading from the town of *Bromyard* in the county of *Hereford*, to the several places called the *Halfway Ash* in the parish of *Docklow*, *Herefordshire Lake* in the parish of *Whitburne*, *Perry Bridge* in the parish of *Stoke Blifs*, leading through the several parishes of *Edwin*, *Ralpb*, *Collington*, and the hamlet of *Little Kyre*, *Sapey Wood* in the parish of *Upper Sapey*, *Bishop's Froome*, *Woosferwood Gate*, and *Herefordshire Lake* in the said parish of *Bromyard* in the counties of *Hereford* and *Worcester*.

Cap. 57. For repairing and widening the road leading from *Market Harborough* in the county of *Leicester*, through *Disborough*, *Rowell*, *Kettering*, *Barton Seagrave* and *Thrapston* in the county of *Northampton*; and through *Bytborne*, *Spaldwick* and *Ellington*, to the *Pound* in the parish of *Brampton* in the county of *Huntingdon*.

Cap. 58. For repairing the roads from the town of *Leeds*, through *Harwood*, to the south west corner of the inclosures of *Harrowgate*; and from thence in two branches (one through *Ripley*, over *Burage Green*, and the other through *Knaresborough* and *Boroughbridge*) to *Ripon*; and from thence to the first rill of water or watercourse on *Hutton Moor* in the county of *York*; and for repairing the sloughs or rutts on the said moor.

Cap. 59. For repairing and widening the roads leading from *Chippingham Bridge* in the county of *Wilt*, to

the top of *Togg Hill* in the county of *Gloucester*; and from *Chippingham Bridge* aforesaid, to the top of *Old Soabury Hill* in the said county of *Gloucester*.

Cap. 60. For repairing and amending the several roads leading from the west end of *Upton Bridge* in the county of *Worcester*, to the parish of *Tirley* in the county of *Gloucester*; and to the parish of *Colwall* in the county of *Hereford*; and to the further side of a place called *The Rid Green* in the road to the city of *Worcester*, and through a place called *Roberts End Street* to *Malvern Chase* in the said county of *Worcester*.

### Private Acts.

Anno 25 Georgii II.

1. An act for enabling *George Oxenden* esquire, and his heirs, to use the surname, arms and crest of *Dixwell*, pursuant to the will of Sir *Basil Dixwell* baronet, deceased.
2. An act for enabling *William* duke of *Devonshire*, to make provision for his younger sons, out of his estate in the county of *Huntingdon*.
3. An act for supplying certain defects and omissions in a settlement of the family estates of *Peregrine* duke of *Antcastor* and *Kesteven*, by enabling him to raise portions thereout for his daughters, in the manner therein mentioned.
4. An act for empowering the trustees of the will of *William* late marquis of *Powis*, to make sales, exchanges, and leases of divers parts of his estate, for the purposes therein mentioned, and for making the exemplification of the same will, and attested copies of the inrollment thereof, evidence in all courts in *Great Britain*.
5. An act to enable the right honourable *William* lord *Blantyre*, and the heirs of entail for the time being, to

## A TABLE of the STATUTES.

- alienate, by way of exchange or excambion, certain lands in the constabulary of *Haddington*, and shire of *Edinburgh*.
6. An act for confirming a lease or grant, made by the devisees of the real estate late of the right honourable *Bussy*, late lord *Münfel*, in the county of *Glamorgan*, to *Rowland Pyti* iron-master, for certain purposes therein expressed.
  7. An act for sale of certain estates in the counties of *Norfolk* and *Suffolk*, comprized in the marriage settlements of *Sir William Harbord* baronet, and knight of the most honourable order of the *Bath*, and for purchasing other estates to be settled to the like uses in lieu thereof.
  8. An act for providing and securing portions and maintenance for the younger sons and daughter of *Sir Thomas Heathcote* baronet.
  9. An act for vesting divers manors and lands in the counties of *Lancaster* and *Chester*, devised by the will of the late *Sir John Bland* baronet, deceased, in the present *Sir John Bland*, in fee-simple, discharged of the trust of the said will, and for settling an estate in the county of *York*, in lieu thereof, and in exchange for the same.
  10. An act for sale of part of the intailed estate of *Sir George Mackenzie* knight, deceased, lying in that part of *Great Britain* called *Scotland*, and for purchasing other estates to be settled to the same uses, and for other purposes therein mentioned.
  11. An act for vesting divers lands and hereditaments in the county of *Oxford*, devised by the will and codicil of *Nathnel Bacon* esquire, deceased, in *Edward Bacon* esquire, in fee-simple, and for settling an estate in the county of *Norfolk*, of greater value, to the uses limited by the same will and codicil.
  12. An act to empower the guardians of *William Wyndham* esquire, an infant, to make leases and copyhold grants of his estates, in the manor of *Uphaven*, and in *Lafton* and *Odcombe* in the counties of *Wylts* and *Somerset*, during his minority.
  13. An act for sale of the moiety of the manor of *Combe*, part of the settled estate of *Richard Hopton* esquire, and others, and laying out the money arising thereby in the purchase of an entire estate, to be settled to the same uses.
  14. An act to empower the committee or committees of *Thomas Southcote* esquire, a lunatick, for the time being, to make leases and copyhold grants of his estates, in the counties of *Berks*, *Effex* and *Surry*, and for other purposes therein mentioned.
  15. An act for vesting the real estate of *William Barnesley* esquire, deceased, in trustees, for the benefit of *William Barnesley* esquire, his only son and heir, who is a lunatick; and for raising money to pay the costs of several suits and proceedings at law, and in equity, brought for recovery of the said estate.
  16. An act for vesting the manor of *Stepney*, and divers lands and hereditaments in the parish of *Stepney*, in the county of *Middlesex*, comprized in the marriage settlement of *John Wicker* esquire, in him and his heirs, and for settling lands in the counties of *Suffex*, *Surrey* and *Kent*, in lieu thereof, to the uses of that settlement.
  17. An act to empower *John Preston* merchant, to make a jointure on any future marriage.
  18. An act to enable the commissioners for executing the office of treasurer of his Majesty's exchequer, or the lord high treasurer for the time being, to compound with *George Whitehead* of *Bristol*, merchant, and his sureties, *John Whitehead* and *Thomas Whitehead*, a debt due to the crown for customs for tobacco.

## A TABLE of the STATUTES.

19. An act to dissolve the marriage of *Daniel Lasselles* of London, merchant, with *Elizabeth Southwicke*, his now wife, and to enable him to marry again, and for other purposes therein mentioned.
20. An act to dissolve the marriage of *Thomas Benson* gentleman, with *Jane Board* his now wife, and to enable him to marry again, and for other purposes therein mentioned.
21. An act to enable his Majesty to grant the inheritance of the manor of *Crowland*, in the county of *Lincoln*, to trustees, in trust for *Thomas Orby Hunter* esquire, and his heirs, upon a full and valuable consideration to be paid for the same.
22. An act to extinguish the right of the lord of the manor of *Ombersley*, in the county of *Worcester*, of keeping a warren for conies on *Linall Common*, the *Birchin Valley*, and the *Lytb*, and for securing to the said lord the rent now paid for the same; and for annexing and uniting the said *Birchin Valley* to several ancient copyholds, or customary tenements, within the said manor.
23. An act for dividing and inclosing the common fields and common meadows of *Narborough*, otherwise *Narborough*, in the county of *Leicester*.
24. An act for confirming articles of agreement, and an award, for inclosing and dividing certain wastes and commons in the manor of *Ridley*, in the county of *Northumberland*.
25. An act for dividing and inclosing the common fields, common pastures, common meadows, common grounds, and waste grounds, in the hamlet of *Drayton*, within the parish of *Deventry*, in the county of *Northampton*.
26. An act for establishing and rendering effectual certain articles of agreement, for the inclosing and dividing the commons and waste grounds in the townships of *Snaith*, *Cowick* and *Rawcliffe*, in the county of *York*.
27. An act for inclosing and dividing *Wytham on the Hill Infield*, in the county of *Lincoln*, and for settling a stipend on the vicar in lieu of glebe and tythes.
28. An act to empower *Richard Chandler* esquire, and *Elizabeth* his wife, and their issue, to take and use the surname of *Cavendish*.
29. An act to enable *John Cave*, now called *John Browne*, and his issue, to take and use the surname of *Browne*.
30. An act to enable *Michael Archer* esquire, and his issue male, to take and use the surname of *Newton* only, and to take and use the coat of arms of the family of *Newton*.
31. An act for naturalizing *Jane Magdalen Robelon*.
32. An act for naturalizing *Francis Degen*.
33. An act for naturalizing *John Matthias Miller*.
34. An act for naturalizing *Frederick William Commerell*, *John Anthony Toopken*, and *Christian Gottfried Moser*.
35. An act for naturalizing *Christian Samuel Geledneki*.
36. An act for naturalizing *Philip Denoyer*.
37. An act for naturalizing *James Fremeaux* merchant.
38. An act for naturalizing *Andrew Girardot*.
39. An act for naturalizing *Peter Auriol* and *David Pratzviel* of London, merchants.
40. An act for naturalizing *Andrew Annibal Leques*, and *Frederick Charles Augustus Blomberg*.
41. An act for naturalizing *Johan Meybohm*.

The END of the TABLE.





THE

STATUTES at Large, &c.

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*Anno vicefimo tertio* GEORGII II. Regis.

**A**T the parliament begun and bolden at Westminster, the tenth day of November, Anno Dom. 1747, in the twenty first year of the reign of our sovereign Lord George the Second, by the grace of God, of Great Britain, France, and Ireland, King, defender of the faith, &c. And from thence continued by several prorogations to the sixteenth day of November, 1749, being the third session of this present parliament.

CAP. I.

*An act for reducing the several annuities, which now carry an interest after the rate of four pounds per centum per annum, to the several rates of interest therein mentioned.*

*Most gracious Sovereign,*

**W**HEREAS there is now due and owing from the publick, to the proprietors of certain annuities payable at the receipt of his Majesty's exchequer, the sum of three hundred and twelve thousand pounds, and to the corporation of the governor and company of the bank of England, in their own right, the sum of eight millions four hundred eighty six thousand eight hundred pounds; and to the proprietors of certain annuities transferrable there, the sum of eighteen millions four hundred two thousand four hundred seventy two pounds, and ten pence; and to the corporation of the united company of merchants of England trading to the East Indies, the sum of three millions two hundred thousand pounds; and also to the governor and company of merchants of Great Britain trading to the South Seas, and other parts of America, and for encouraging the fishery, commonly called the South Sea Company, in their own right, and for the use and benefit of the proprietors of the annuities, commonly called the Old South Sea Annuities, and New South Sea Annuities, the sum of twenty seven millions three hundred two thousand two hundred three pounds, five shillings, and six pence halfpenny: all which said several and respective principal sums do amount in the whole to the sum of fifty seven millions seven hundred three thousand four hundred seventy five pounds six shillings, and four pence halfpenny, and are attended

with annuities, or an interest after the rate of four pounds per centum per annum, redeemable by parliament: and whereas your Majesty hath been pleased, by your most gracious speech to both houses assembled in parliament, to recommend to your dutiful and faithful commons of Great Britain, to be watchful to improve any opportunity of putting the national debt in a method of being reduced, with a strict regard to publick faith and private property; and your said dutiful and loyal commons being truly sensible, that nothing can so effectually contribute to make the trade of this kingdom flourish, and render your Majesty's reign glorious to posterity, as the lessening the publick debts and incumbrances, consistent with justice and publick faith, have resolved, that any person or persons, bodies politick or corporate, who now are, or hereafter may be, interested in, or intitled unto, any part of the national debt redeemable by law, incurred before Michaelmas one thousand seven hundred and forty nine, which now carries an interest after the rate of four pounds per centum per annum, and who shall, on or before the twenty eighth day of February, one thousand seven hundred and forty nine, subscribe their names, or signify their consent to accept of an interest of three pounds per centum per annum, to commence from the twenty fifth day of December, one thousand seven hundred and fifty seven, subject to the same provisoes, notices, and clauses of redemption, which their respective four per cents are now liable to, shall in lieu of their present interest be intitled unto, and receive an interest of four pounds per centum per annum till the twenty fifth day of December, one thousand seven hundred and fifty; and from and after the said twenty fifth day of December, one thousand seven hundred and fifty, an interest of three pounds ten shillings per centum per annum, until the said twenty fifth day of December, one thousand seven hundred and fifty seven; and no part of the same, except what is due to the East India company, shall be liable to be redeemed till after the said twenty fifth day of December, one thousand seven hundred and fifty seven; and that all executors, administrators, guardians, and trustees, may subscribe and signify such consent for the several parts of the said debt, for the holding of which their names are made use of respectively; and that all duties, revenues, and incomes which now stand appropriated to the payment of the said interest of four pounds per centum per annum respectively, shall continue, and be appropriated and applied to the payment of the respective interest of four pounds per centum per annum, three pounds ten shillings per centum per annum, and three pounds per centum per annum, in the same manner as the same now stand appropriated to the payment of the said four pounds per centum per annum; and that the surplusses of the said funds, after the said twenty fifth day of December, one thousand seven hundred and fifty, shall be made part of the Sinking fund, and applied in the same manner as the surplusses of the said funds are now applicable; and also that books be opened at the receipt of his Majesty's exchequer, at the bank of England, and South Sea house, for receiving the said subscriptions or consent: they therefore do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the

the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That any person or persons, bodies politick or corporate, who now or hereafter may be interested in, or intituled unto, any part of the said national debt redeemable by law, incurred before *Mitchaelmas*, one thousand seven hundred and forty nine, amounting in the whole to the sum of fifty seven millions seven hundred three thousand four hundred seventy five pounds, six shillings and four pence halfpenny, which now carries an interest after the rate of four pounds *per centum per annum*, and who have or shall, on or before the said twenty eighth day of *February*, one thousand seven hundred and forty nine, subscribe their names or signify their consent, to accept of an interest of three pounds *per centum per annum*, to commence from the said twenty fifth day of *December*, one thousand seven hundred and fifty seven, subject to the same provisos, notices, and clauses of redemption, which their respective four *per cents* are now liable to, shall, in lieu of their present interest be intituled unto, and receive an interest of four pounds *per centum per annum*, until the said twenty fifth day of *December*, one thousand seven hundred and fifty; and from and after the said twenty fifth day of *December*, one thousand seven hundred and fifty, an interest of three pounds ten shillings *per centum per annum* until the said twenty fifth day of *December*, one thousand seven hundred and fifty seven; and no part of the same, except what is due to the *East India* company, shall be liable to be redeemed till after the said twenty fifth day of *December*, one thousand seven hundred and fifty seven.

Persons interested in the national debt, amounting to 57,703,475 l. 6s. 4d. 2q. which now carries an interest of 4 l. per cent. who shall consent to accept of 3 l. per cent. from 25 Dec. 1757, shall receive 4 l. per cent. until 25 Dec. 1750, and 3 l. 10 s. per cent. until 25 Dec. 1757. 23 Geo. 2. c. 22.

II. And be it further enacted by the authority aforesaid, That the several annuities of four pounds *per centum per annum*, now payable in respect of the said principal sum of fifty seven millions seven hundred three thousand four hundred seventy five pounds, six shillings, and four pence halfpenny, to the proprietors thereof, and by this act continued to them until the said twenty fifth day of *December*, one thousand seven hundred and fifty, as also the several and respective reduced annuities of three pounds ten shillings *per centum per annum*, and three pounds *per centum per annum*, by this act made payable in lieu thereof, from the respective days therein mentioned, shall during the respective continuances thereof, be paid and payable to the respective persons and corporations intituled thereunto, their executors, administrators, and assigns, at the same respective offices and places, and out of the same duties, revenues, and incomes, and at such time or times, and shall be assignable, transferrable, and disposeable, in the same manner and form, as the said annuities of four pounds *per centum per annum*, are now payable, assignable, transferrable, and disposeable, by the respective acts or statutes now in force, for or concerning the same, and as if this present act had never been made, subject nevertheless to redemption by parliament, from the said twenty fifth day of *December*, one thousand seven hundred and fifty

The said annuities made payable and transferrable in the same manner as the present annuities, subject to redemption after 25 Dec. 1757.

seven, in manner herein after-mentioned; any thing herein contained to the contrary thereof, in any wise notwithstanding.

III. *And whereas books have been already opened in pursuance of a resolution of the commons of Great Britain, in this session of parliament, in the office of the auditor of the receipt of his Majesty's exchequer at Westminster, and also at the respective offices of the governor and company of the bank of England, and of the said governor and company of merchants of Great Britain trading to the South Seas, and for encouraging the fishery, commonly called the South Sea Company, for taking in the subscriptions, or receiving the consents of such persons or corporations, as now are, or shall be, interested in, or intitled unto, any part of the said annuities or interests, after the said rate of four pounds per centum per annum, who are willing to accept of an annuity of three pounds ten shillings per centum per annum, in lieu thereof, from the said twenty fifth day of December, one thousand seven hundred and fifty, until the said twenty fifth day of December, one thousand seven hundred and fifty seven, and of an annuity of three pounds per centum per annum, from the said twenty fifth day of December, one thousand seven hundred and fifty seven, in such manner as hath already been, or hereafter shall be directed in that behalf: and whereas in pursuance of the said resolution, notices have already been affixed in the office of the auditor of the said receipt of exchequer, and in other the publick offices aforesaid, and at the Royal Exchange of London, and also published in the London Gazette, that the book or books for taking in the said subscriptions, or receiving the said consents, were laid open at the said receipt of exchequer, and in other the publick offices aforesaid, to the end the proprietors of the said annuities, after the said rate of four pounds per centum per annum, might be apprized thereof, and make their subscriptions, or give their consents, in the said respective book or books, under a proper preface to be prepared for that purpose, by subscribing their respective sums, names, and places of abode, with his, her, or their respective proper additions: and whereas it may so happen, that notwithstanding the said several notices, many of the persons or corporations intitled to the said annuities or interests, after the said rate of four pounds per centum per annum, may hitherto have omitted to make such subscriptions, or give their consents in the said books, in the manner before-mentioned; be it therefore enacted by the authority aforesaid, That the said several and respective books shall constantly be opened at the said receipt of exchequer, and other the publick offices aforesaid, for that purpose every day, Sundays only excepted, until the said twenty eighth day of February, one thousand seven hundred and forty nine, inclusive, and no longer; subject nevertheless to such further directions, with respect to the taking in or receiving such subscriptions or consents from the proprietors of the said annuities of four pounds per centum per annum, as shall or may be given by the commissioners of the treasury or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, for the benefit and advantage of the publick; and it shall and may be*

Books to be open at the exchequer, &c. until 28 Feb. 1749, for subscriptions of the 4 l. per cent.  
See 23 Geo. 2. c. 22.

lawful

lawful to and for the proprietors of the faid annuities of four pounds *per centum per annum*, or fuch perfon or perfons, as he, ſhe, or they ſhall reſpectively authorize and impower by writing in that behalf, to ſubſcribe or conſent for them, in manner aforeſaid, to have free acceſs to the ſaid ſeveral books, at all reaſonable hours, and they have hereby power to make their ſubſcriptions, or give their conſents therein, for the whole ſum or ſums due to them, or any of them, according to this act, without any fee or charge whatſoever; and the ſeveral and reſpective officers of the ſaid receipt of exchequer, and of other the publick offices aforeſaid, appointed or to be appointed to take in ſuch ſubſcriptions, or receive ſuch conſents, as aforeſaid, ſhall, during the time aforeſaid, conſtantly attend at the ſaid reſpective offices for that purpoſe, at ſuch hours as buſineſs is uſually tranſacted at the ſaid ſeveral and reſpective publick offices.

IV. And be it further enacted by the authority aforeſaid, That all and every perſon and perfons, bodies politick or corporate, who have or ſhall, on or before the ſaid twenty eighth day of *February*, one thouſand ſeven hundred and forty nine, have ſubſcribed, or given their conſent in the book or books aforeſaid, to accept of an intereſt or annuity after the rate of three pounds ten ſhillings *per centum per annum*, from the ſaid twenty fifth day of *December*, one thouſand ſeven hundred and fifty, until the ſaid twenty fifth day of *December*, one thouſand ſeven hundred and fifty ſeven; and of an annuity of three pounds *per centum per annum*, to commence from the ſaid twenty fifth day of *December*, one thouſand ſeven hundred and fifty ſeven, in lieu of their preſent annuities of four pounds *per centum per annum*, ſhall have, receive, and enjoy, and they are hereby declared to be intitled to an annuity of three pounds ten ſhillings *per centum per annum*, from the ſaid twenty fifth day of *December*, one thouſand ſeven hundred and fifty, until the ſaid twenty fifth day of *December*, one thouſand ſeven hundred and fifty ſeven; and to an annuity of three pounds *per centum per annum*, from the ſaid twenty fifth day of *December*, one thouſand ſeven hundred and fifty ſeven, redeemable by parliament, in manner herein-after mentioned; and the ſaid annuities of three pounds ten ſhillings *per centum per annum*, and three pounds *per centum per annum*, and the principal or capital for which the ſame ſhall be payable, are hereby declared, and ſhall be adjudged, taken, and accepted in conſtruction of law, and in all courts of law and equity whatſoever, to all intents and purpoſes whatſoever, to be a perſonal and not a real eſtate, and ſhall go to the executors or administrators of the perſon or perfons dying poſſeſſed thereof, intereſted therein, or intitled thereunto, and not to the heirs of ſuch perſon or perfons; any law, ſtatute, cuſtom, or uſage to the contrary notwithstanding; and that the ſaid annuities ſhall be free from all taxes, charges, and impositions whatſoever, in the ſame manner as they now are.

Annuities ſecured to the ſubſcribers;

perſonal eſtate,

free from taxes.

V. And it is hereby enacted and declared, That it ſhall and may Executors, may

&c. impower-  
ed to sub-  
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may be lawful for all executors, administrators, guardians, trustees, committees of the estates of ideots or lunaticks, and the accomptant general of the court of chancery, and the deputy remembrancer of his Majesty's court of exchequer, to make, or cause to be made, subscriptions in the said book or books, signifying their consent to accept an interest or annuity of three pounds ten shillings *per centum per annum*, from the said twenty fifth day of *December*; one thousand seven hundred and fifty, until the said twenty fifth day of *December*, one thousand seven hundred and fifty seven, and of an annuity of three pounds *per centum per annum*, to commence from the said twenty fifth day of *December*, one thousand seven hundred and fifty seven, for and on the behalf of their respective testators, infants, minors, femes covert, ideots, or lunaticks, and the suitors of the court of chancery, and of the said court of exchequer, and others, for whom they are or shall be respectively entrusted; and such executors, administrators, guardians, trustees, committees, and accomptant general, and deputy remembrancer, are, and shall be, by virtue of this act, indemnified in and for doing the same.

Treasury to  
defray the  
charges.

VI. Provided always, and be it further enacted by the authority aforesaid, That the commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall have power, and they are hereby authorized, out of any money remaining in the receipt of the exchequer, or for the duties, revenues, and incomes appropriated for the payment of the said annuities of four pounds *per centum per annum*, to reward all such persons as shall be any ways employed in the execution of this act, in relation to the taking in such subscriptions, or receiving such consents as aforesaid, and to defray all such incident charges, as shall necessarily attend the execution of the said act, in such manner as to them shall seem just and reasonable.

The funds  
made subject  
to the reduced  
interest,

VII. And it is hereby also enacted by the authority aforesaid, That all the duties, revenues, and incomes which are now appropriated, subject, or applicable to the payment of the said annuities of four pounds *per centum per annum*, shall, from and after the said twenty fifth day of *December*, one thousand seven hundred and fifty, be subject and liable to the payment of such of the said annuities of four pounds *per centum per annum*, as shall not be subscribed, in case any shall be unsubscribed, and also of the said reduced annuities of three pounds ten shillings, and three pounds *per centum per annum*, in the same manner, to all intents and purposes, as the same were liable and subject to the payment of the said annuities of four pounds *per centum per annum*; and all the monies coming into the exchequer, or for the several duties, revenues, and incomes, appropriated, subject, or liable to the payment of the said unsubscribed annuities and of the said reduced annuities of three pounds ten shillings *per centum per annum*, and three pounds *per centum per annum*, which

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plus as be-  
fore.

which shall be more than sufficient to answer and pay the said respective annuities, shall, from and after the said twenty fifth day of *December*, one thousand seven hundred and fifty, be applied to the same uses, intents, and purposes, and in the same manner, as the several surplusses, excesses, or overplus monies of the said duties, revenues, and incomes are now applicable.

VIII. Provided always, and it is hereby enacted by the authority aforesaid, That from and after the said twenty fifth day of *December*, one thousand seven hundred and fifty seven, the said reduced annuities of three pounds *per centum per annum*, shall and may be redeemed by parliament, upon giving the said notices, and making the same payments of principal money at a time to such persons or corporations as now are, or hereafter shall be, intitled to the said annuities, and of all arrearages of the said annuities, as are directed to be given and made by the several and respective acts, by which the said several annuities, after the rate of four pounds *per centum per annum*, were made payable, and from and after payment of any such principal money, to the said persons or corporations, as are or shall be intitled to the same, a proportional part of the said annuities shall cease and determine, and be understood to be redeemed; any thing in this or any former act or acts of parliament to the contrary in any wise notwithstanding.

Clause of redemption.

#### C A P. II.

An act for granting an aid to his Majesty by a land tax to be raised in Great Britain, for the service of the year one thousand seven hundred and fifty. *EXP. At 3s. in the pound.*

#### C A P. III.

An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and fifty. *EXP.*

#### C A P. IV.

An act for punishing mutiny and desertion; and for the better payment of the army and their quarters. *EXP.*

#### C A P. V.

An act for enlarging the term and powers granted by an act passed in the fifth year of the reign of his present Majesty, for repairing and amending the roads leading from the town of Manchester in the county of Lancaster, through the town of Ashton under Line, and parish of Mottram Longendale, and from thence to Salters Brook in the county palatine of Chester.

*The act 5 Geo. 2. c. 10. continued for 21 years.*

#### C A P. VI.

An act for repairing, improving, and maintaining the haven and piers of Great Yarmouth; and for depthening, and making more navigable the several rivers emptying themselves into the said haven; and also for preserving ships, wintering therein, from accidents by fire.

WHEREAS by an act made in the twentieth year of his present Majesty's reign, intituled, An act to revivē, continue, and

20 Geo. 2.  
c. 40.



and amend an act made in the ninth year of the reign of his late majesty King George the First (intituled, *An act for clearing, deepthning, repairing, extending, maintaining, and improving the haven and piers of Great Yarmouth; and for deepthning and making more navigable the feveral rivers emptying themselves at the said town; and also for preserving ships, wintering in the said haven, from accidents by fire*) the feveral duties, granted by the said act made in the ninth year of his said late Majesty's reign, for the purposes therein mentioned, were revived and made payable, from the twenty fourth day of June, one thousand seven hundred and forty seven, for and during the term of two years, and from thence to the end of the then next session of parliament: and whereas the said duties, revived and made payable as aforesaid, have not been sufficient for the effectual reparation and improvement of the said haven and piers, which (notwithstanding very great sums of money have already been expended in and about the same) have of late been, and still continue in so bad a condition, that the same will, unless some further and more effectual provision be made by parliament for the preservation thereof, in a short time fall into irreparable decay, and the harbour, so beneficial to the trade and navigation of this kingdom, become inaccessible: therefore for preserving to the inhabitants of the said borough, and of the adjacent counties, the benefit of the said haven and piers; and to the end that the said haven, which is of so great importance to the trade of these kingdoms in general, may be cleared and deepthned, and the said piers repaired, extended, altered, improved, and maintained; and that the jettee on the north side of the said haven may be repaired and preserved, and timber, and other materials for those purposes, provided from time to time, as occasion shall require; and that the channel of that part of the river Yare called Braidon, leading from Great Yarmouth to the city of Norwich, and so much of the river Wenfon, commonly called Yare, as lies between the new mills in Norwich and Hardly Cross in Hardly, in the county of Norfolk, and also the river Waveney, and also the river Bure, commonly called the North River (which said rivers empty themselves into the said haven) may be deepthned and made more navigable for boats and keels usually passing upon the same, and that the bridge and publick keys belonging to the said town, may be repaired; may it please your Majesty that it may be enacted, &c.

From the 25th of March, 1750. the duties payable by the said act shall cease; and there shall be paid for 21 years, and to the end of the next session, by every master of a ship, which shall unlade within the haven, or in Yarmouth Road, from the south part of Scratby, to the north part of Corton, for every chaldron of coals, last of wheat, or other grain, and weigh of salt, and for every ton of other goods (fish excepted) viz. for 7 years 1 s. 6 d. and for the remainder of the 21 years. &c. 10 d. or such greater sum, as the commissioners shall order, not exceeding 1 s. d. Collectors to pay over the monies to the chamberlain. Salary allowed them of 6 d. in the pound. Corporation to be answerable for all monies received; and impowered to call the collectors and chamberlains to account; and to levy the same by distress and sale; and where no distress can be had, to commit the party. Twelve commissioners to be nominated annually: three by the corporation of Yarmouth, three by the corporation

poration of Norwich, three by the justices of Norfolk, and three by the justices of Suffolk. Proportion in which the duties are to be applied. 1d. 2q. towards cleansing the river Yare, &c. and the expence of a commission of sewers. 2q. towards cleansing the north river, &c. and the expences of a commission of sewers. 3q. towards clearing the river Waveney, and the expences of a commission of sewers. 2q. towards repairing the bridge, and publick keys. Other 3d. in the following proportions: 2q. towards clearing the river Bure; 2d. 2q. towards clearing the river Yare. The last mentioned 3d. not to be raised unless necessary, and notice be given by the commissioners to the mayor. 4d. to be applied for 7 years in clearing the haven, &c. If the said sum shall not be sufficient, the commissioners impowered to order a further part of the residue of the duties to be applied towards clearing the haven. Not to be applied in erecting new works, &c. 8d. to be applied for 7 years in extending the haven, and erecting new works. Commissioners to appoint a committee of 12 inhabitants, who are to inspect the works, &c. The duty of 8d. to cease upon certificate of the works being compleated. Upon determination of the duty of 8d. 4d. is to be applied towards clearing the haven, &c. If 4d. shall not be found sufficient, the commissioners to direct a further sum of 2d. to be raised. If the commissioners shall not audit the accounts yearly, the corporation is impowered to examine the same. No ship to be cleared at the custom-house till payment of the duties. Fish oil, &c. exempted from payment of the duties. On re-exportation of goods, the duties to be repaid. Penalty on throwing ballast, &c. into the haven. The mayor to appoint a nightly watch. Vessels wintering to pay 2q. per ton, towards the watch. Penalty of 10s. on suffering fire or lighted candle in ships wintering in the haven. Watch impowered to go on board to extinguish lights. No vessel to be moored with her side towards the key for longer than one tide, &c.

#### CAP. VII.

An act for enlarging the term and powers granted and continued by two former acts of parliament for repairing, widening, and amending the roads from Wigan to Preston in the county palatine of Lancaster; and for making the said acts more effectual.

*The acts 13 Geo. 1. c. 10. and 20 Geo. 2. c. 8. continued for 21 years.*

#### CAP. VIII.

An act for enlarging the term and powers granted and continued by two acts of parliament, for amending the highways leading from Brampton Bridge to Welford Bridge, in the county of Northampton, and the great post road from Morter Pitt Hill to Chain Bridge, leading into Market Harborough in the county of Leicester; and for explaining and making more effectual the said acts; and also for repairing the roads leading from Morter Pitt Hill and Brampton Bridge to the town of Northampton.

*The acts 8 Geo. 1. c. 13. and 12 Geo. 2. c. 35. continued for 21 years.*

#### CAP. IX.

*An act for repealing the duties now payable upon China raw silk, and for granting other duties in lieu thereof.*

**W**HEREAS the duties now payable upon raw silk imported from China are a great discouragement to the importation thereof: and whereas a constant and plentiful supply of that valuable commodity to be manufactured in this kingdom will be a publick benefit, and greatly contribute to the increase and improvement of the silk manufactures: therefore we, your Majesty's most dutiful and loyal subjects, the commons of Great Britain, being desirous to promote and encourage the manufactures of this kingdom, do most

The preſent duties payable on importation of raw ſilk from China to ceaſe.

Raw ſilk from China to pay the ſame duties as raw ſilk of Italy.

The manner of levying and application of the duties.

Raw ſilk from China, to be allowed the ſame drawback.

moſt humbly beſeech your Majeſty, that it may be enacted; and be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the twenty fourth day of *June*, one thouſand ſeven hundred and fifty, the ſeveral rates, duties, ſubſidies, and impositions, now payable upon the importation of raw ſilk of the growth or produce of *China*, by virtue of ſeveral acts of parliament now in force, ſhall ceaſe, determine, and be no longer paid.

II. And be it further enacted by the authority aforeſaid, That from and after the ſaid twenty fourth day of *June*, all raw ſilk imported from *China* into this kingdom by the united company of *Merchants* of *England* trading to the *East-Indies*, or by any licence from the ſaid company, ſhall, in lieu of the ſaid rates, duties, ſubſidies, and impositions, by this act repealed, as aforeſaid, be charged with and pay the ſame rates, duties, ſubſidies, and impositions, as are now charged upon, and payable for, raw ſilk of the growth or produce of *Italy*; which ſaid rates, duties, ſubſidies, and impositions, by this act granted, ſhall be paid by the ſaid united *East-India* company, at the ſame times, and in the ſame manner, as the ſeveral rates, duties, ſubſidies, and impositions, by this act repealed, as aforeſaid, have been paid.

III. And be it further enacted by the authority aforeſaid, That the ſeveral rates, duties, ſubſidies, and impositions, by this act granted, ſhall be raiſed, levied, collected, paid and applied, in ſuch manner, and for the ſame purpoſes, as the ſaid ſeveral rates, duties, ſubſidies, and impositions, by this act repealed, as aforeſaid, are now reſpectively raiſed, levied, collected, paid, and applied; and all the provisions of or in any act or law now in force for raiſing, levying, collecting, paying, and applying the rates, duties, ſubſidies, and impositions hereby repealed, as aforeſaid, ſhall be in full force, and ſhall be put in execution for raiſing, levying, collecting, paying, and applying the rates, duties, ſubſidies, and impositions, by this act granted, as fully and effectually, to all intents and purpoſes, as if the ſaid provisions were particularly repeated and re-enacted in the body of this preſent act.

IV. And be it further enacted and declared by the authority aforeſaid, That all raw ſilk of the growth or produce of *China*, imported after the twenty fourth day of *June*, ſhall, upon the exportation thereof from this kingdom, be intitled to and receive the ſame drawbacks and allowances only, as are now by law directed to be paid upon the exportation of raw ſilk of the growth or produce of *Italy*; any law or uſage to the contrary notwithstanding.

#### CAP. X.

An act for enlarging the term and powers granted by an act paſſed in the fourth year of the reign of his preſent Majeſty, *For repairing the road leading*

*leading from the town of Fulham in the county of Middlefex, through Fulham fields, to the great road near the pound at Hammersmith in the faid county.*

*The aEt Geo. 2. c. 34. continued for 21 years.*

### C A P. XI.

*An aEt to render prosecutions for perjury, and subornation of perjury, more eafy and effectual.*

**W**HEREAS by reason of difficulties attending prosecutions for perjury, and subornation of perjury, thofe heinous crimes have frequently gone unpunifhed, whereby wicked and evil-difpofed perfons are daily more and more emboldened to commit the fame, to the great difhonour of God, and manifefl let and hindrance of juftice; for remedy whereof be it enacted by the King's moft excellent majefty, by and with the advice and confent of the lords fpiritual and temporal, and commons, in this prefent parliament affembled, and by the authority of the fame, That in every information or indictment to be profecuted againft any perfon for wilful and corrupt perjury, it fhall be fufficient to fet forth the fubftance of the offence charged upon the defendant, and by what court, or before whom the oath was taken (averring fuch court or perfon or perfons, to have a competent authority to adminifter the fame) together with the proper averment or averments to falify the matter or matters wherein the perjury or perjuries is or are affigned; without fetting forth the bill, anfwer, information, indictment, declaration, or any part of any record or proceeding either in law or equity, other than as aforefaid; and without fetting forth the commiffion or authority of the court, or perfon or perfons before whom the perjury was committed; any law, ufage, or custom to the contrary notwithstanding.

What fhall be fufficient in indictments of perjury.

II. And be it further enacted by the authority aforefaid, That in every information or indictment for subornation of perjury, or for corrupt bargaining or contracting with others to commit wilful and corrupt perjury, it fhall be fufficient to fet forth the fubftance of the offence charged upon the defendant, without fetting forth the bill, anfwer, information, indictment, declaration, or any part of any record or proceeding, either in law or equity, and without fetting forth the commiffion or authority of the court, or perfon or perfons before whom the perjury was committed, or was agreed or promifed to be committed; any law, ufage, or custom to the contrary notwithstanding.

Informations, &c. for subornation of perjury.

III. And the better to prevent great offenders from efcaping punifhment by reason of the expence attending fuch prosecutions; be it further enacted by the authority aforefaid, That it fhall and may be lawful to and for any of his Majefty's juftices of affize, or *Nifi prius*, or general gaol delivery, or of any of the great feflions of the principality of *Wales*, or of the counties palatine; and they are hereby authorized (fitting the court, or within twenty four hours after) to direct any perfon examined as a witnefs upon any trial before him or them, to be profecuted for the faid offence of perjury, in cafe there fhall appear to him

Juftices of affize, &c. may direct prosecutions againft perfons examined before them being guilty of perjury.

and assign the  
prosecutor  
council.

The prosecu-  
tion to be car-  
ried on with-  
out fees.

The clerk of  
assize to give  
the prosecutor  
a certificate.

or them a reasonable cause for such prosecution, and that it shall appear to him or them proper so to do; and to assign the party injured, or other person undertaking such prosecution, council, who shall and are hereby required to do their duty without any fee, gratuity, or reward for the same: and every such prosecution, so directed as aforesaid, shall be carried on without payment of any tax or duty, and without payment of any fees in court, or to any officer of the court, who might otherwise claim or demand the same; and the clerk of assize, or his associate or prothonotary, or other proper officer of the court (who shall be attending when such prosecution is directed,) shall and is hereby required, without any fee or reward, to give the party injured, or other person undertaking such prosecution, a certificate of the same being directed, together with the names of the council assigned him by the court; which certificate shall in all cases be deemed sufficient proof of such prosecution having been directed as aforesaid, provided that no such direction or certificate shall be given in evidence upon any trial to be had against any person upon a prosecution so directed as aforesaid.

## C A P. XII.

*An act for improving the navigation of the river Loyne, otherwise called Lune; and for building a quay or wharf near the town of Lancaster in the county palatine of Lancaster.*

**W**HEREAS the town of Lancaster, in the county palatine of Lancaster, from its great and extensive commerce to the West Indies, and other foreign parts, is now become a very considerable port; and has for some time past employed and maintained great numbers of ships, mariners, and seamen, to the great advancement of the revenue, and the improvement of the trade and navigation of this kingdom: and whereas the navigation of the river Loyne, otherwise called Lune, is become very difficult and dangerous; and the only place near the said town where ships can be moored and discharged, is by reason of the shoals, and other obstructions in the soil of the said river, become very unfit and unsafe for that purpose: insomuch that many ships and vessels stationed there, have been overset and damaged, to the great loss of the owners and freighters thereof respectively: and whereas it is conceived to be highly necessary for the benefit and improvement of the said navigation, that a quay or wharf, with other conveniencies, should be built and erected on the south west side of the said river, and that buoys should be placed at the entrance into the said river, and other parts thereof, and land marks erected, for guiding and directing ships and vessels to and from the said town; and that a place of safety should be made for the harbouring and protection of the shipping at or near the mouth of the said river; which would tend not only to the preservation and security of ships trading to and from the said town, but also of his Majesty's ships of war, and other vessels, that should put in there by stress of weather, or otherwise: and whereas the reverend James Fenton doctor of laws, vicar of the parish church

church of Lancaster, and in the diocefe of Chefter, is in right of the faid church feifed of and in divers parcels of land and ground herein after-mentioned and described, which are very commodioufly and conveniently fituated for the purpofes afore-mentioned; and the right reverend Samuel lord bifhop of Chefter, the ordinary, Edward Marton efquire, the patron or owner of the advowfon of the vicarage of the faid church, and the faid James Fenton, the prefent incumbent thereof, have refpectively confented and agreed, that the faid pieces or parcels of ground fhall be converted, applied, and difpofed of, for the purpofes herein after-mentioned; but under, and fubject to the rents, refervations, provifions, and reftrictions herein after expreffed, provided, and declared: wherefore for the promoting, carrying on, and effecting a defign fo beneficial for the town of Lancaster, and fo conducive to the increafe of trade and navigation, and the good of the publick; may it please your moft excellent Majefty, that it may be enacted, &c.

Certain parcels of lands vefted in trustees, for the purpofes of this act. The vicar of the parifh to be paid thereout an annual rent of 14l. 14s. by quarterly payments. The lands to be employed as a wharf, &c. Upon the death of any trustee, another to be chofen, &c. Conveyance of the premisses to be made to the new trustee. The trustees to feperate the lands vefted in them from the other parts of the vicarage lands by a ftone wall; and to make a refervoir of water, &c. and in cafe of any overflow, to divert the waters into the Loyne, &c. Occupiers of the vicarage lands impowered to take fand along the Summer-Pature, and to drive their cattle to and from water. The ways to be appointed by the trustees, or on their neglect, by the vicar. The vicar to have the herbage until the divifion wall be built. No way, &c. to be made through the wall, without confent of the vicar. Commiffioners appointed to execute this act to May, 1755. Upon the death of any commiffioner another to be elected. Merchants, &c. to meet every third year, and nominate 16 inhabitants to be joint commiffioners, who are impowered to build a quay, &c. and to let the fame; and to erect piers at the mouth of the river, &c. Duties granted on veffels coming into or going out of the port for the term of 21 years. No vefsel to pay inwards and outwards for the fame voyage. One moiety of the duties only to ceafe after 21 years. No vefsel to be cleared at the custom-houfe without a certificate of payment of the duties. Commiffioners impowered to make by-laws, &c. and to contract for the works; and to borrow 2000l. on the duties. Collectors books of receipts and payments, to be produced at the quarter feffions. Commiffioners to appoint collectors, and to allow them not exceeding 1s. in the pound. Commiffioners to meet twice in the year, and audite all accounts, and may remove collectors, &c. Commiffioners to appoint a perfon who fhall order the mooring, &c. of fhips. Twenty fhillings penalty on throwing rubbifh, &c. into the river.

#### SCHEDULE of the duties.

**F**OR every fhip coming in or going out of the port of Lancaster, and trading to or from any place in Europe, within the Streights; or in Africa, America, or Greenland, 1s. per ton.

For every fhip trading to or from any foreign port in Europe, 8d. per ton.

For every fhip trading to or from any place in Great Britain fouth of Holly Head, or north of the Mull of Galloway, 6d. per ton.

For every fhip trading to or from any place in Ireland, or the Ifle of Man, 4d. per ton.

For every fhip trading to or from any place in Great Britain north of Holly Head, or fouth of the Mull of Galloway, 2d. per ton.

And

And for every ſhip coming in ballaſt into the river Loyne, and not lading, or unlading, for every ton one fourth part of the duties.

C A P. XIII.

*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 uſenſils 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.*

5 Geo. 2. c. 27. **W**HEREAS by an act made in the fifth year of the reign of his late majeſty King George the Firſt, intituled, An act to prevent the inconveniencies ariſing from ſeducing artificers in the manufactures of Great Britain, into foreign parts; it is amongſt other things enacted, That if any perſon or perſons ſhall contract with, entice, endeavour to perſuade, or ſolicit any manufacturer or artificer of or in wooll, iron, ſteel, braſs, or any other metal, clock-maker, watch-maker, or any other artificer or manufacturer of Great Britain, to go out of this kingdom, into any foreign country out of his Majeſty's dominions, and ſhall be lawfully convicted thereof, in the manner preſcribed by the ſaid act; the perſon and perſons ſo convicted, ſhall be fined any ſum not exceeding one hundred pounds for ſuch firſt offence, according to the diſcretion of the court, in which ſuch conviction ſhall be, and ſhall be impriſoned for the ſpace of three months, and until ſuch fine ſhall be paid: and if any perſon or perſons having been once convicted as aforeſaid, ſhall offend again, and be ſo convicted a ſecond time of the like offence, then, and in ſuch caſe, the perſon ſo convicted a ſecond time ſhall be fined at the diſcretion of the court, where ſuch conviction ſhall be, and ſhall be impriſoned for twelve months, and until ſuch fine ſhall be paid: and whereas, notwithstanding the penalties to which offenders againſt the ſaid act are thereby ſubjected, divers wicked and evil diſpoſed perſons have of late ſeduced into foreign parts ſeveral artificers in the woollen and other manufactures: and it is therefore become neceſſary to make ſome further and more effectual proviſion, to deter ſuch perſons from committing the ſaid offences, ſo deſtructive to the trade of this kingdom: therefore for preventing the ſaid pernicious practices for the future, and for explaining, amending, and rendering more effectual the ſaid act, be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That if at any time after the twenty fourth day of June, one thouſand ſeven hundred and fifty, any perſon or perſons ſhall contract with, entice, perſuade, or endeavour to perſuade, ſolicit, or ſeduce any manufacturer, workman, or artificer of or in wooll, mo-  
hair,

Perſons convicted of ſeducing artificers in the manufactures of Great Bri-

hair, cotton, or silk, or of or in any manufactures made up of  
wooll, mohair, cotton, or silk, or any of the faid materials mix-  
ed one with another, or of or in iron, steel, brafs, or any other  
metal, or any clock-maker, watch-maker, or any other manu-  
facturer, workman, or artificer of or in any other of the manu-  
factures of *Great Britain or Ireland*, of what nature or kind so-  
ever, to go out of this kingdom, or out of the kingdom of *Ire-  
land*, into any foreign country, not within the dominions of or  
belonging to the crown of *Great Britain*; and shall be lawfully  
convicted thereof, upon any indictment or information to be  
preferred or brought againft him, her, or them, in his Majefty's  
court of *King's Bench* at *Westminster*, or by indictment at the  
affizes or general gaol delivery for the county, riding, or divi-  
fion, wherein fuch offence shall be committed (if fuch offence  
shall be committed in that part of *Great Britain* called *England*)  
or by indictment in the court of jufticiary, or any of the circuit  
courts in *Scotland* (if fuch offence shall be committed in that  
part of *Great Britain* called *Scotland*) or by indictment or infor-  
mation in his Majefty's court of *King's Bench* at *Dublin* (if fuch  
offence shall be committed in *Ireland*) the perfon or perfons fo  
convicted, fhall, for every artificer, workman, or manufacturer,  
fo by him, her, or them, refpectively contracted with, enticed,  
perfuaaded, folicted, or feducated, feverally forfeit the fum of five  
hundred pounds of lawful money of *Great Britain*; and fhall  
alfo fuffer imprifonment in the common gaol of the county, rid-  
ing, divifion, fhire, or ftewartry, wherein fuch offender or offen-  
ders fhall be refpectively convicted, for the fpace of twelve ca-  
lendar months without bail or mainprize, and until fuch forfei-  
ture fhall be paid; and in cafe of a further conviction, in man-  
ner before prefcribed by this act, for or upon a fecond or other  
fubfequent offence of the fame kind, the perfon or perfons fo  
again offending, fhall, upon every fecond or other fubfequent  
conviction, feverally forfeit for every perfon fo by him, her, or  
them refpectively contracted with, enticed, perfuaaded, folicted,  
or feducated, the fum of one thoufand pounds of lawful money of  
*Great Britain*; and fhall alfo fuffer imprifonment in the com-  
mon gaol of the county, riding, divifion, fhire, or ftewartry,  
wherein fuch offender or offenders fhall be refpectively convict-  
ed, for the fpace of two years, without bail or mainprize, and  
until fuch forfeiture fhall be paid; any thing in the faid in part  
recited act of the fifth year of his faid late Majefty's reign to the  
contrary notwithstanding.

to forfeit 500l.  
and to be im-  
prifoned for 12  
months.

and for a fe-  
cond offence  
to forfeit  
1000l.

prifoned for 2  
years.

II. Provided nevertheless, That no perfon fhall be profecuted  
for any of the offences aforefaid, unlefs fuch profecution fhall be  
commenced within the fpace of twelve calendar months next af-  
ter fuch offence fhall be committed.

Profecution to  
be commenc-  
ed within 12

III. And whereas the exportation of the feveral tools or utensils  
made ufe of in preparing, working up, and finifhing the woollen and  
filk manufactures, or any or either of them, will enable foreigners to  
work up fuch manufactures, and thereby greatly diminifh the exporta-  
tion of the fame from this kingdom: therefore, for preferving as  
much



Persons exporting utensils of the woollen and silk manufactures.

much as possible to his Majesty's *British* subjects, the benefits arising from those great and valuable branches of trade and commerce; be it further enacted by the authority aforesaid, That from and after the said twenty fourth day of *June*, one thousand seven hundred and fifty, if any person or persons in *Great Britain* or *Ireland*, shall, upon any pretence whatsoever, load or put on board, or cause to be laden or put on board of any ship, vessel or boat which shall not be bound directly to some port or place in *Great Britain* or *Ireland*, or to some other of the dominions of the crown of *Great Britain*, any such tools or utensils as are commonly used in, or are proper for the preparing, working up, or finishing of the woollen or silk manufactures, or any or either of them, or any parts or parcels of such tools or utensils, by what name or names such tools or utensils shall or may be called or known, the person or persons so offending, shall for every such offence, not only forfeit and lose all such tools and utensils, or parts or parcels thereof, which shall be so laden or put on board as aforesaid, but also the sum of two hundred pounds of lawful money of *Great Britain*, to be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, or in the court of session in *Scotland*, or in any of the four courts at *Dublin* respectively, wherein no esoin, protection, privilege, or waiver of law shall be allowed, or more than one imparlance.

shall forfeit the tools and 100l.

Officers of the customs empowered to seize tools found on board ships bound to foreign parts;

IV. And be it further enacted by the authority aforesaid, That from and after the said twenty fourth day of *June*, one thousand seven hundred and fifty, it shall and may be lawful to and for any officer of his Majesty's customs in *Great Britain*, and for any officer of the revenue in *Ireland*, to seize and secure in some or one of his Majesty's warehouses, all such tools or utensils by this act prohibited to be exported, as such officer shall find or discover to be laid or put on board of any ship, vessel, or boat, which shall not be bound directly to some port or place in *Great Britain* or *Ireland*, or to some other of the dominions of the crown of *Great Britain*, and that every officer who shall seize and secure any of the said tools or utensils, shall be fully and absolutely indemnified for so doing; and all tools or utensils so seized and secured as aforesaid, shall, after condemnation thereof, in due course of law, be publickly sold to the best bidder, and one moiety of the produce arising by the sale of such tools and utensils, shall be to the use of his Majesty, his heirs and successors, and the other moiety to the officer who shall seize and secure the same as aforesaid.

to be sold after condemnation.

Captains of vessels permitting such utensils to be put on board to forfeit 100l.

V. And be it further enacted by the authority aforesaid, That from and after the said twenty fourth day of *June*, one thousand seven hundred and fifty, if the captain or master of any ship, vessel, or boat, in *Great Britain* or *Ireland*, shall knowingly permit any of the said tools, or utensils by this act prohibited to be exported as aforesaid, to be put on board his said ship, vessel, or boat, every such captain or master shall, for every such offence, forfeit the sum of one hundred pounds of lawful money of *Great Britain*, to be sued for and recovered

ed in the same manner as the penalties by this act inflicted upon persons exporting the said tools or utensils are to be sued for and recovered; and if the said ship, vessel, or boat belongs to his Majesty, his heirs or successors, then the captain or master thereof shall not only forfeit the sum of one hundred pounds of lawful money of *Great Britain*, to be sued for and recovered as aforesaid, but shall also forfeit his employment, and be incapable of any office or employment under his Majesty, his heirs or successors.

Captains of his Majesty's ships to forfeit 100l. and to be cashiered.

VI. And be it further enacted by the authority aforesaid, That if any customer, comptroller, surveyor, searcher, waiter, or other officer of the customs in *Great Britain*, or any officer of the revenue in *Ireland*, shall take, or knowingly or willingly suffer to be taken, any entry outward, or shall sign any cocket, warrant, or sufferance for the shipping or exporting of any of the said tools or utensils by this act prohibited to be exported, or shall knowingly or willingly permit or suffer the same to be done, directly or indirectly, contrary to the true intent and meaning of this act, every such customer, comptroller, surveyor, searcher, waiter, or other officer of the customs in *Great Britain* or officer of the revenue in *Ireland* so offending, shall forfeit the sum of one hundred pounds of lawful money of *Great Britain*, to be sued for, and recovered as aforesaid; and shall also forfeit his office, and be incapable of any office or employment under his Majesty, his heirs or successors.

Officer of the custom house, signing cockets, &c. for the exporting such tools.

to forfeit 100l. and his employment.

VII. And be it further enacted by the authority aforesaid, That one moiety of the respective forfeitures by this act inflicted upon offenders against the same, shall, when recovered, go and be applied to the use of his Majesty, his heirs and successors, and the other moiety to the use of the person or persons who shall sue and prosecute for the same respectively.

One moiety to the King, the other to the prosecutor.

VIII. And be it further enacted by the authority aforesaid, That if any suit or action shall be commenced against any person for what he shall do in pursuance of this act, such action shall be commenced within six months after the fact committed; and the person so sued may file common bail, or enter a common appearance, and plead the general issue, not guilty, and may give this act, and the special matter in evidence; and if the plaintiff or prosecutor shall become nonsuit, or suffer discontinuance, or if a verdict pass against him, or if, upon demurrer judgment be given against him, the defendant shall recover treble costs.

Limitation of actions.

General issue.

Treble costs.

IX. And whereas by an act made in the last session of parliament (intituled, An act for the more effectual preventing of frauds and abuses committed by persons employed in the manufacture of hats, and in the woollen, linen, fustian, cotton, iron, leather, furr, hemp, flax, mohair, and silk manufactures; and for preventing unlawful combinations of journeymen dyers and journeymen hot-pressers, and of all persons employed in the said manufactures; and for the better payment of their wages) it is, amongst other things enacted, That if any person convicted of buying,

22 Geo. 2. c. 27.

receiving, or taking to pawn any of the materials in the said act mentioned, shall think himself or herself aggrieved by the judgment of the justice or justices before whom he or she shall have been convicted, such person shall have liberty to appeal to the justices at the next general or quarter sessions of the peace which shall be held for the county, riding, division, city, liberty, town, or place where such judgment shall have been given; which justices, in the said general or quarter sessions, are to hear and finally determine the matter of the said appeal; but whereas great delays and inconveniencies have arisen and may arise in the bearing and determining of such appeals, inasmuch as no provision is made by the said act in relation to the form or manner in which such convictions shall be drawn up; therefore, for preventing such delays and inconveniencies for the future, be it further enacted by the authority aforesaid, That the justice or justices of the peace before whom any person shall be convicted, in manner prescribed by the said act, of buying, receiving, or taking to pawn any of the materials or wares therein mentioned, shall cause such conviction to be drawn up in the form and words following; (that is to say)

A form of conviction on the recited act.

Middlesex, **B**E it remembered, That on the *day* of *to wit,* *in the* year of his Majesty's reign *A. B.* was convicted before me [or us] of his Majesty's justices of the peace for the said county of [or for the riding [or division] of the said county of ] or for the city, liberty, or town of in the said county of (as the case shall be) of buying, receiving, or taking to pawn (as the case shall happen to be) (specifying the materials or wares so bought, received, or taken to pawn) the property of C. D. of in the county of and by him [or her] delivered to be manufactured.

Given under my hand and seal [or our hands and seals] the day and year aforesaid.

Not liable to be removed by Certiorari;

and transmitted to the sessions.

Justices to hear appeals.

Which said form and conviction shall not be liable to be removed by Certiorari into his Majesty's court of King's Bench; and the said justice or justices before whom such conviction shall be had shall cause the same, drawn up in the form aforesaid, to be fairly written upon parchment, and transmitted to the next general or quarter sessions of the peace to be held for the county, riding, division, city, town, or liberty, wherein such conviction was had, to be filed and kept amongst the records of the said general or quarter sessions; and in case the person or persons so convicted shall appeal from the judgment of the said justice or justices to the said general or quarter sessions, the justices in such general or quarter sessions are hereby required, upon receiving the said conviction drawn up in the form aforesaid, to proceed to the hearing and determination of the matter of

of the faid appeal, according to the direCTIONS of the faid aCt ; any law or uſage to the contrary notwithstanding.

## C A P. XIV.

*An aCt for affigning a place proper for holding a market in the city of Weſtminſter, in lieu of the ancient market place called the Round Woolſtiple ; and for regulating the ſaid market.*

**W**HEREAS the market for the city of Weſtminſter, bath, from ancient times, been held from or under the dean and chapter of the collegiate church of Saint Peter, Weſtminſter, by their leſſee, of the office of keeper and ſweeper of the ſaid market, in a place called the Round Woolſtiple, in the pariſh of Saint Margaret, in the ſaid city of Weſtminſter ; which market place bath been lately purchaſed by the commiſſioners conſtituted and appointed by divers ſtatutes for building a bridge croſs the river Thames, from the Woolſtiple, or thereabouts, in the pariſh of Saint Margaret, Weſtminſter, to the oppoſite ſhore in the county of Surry, for the ſum of eight hundred and forty pounds ; and the ſaid ground bath been converted by the ſaid commiſſioners to the publick uſe of widening the ſtreets leading to and from the ſaid bridge, according to the direCTIONS of the ſaid ſtatutes : and whereas it is neceſſary for the accommodation of the inhabitants of the ſaid city of Weſtminſter, that the ſaid market ſhould be held in ſome other convenient place ; and the moſt convenient place for that purpoſe is within the bounds and limits hereafter deſcribed ; that is to ſay, between the place called the Broad Sanctuary, in the pariſh of Saint Margaret in the ſaid city of Weſtminſter, and Bow Street in the ſaid pariſh : and whereas the ground and ſoil within the ſaid limits, or the greateſt part thereof, is the freehold of the ſaid dean and chapter, and by them leaſed out for terms of years to their tenants ; and that the ſaid dean and chapter would be willing and deſirous, for the accommodation of the inhabitants of the ſaid city, that the ſaid ſum of eight hundred and forty pounds ſhould be applied in buying in ſuch leaſes or terms of years as are out-ſtanding, and in purchaſing ſuch other eſtates as might be neceſſary for holding the ſaid market within the ſaid limits, in caſe ſuch application of the ſaid money was not reſtrained by the ſaid aCts of parliament made for the building the ſaid bridge, whereby the ſaid money is directed to be laid out in the purchaſe of eſtates in fee ſimple : and whereas other difficulties may ariſe in the purchaſe of ſuch ground as may be neceſſary for holding the ſaid market, within the limits aforeſaid, by reaſon of legal diſabilities which the owners or occupiers of ſuch ground may be under to diſpoſe of the ſame to the ſaid dean and chapter for the purpoſes aforeſaid ; which difficulties cannot be removed but by authority of parliament ; be it therefore enacted, &c.

The commiſſioners may extend the limits of the new market within the open ſpace of the Broad Sanctuary, ſo far as a line from the gateway of Green's Alley, to the front of the houſe on the eaſt of the way from the Broad Sanctuary into the Little Sanctuary, will admit. The commiſſioners are to ſet out the ground ; and the dean and chapter to purchaſe the ſame ; and to have the right of holding the market, and the rents and pro-

fits thereof. No provisions to be sold within 100 feet of the bounds of the market, without licence, under penalty of 5*l*. Justices may mitigate the penalties. Persons aggrieved may appeal to the quarter sessions. Proceedings not to be removed by Certiorari. If any person refuse to treat, the commissioners are to issue out a warrant to the high bailiff to return a jury, to view the places in question, and to assess upon oath the recompence. Commissioners to give judgement thereon. 30 days notice to be given to the parties interested, before such assessment. The verdicts, &c. to be entered in the register's office of the county of Middlesex, &c. Upon payment or tender of the purchase-money, the dean and chapter may enter on the premises, and convert the same into a market. No leases to be for less than the rents heretofore paid for the market in the Round Woolstaple, &c.

### CAP. XV.

*An act for taking down several buildings, and enlarging the streets and market places in the city of Gloucester.*

**W**HEREAS the trade and inhabitants of the city of Gloucester have of late years greatly increased: and whereas, in the four chief streets of the said city, commonly called Eastgate Street, Westgate Street, Northgate Street, and Southgate Street, and where the markets are usually kept, there are several old houses or tenements, stalls, and buildings, some of which stand in the middle of the said streets, and the rest of them jet out, project, and are extending irregularly beyond the range or sides of the said streets, towards the middle thereof respectively; whereby the area of, or places used for the markets of the said town are greatly straitened and confined, and the passage of carriages, horses, cattle, and persons, in and through the same, is very much obstructed, and rendered difficult and dangerous; and whereas by taking down the several houses or tenements, stalls, and buildings aforesaid, the said streets will be greatly opened, and rendered much more commodious for the passage of carriages and foot passengers, and for the holding and keeping the fairs and markets, and carrying on the trade and business of the said city; and the owners of such houses or tenements, stalls, and buildings, or the greatest part of them, are willing to sell and dispose of the same, in order that they may be taken down for the purposes aforesaid: but as several of the said houses or tenements, stalls, and buildings, and the site and soil of the same respectively, belong to, and are the estates and property of ecclesiastical and other incorporated bodies, femes covert, infants, and others, who by law are disabled to make an absolute sale and conveyance thereof in fee-simple, the same cannot be applied and disposed of for the purposes aforesaid without the aid and authority of parliament; May it therefore please your Majesty, that it may be enacted, &c.

Commissioners impowered to contract for the purchase of such houses and grounds as are described in the schedule. Persons interested, impowered to make sale thereof. If any refuse to treat, or if the same be the property of infants not having guardians, the commissioners are to issue warrants to the sheriff, to return a jury, who shall inquire upon oath into the damages and recompence, and their verdicts to be binding to all parties. 3 days notice to be given of the commissioners and jury's meeting. The purchase-money of the estates of infants and femes covert, &c. to be paid to the mayor and burgeses of Gloucester. Upon payment or tender of the purchase-money, the commissioners may cause the buildings to be taken down, and the ground to be used as a highway. The purchase money of

of the estates of infants and femes covert, to be laid out in other purchafes to the fame ufes; and till purchafes can be made, the money is to be put out to interest, &c.

## C A P. XVI.

*An aEt for granting to his Majesty the fum of one million, to be raifed by annuities at three pounds per Centum per Annum, and charged on the finking fund, transferrable at the bank of England.*

*Moft gracious Sovereign,*

**W**E, your Majesty's moft dutiful and loyal fubjects, the commons of *Great Britain* in parliament affembled, being defirous to raife the neceffary fupplies which we have cheerfully granted to your Majesty, in the eafieft manner we are able for the benefit of your fubjects, have freely and voluntarily given and granted, and by this aEt do give and grant unto your Majesty the fum of one million, to be raifed in fuch manner and form as is herein after directed; and to that end do moft humbly befeech your Majesty, that it may be enacted; and be it enacted by the King's moft excellent Majesty, by and with the advice and confent of the lords fpiritual and temporal, and commons, in this prefent parliament affembled, and by the authority of the fame, That the annuities which by this aEt fhall be granted and made payable in refpect of the faid principal fum of one million, until redemption thereof by parliament, in manner herein after-mentioned, fhall, from and after the feaft day of the annunciation of the Blessed Virgin *Mary*, which fhall be in the year of our Lord one thoufand feven hundred and fifty, be charged and chargeable upon, and payable out of the monies which, from and after the faid feaft day, fhall, from time to time, arife and be remaining in the receipt of his Majesty's exchequer, of or for the furplufes, exceffes, or overplus monies of the fund, commonly called the *finking fund*; and the faid furplufes, exceffes, or overplus monies are hereby appropriated for that purpofe accordingly.

The fum of  
1,000,000l.  
granted to his  
Majefty.

The annuities  
payable in re-  
fpect thereof  
to be charged  
on the finking  
fund.

**II.** And for or towards raifing the faid fum or fums of money, not exceeding in the whole the faid fum of one million, for the purpofes aforefaid, be it further enacted by the authority aforefaid, That it fhall and may be lawful to and for any perfon or perfons, natives or foreigners, bodies politick or corporate, to contribute, advance, and pay to the firft or chief cafhier or cafhiers of the governor and company of the bank of *England* for the time being, at or before the refpective days and times by this aEt limited in that behalf, any fum or fums of money, not exceeding in the whole the faid fum of one million, for the purchafe of any annuity or annuities, to commence from the faid feaft of the annunciation of the bleffed Virgin *Mary*, in the faid year one thoufand feven hundred and fifty, and to be paid and payable to fuch contributor or contributors, or fuch as he, ſhe, or they ſhall nominate, his, her, or their executors, adminiftrators, fucceffors, or affigns refpectively, until the fame ſhall

Natives or fo-  
reigners may  
contribute to  
the faid fum  
of 1,000,000l.

for the pur-  
chafe of an-  
nuities.

Cashier of the bank to give security.

Annuities to be at 3 per cent.

Times of payment of the contribution money.

Annuities not to exceed 30,000*l.* and to commence 25 March, 1750, and to be paid half-yearly.

Cashier to give contributors receipts,

which shall be assignable;

be redeemed according to the tenor or true meaning of the proviso or condition herein after-mentioned in that behalf; so as such cashier or cashiers do first give security to the good liking of any three or more of the commissioners of his Majesty's treasury now being, or of the high treasurer, or commissioners of the treasury for the time being, for duly answering and paying into the receipt of his Majesty's exchequer, for the publick use, the money so to be advanced or contributed, and to account duly for the same; which annuities before-mentioned shall be computed at the rate of three pounds *per centum per annum* for every one hundred pounds, and proportionably for any greater sum so to be advanced or paid; and the purchase money for every such annuity, at the rate aforesaid, is hereby appointed to be paid to the said cashier or cashiers, as aforesaid, at or before the respective days or times herein after limited; that is to say, ten pounds *per centum*, part thereof, on or before the twentieth day of *April*, which shall be in the year of our Lord one thousand seven hundred and fifty; fifteen pounds *per centum*, other part thereof, on or before the twentieth day of *June* then next ensuing; twenty five pounds *per centum*, other part thereof, on or before the eighteenth day of *August* then next ensuing; twenty five pounds *per centum*, other part thereof on or before the eighteenth day of *October* then next ensuing; and the remaining twenty five pounds *per centum*, on or before the eighteenth day of *December* then next following: all which annuities so to be purchased, shall not exceed in the whole the sum of thirty thousand pounds *per annum*, and shall commence from the feast day of the annunciation of the blessed *Virgin Mary*, which shall be in the year of our Lord one thousand seven hundred and fifty, and shall be paid and payable in the manner, and at the respective feast days herein after-mentioned; that is to say, the first payment thereupon shall be made for the three quarters of a year, which will be due thereupon, computed from the feast of the annunciation of the blessed *Virgin Mary*, in the year one thousand seven hundred and fifty, to the feast of the birth of our Lord *Christ* then next ensuing, and the subsequent payments half-yearly, at the feasts of the nativity of *Saint John the Baptist*, and the birth of our Lord *Christ*, or within six days after every of the said feast days; and that the first of the said half-yearly payments shall be paid at the feast of *Saint John the Baptist*, which shall be in the year of our Lord one thousand seven hundred and fifty one, or within six days after the said feast day; nevertheless the said annuities shall be redeemable according to the purport and true meaning of a proviso or condition herein after contained in that behalf, and not otherwise: and the said cashier or cashiers of the said governor and company for the time being, is hereby authorized and required, upon the advancing and paying to him or them any sum or sums of money, as aforesaid, forthwith to give a receipt in writing signed by himself or themselves, for each payment, to the contributor or payer thereof; which receipts shall be assignable by indorsement thereupon made, at any time before the eighteenth day of *December*; one thousand seven hundred

dred and fifty, and no longer: and the said cashier or cashiers shall, from time to time pay into the receipt of his Majesty's exchequer all the monies which he or they shall receive of or for the said sum, not exceeding one million, as fast as he or they shall receive the same, or any part thereof, or within five days at the farthest; and to account for all the monies so to be advanced and paid to him or them in his Majesty's court of exchequer, according to the due course thereof.

and to pay the monies into the exchequer.

III. And it is hereby enacted, That in the office of the accomptant general of the governor and company of the bank of *England* for the time being, there shall be provided and kept a book or books, in which there shall be fairly entered the names of all who shall be contributors for such annuities after the rate of three pounds *per centum per annum*, as aforesaid, and of all persons by whose hands the said contributors shall pay in any of the said sums upon this act, and also the sum so paid; to which book or books, it shall be lawful for the said respective contributors, their executors, administrators, successors, and assigns, from time to time, to have resort at all seasonable times, and to inspect the same without fee or charge; and the said accomptant general for the time being, shall, on or before the twenty fifth day of *March*, which shall be in the year of our Lord one thousand seven hundred and fifty two, transmit an attested duplicate, fairly written on paper, of the said book or books, into the office of the auditor of the receipt of his Majesty's exchequer, there to remain for ever.

Contributors names to be entered in a book, with the sums paid;

which may be inspected gratis.

Duplicate to be transmitted to the exchequer.

IV. And it is hereby enacted by the authority aforesaid, That all and every contributor and contributors upon this act, duly paying the consideration or purchase-money at the rate aforesaid, at or before the respective days or times in this act before limited in that behalf, for such annuity or annuities as aforesaid, or such as he, she, or they shall appoint, his, her, or their respective executors, administrators, successors or assigns, shall have, receive, and enjoy, and be intitled by virtue of this act, to have, receive, and enjoy the respective annuity and annuities so to be purchased out of the monies by this act appropriated or appointed for payment thereof as aforesaid, and shall have good and sure estates and interests therein for ever, subject only to the proviso or condition of redemption, in this act afterwards contained, concerning the same; and that all the said annuities to be purchased on this act, and the principal monies paid for the same, and every of them, during the continuance thereof, shall be free from all taxes, charges, and impositions whatsoever.

Contributors paying the purchase money to be intitled to the annuities;

which shall be free of taxes.

V. Provided always, That in case any contributor or contributors, for the purchase of any of the said annuities, shall after payment of ten pounds *per centum*, in part of his, her, or their purchase money, desire that the subsequent payments, to be made by him, her, or them, at the respective times limited in that behalf, may immediately be made stock in the book or books to be kept for that purpose, in the office of the said accomptant general, and that the principal money, and the annuity

Accomptant general to give credit to the contributors for the principal sums paid.



nunity attending the fame, be immediately transferrable (except the ten pounds *per centum*, which is to remain as a deposit till payment of the whole sum by him, her, or them subscribed for, is fully completed) it shall be lawful for the said accomptant general, and he is hereby required upon such request made by any such contributor or contributors, to give credit in the said book or books, for each respective principal sum, by him, her, or them subscribed and paid as aforesaid; any thing herein contained to the contrary notwithstanding.

Bank to employ a chief cashier and accomptant general, for payment of the annuities;

VI. And for the more easy and sure payment of the said annuities to be purchased as aforesaid, according to the true meaning of this present act; it is hereby enacted by the authority aforesaid, That the said governor and company of the bank of *England*, and their successors, shall from time to time, until the said annuities shall be redeemed by parliament according to this act, appoint and employ one sufficient person 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 accomptant general; and that so much of the monies of the said surplusses, excesses, or overplus monies of the fund, commonly called the *Sinking fund*, which shall or ought to be, from time to time, separated and set apart in the said receipt of exchequer, for answering the said annuities to be purchased upon this act, after the said rate of three pounds *per centum per annum*, shall by order of the commissioners of his Majesty's treasury, or any three or more of them now being, or of the high treasurer, or commissioners of the treasury of his Majesty, his heirs and successors for the time being, without any further or other warrant to be sued for, had, or obtained in that behalf, be, from time to time, half-yearly as aforesaid, 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 of their successors for the time being, by way of imprest, and upon account of the payment of the said annuities so purchased upon this act, at such times, and in such manner and form, as are by this act prescribed in that behalf; and that all and every cashier and 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 tender his accounts thereof, according to the due course of the exchequer; any thing herein contained to the contrary notwithstanding.

and the monies to be paid to them half-yearly at the exchequer, by way of imprest, &c.

Accomptant general to inspect the cashiers receipts and payments.

Annuities to be a personal estate.

VII. And it is hereby also enacted, That the said accomptant general for the time being shall, from time to time, inspect and examine all the receipts and payments of the said cashier or cashiers, and the vouchers relating thereunto, in order to prevent any fraud, negligence, or delay; and that all and every person and persons whatsoever, who shall be intitled to any of the said annuities, after the rate of three pounds *per centum per annum*, and all persons lawfully claiming under them, shall be possessed thereof, as of a personal estate, and the same shall not be descendable to the heir, and shall not be liable to any foreign attach-

attachment by the custom of *London*, or otherwise; any law, statute, or custom to the contrary notwithstanding.

VIII. And be it further enacted by the authority aforesaid, That all the monies to be advanced or contributed upon this act, for or towards the said sum not exceeding one million, shall be deemed, reputed, and taken to be one capital or joint stock, on which the said annuities, after the rate of three pounds *per centum per annum*, shall be attending; and that all and every person and persons, and corporations whatsoever, in proportion to the money which he, she, or they shall be intitled to, as aforesaid, 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 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 constantly be kept at all seasonable times 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 whole 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 such party be absent, by his, her, or their attorney or attorneys, 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 shall be made, do 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; any other law or statute to the contrary notwithstanding.

The monies contributed to be deemed a joint stock,

which may be transferred.

Method of transferring,

without stamps.

IX. And it is hereby enacted and declared, That no person or persons whatsoever shall or may purchase or obtain, or be admitted to purchase or obtain, any of the annuities at the rate aforesaid, upon this act, unless the whole, or ten pounds *per centum*, part at least of the consideration money for the same, at such rate as aforesaid, be advanced and paid to the said cashier, on or before the twentieth of *April*, one thousand seven hundred and fifty.

No annuities to be obtained, unless 10l. per cent. be paid before 20 April, 1750.

X. Provided also, That in case any such contributor as aforesaid, who shall, on or before the said twentieth day of *April*, one thousand seven hundred and fifty, have advanced to the said cashier or cashiers, ten pounds *per centum*, in part of his, her, or their purchase money, or his, her, or their executors, administrators, successors, or assigns, do not advance and pay to the said cashier or cashiers, fifteen pounds *per centum*, in further part of his, her, or their consideration money, so to be paid for such

Persons not paying the whole purchase money at the times limited,

such respective annuity or annuities as aforefaid, on or before the twentieth day of *June*, then next enfuing; and twenty five pounds *per centum*, in further part thereof, on or before the eighteenth day of *Auguft*, then next enfuing; and twenty five pounds *per centum*, in further part thereof, on or before the eighteenth day of *October*, then next enfuing; and the remaining twenty five pounds *per centum*, on or before the eighteenth day of *December*, then next following; then, and in every fuch cafe refpectively, fo much of the confideration money as fhall have been actually paid for the firft payment to the faid cashier or cashiers, for fuch refpective annuity, fhall be forfeited for the benefit of the publick, and no intereft, at the rate aforefaid, fhall be payable for the faid firft payment; any thing in this act contained to the contrary notwithstanding.

to forfeit their  
firft payment.

The bank to  
continue a  
corporation  
till the annu-  
ities are re-  
deemed.

XI. Provided always, and it is hereby enacted by the authority aforefaid, That the faid governor and company of the bank of *England*, and their fucceffors (notwithstanding the redemption of all or any of their own funds in purfuanee of the acts for eftablifhing the fame, or any of them) fhall continue a corporation, with all the powers, privileges, and advantages thereunto belonging, for the purpofes in this act expreffed, till all the annuities to be purchafed on this act, fhall be redeemed by parliament, according to the provifo herein after contained in that behalf; and that the faid governor and company or any members thereof, fhall not incur any difability, for or by reafon of their doing any matter or thing in purfuanee of this act.

No fee to be  
taken, &c.

XII. And it is hereby enacted by the authority aforefaid, That no fee or gratuity whatfoever fhall or may be demanded or taken of any of his Majesty's fubjects for receiving or paying the faid contribution monies, or any of them, or for any tallies, or other receipts concerning the fame, or for iffuing the faid yearly fund, or any part thereof, or for paying the faid annuities, or any of them; and that no fee or gratuity fhall be demanded or taken for any transfer of any fum great or fmall, to be made in purfuanee of this act, upon pain that the officer or perfon offending, by taking or demanding any fee or gratuity contrary to this act, fhall forfeit the fum of twenty pounds to the party grieved, to be recovered with full cofts of fuit, in any of his Majesty's courts of record at *Westminfter*.

upon penalty  
of 20 l.

Treafury to  
defray charg-  
es, &c.

XIII. Provided always, and it is hereby enacted, That the commissioners of the treafury, or any three or more of them now being, or the high treafurer, or any three or more of the commissioners of the treafury for the time being, fhall have power, and they are hereby authorized to reward all fuch perfons as fhall be any ways employed in the execution of this act, for their fervice, pains, and labour, and alfo to defray fuch incident charges as fhall neceffarily attend the fame, out of the faid furpluffes, exceffes, or overplus monies; and alfo to appoint fuch allowances (out of the faid furpluffes, exceffes, or overplus monies) for the fervice, pains, and labour of the cashier or cashiers of the faid governor and company of the bank of *England*,

*England*, for receiving, paying, and accounting for the said annuities made payable by this act; and also for the service, pains, and trouble of the accomptant general of the said governor and company for performing the duty and trust incumbent on him by this act, as they shall think just and reasonable: all which allowances hereby impowered to be made as aforesaid, in respect of the service, pains, and labour of any officer or officers of the said governor and company of the bank of *England*, shall be for the use and benefit of the said governor and company, and at their disposal only; any thing herein contained to the contrary notwithstanding.

XIV. Provided also, and it is hereby enacted by the authority aforesaid, That at any time, upon one year's notice to be printed in the *London Gazette*, and affixed upon the *Royal Exchange* in *London*, by authority of parliament, at any of the half-yearly feast days for payment of the said annuities, and upon repayment by parliament of the principal sum of one million, by payments not being less than five hundred thousand pounds at a time, for which the said annuities shall be payable to such respective persons or corporations as shall be intitled to the same annuities; and also upon full payment of all arrearages of the same annuities; then, and not till then, the said annuities shall cease and determine, and be understood to be redeemed; and from and after such redemption, the monies arising by the said surplusses, excesses, or overplus monies of the fund, commonly called the *Sinking fund*, shall not be issued or applied to any use or purpose, other than such uses and purposes as have been directed by any former act or acts of parliament in that behalf; any thing in this or any former act or acts of parliament to the contrary notwithstanding: and that any vote or resolution of the house of commons, signified by the speaker in writing, to be inserted in the *London Gazette*, and affixed on the *Royal Exchange* in *London*, as aforesaid, shall be deemed and adjudged to be sufficient notice within the words and meaning of this act.

#### CAP. XVII.

An act for repairing the roads leading from *Dunglas Bridge* to the town of *Haddingtoun*; and from thence to *Ravensthaughburn* in the county of *Haddingtoun*.

*Certain tolls granted for 21 years, &c.*

#### CAP. XVIII.

An act for enlightening the open places, streets, lanes, passages, and courts; and for the better regulating the nightly watch within the parish of *Saint John Southwark* in the county of *Surrey*.

WHEREAS the parish of *Saint John* in the borough of *Southwark* in the county of *Surrey*, is situate between *London Bridge* and his Majesty's dock yard and victualling office at *Deptford*, and also the *East India warehouse* at *Rotherhithe*; and where-

*as by virtue of an act made and passed in the last session of parliament, (intituled, An act for opening and making a new road from the east end of Newstreet in the parish of Saint John Southwark, to and through the several places therein mentioned; and for keeping the said road in repair for the future) a new road is now opened through the parishes of Saint Mary Magdalen Bermondsey, Saint Mary Rotherhithe, and Saint Nicholas and Saint Paul Deptford, for the better convenience of his Majesty's subjects in passing and repassing to and from London Bridge, and the places before-mentioned: and whereas the access to such new road, through the said parish of Saint John, is now very dangerous in the night-time, for want of proper lights, and a well regulated watch: and whereas a proper provision for that purpose would not only be a great security to the persons and properties of all his Majesty's subjects, passing and repassing to and from Deptford Dock and the other places aforesaid, in the night-time; but also would be a great safeguard against fires that might destroy great quantities of naval stores always repositied in warehouses on the banks of the river Thames in those parts; and would be of the utmost use in case of accidents by fire amongst the shipping in the river Thames; in both which cases great numbers of the most experienced artificers and tradesmen, residing in those parts, could be more capable of affording their assistance when required, upon emergencies in the night-time; but forasmuch as a proper provision cannot be made for setting up proper lights, and establishing a well regulated watch, for the good purposes aforesaid, by the laws now in being; may it please your Majesty, at the humble request of several merchants and traders of the city of London, and masters and owners of ships, and also of the minister, churchwardens, and other principal inhabitants of the said parish of Saint John Southwark, that it may be enacted, &c.*

The vestry to appoint the number and sort of lamps; and a number of watchmen, and a bedel; and their several duties and wages, and make regulations for enlightening the streets, and elect a committee. The constables, bedels, and watchmens times of duty; and power of apprehending night-walkers, and other suspected persons. Vestry impowered to make a pound rate on the inhabitants; to be confirmed by two justices, and collected half-yearly. Collectors refusing to act, to forfeit 10l. and others to be appointed, &c. The parish church, and other public buildings, and persons, to be rated. Assessments not to exceed 10d. in the pound. Persons aggrieved may appeal to the quarter sessions. Persons paying to these rates, &c. not to gain any settlement thereby. Vestry may borrow money upon the credit of the rates; not exceeding 200l. Forty shillings penalty of breaking or extinguishing lamps, &c. The lamps vested in the churchwardens, &c. Two justices to hear and determine differences. Justices may mitigate the penalties to one moiety.

## CAP. XIX.

*An act for making more effectual several acts of parliament passed for cleansing and making navigable the channel from the Hithe at Colchester to Wivenhoe in the county of Essex; and for repairing and cleansing the streets and lanes of the town of Colchester.*

**W**HEREAS by an act of parliament passed in the ninth and tenth years of the reign of his late majesty King William the Third, intituled, An act for cleansing and making navigable the channel from the Hithe at Colchester to Wivenhoe, several duties were granted and made payable, for goods, wares, and merchandizes, that should be brought in and to the said channel, and should be landed at, or shipped from Wivenhoe or the New Hithe in Colchester aforesaid, or between either of the said places, for the term of twenty one years, for the uses and purposes in the said act mentioned; and several powers were thereby given unto and vested in the mayor, aldermen, assistants, and common council of the town and borough of Colchester only, for appointing collectors and general receivers of the said duties, and for recovering and getting in the same, in such manner as in the said act is particularly mentioned; which said act, and all the powers and authorities thereby given, and one moiety or half-part of the duties thereby granted and made payable (except upon corn and grain) were, by another act passed in the fifth year of the reign of his late majesty King George the First, continued in force until the first day of May, one thousand seven hundred and forty; and further power was thereby given to the said mayor and commonalty of Colchester only, for recovering the same duties: and whereas by another act passed in the thirteenth year of the reign of his present Majesty, intituled, An act for further enlarging the term granted by an act passed the ninth and tenth years of the reign of King William the Third, For cleansing and making navigable the channel from the Hithe at Colchester to Wivenhoe; and for making the said act, and another act of the fifth year of the reign of his late majesty King George the First, For enlarging the term granted by the said act of the ninth and tenth years of the reign of King William the Third, more effectual; it is enacted, That the said two former acts, and all and every the powers and authorities thereby respectively given, together with such additional powers, as are in the said act of the thirteenth year of his present Majesty mentioned, should be continued, and be in force from the first day of May, one thousand seven hundred and forty, for ever; and that the duty on sea coal should, from and after the said first day of May, one thousand seven hundred and forty, be three pence a chaldron, and no more; which duty was, by the said act of the thirteenth of his present Majesty, continued and made payable, from the said first day of May, one thousand seven hundred and forty, for and during the term of forty years; and by the said act it was declared, That no other duty (except the arrears due under the said former acts, or either of them) should be raised upon any other goods, wares, merchandizes, or things whatsoever;

9 &amp; 10 W. 3. c. 19.

13 Geo. 2. c. 30.

*whatsoever; which said duty of three pence for every chaldron of sea coals, granted as aforesaid, and the duties which were or should be in arrear under the said former acts, should and might be raised, levied, and recovered, in such manner as prescribed by the said former acts; and the said mayor and commonalty of Colchester only were by the last-mentioned act vested with further power for suing for, and recovering the said duty thereby granted, and the arrears under the said former acts: and whereas a very large lock, which was several years since erected in the said channel, and has been found to be of very great use and service to the navigation, is now in a decaying condition, and much out of repair; and the said channel, in some parts thereof, is become much choaked up, so that the navigation thereof is greatly obstructed; which has been occasioned principally by there being great arrears of the duties granted by the said recited acts for many years due, and still unpaid; and also a large sum of money remaining in the hands of the representatives of the late receiver general of the said duties, which ought to have been recovered, and applied for amending and repairing the said lock, and cleansing and supporting the navigation of the said channel: but, as the power and authority of the mayor and commonalty of Colchester hath ceased for many years last past (in whose names only the said duties were to be recovered, and legal discharges given for the same, by and under the authorities of the said several acts) the same duties, and the arrears thereof, cannot now be recovered and collected, for want of sufficient power to give legal discharges for the same; and there being no other fund for raising money to amend and keep in repair the said lock, and cleanse the said channel, and preserve the navigation thereof, the same cannot now be done, without some further provision be made for that purpose by the aid and authority of parliament: may it therefore please your Majesty, that it may be enacted, &c.*

The several parcels of land, locks, and channels, and the several powers, &c. which were granted to the corporation of Colchester, &c. are vested in the justices of the east division of the county of Essex, and the commissioners named herein, for the term of 30 years. Additional duty of 3 d. a chaldron on coals to be paid for 30 years. Commissioners may borrow money, and assign over the duties as a security. Six days notice to be given of the time of meeting for borrowing money. Commissioners may place out in the funds, any money that shall be in the receiver general's hands, &c. not immediately necessary, &c. and may appoint and remove collectors, and other officers. The prescriptive rights of the borough of Colchester reserved. Landlords, &c. to pave the streets before their houses. Surveyors of the highways to view the streets, and see that the same are paved, and to make returns of such landlords, whose pavements shall be out of repair; and to give notice for repairing thereof, and may cause the same to be amended, after 20 days neglect. If the tenant shall pay, he may deduct the same out of the rent. Justices may make presentments of default in the pavement of the streets. Persons aggrieved may appeal.

#### CAP. XX.

*An act for encouraging the growth and culture of raw silk in his Majesty's colonies or plantations in America.*

**W**HEREAS it will greatly tend to the increase and improvement of the silk manufactures of this kingdom, to encourage the growth and culture of silk in his Majesty's dominions in America;

rica; may it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the twenty fourth day of *June*, one thousand seven hundred and fifty, it shall and may be lawful to import any raw silks of the growth and culture of any of his Majesty's colonies or plantations in *America*, directly from thence into the port of *London*, without paying any subsidy, custom, imposition, or other duty whatsoever for the same; so as a due entry be first made thereof in the custom-house, at the time of importation, in the same manner and form (expressing the package, marks, and numbers, together with the quantities and qualities of the respective goods) as was used and practised before the making of this act; and so as the same be landed in the presence of, and examined by the proper officer or officers of the customs appointed for that purpose; and so as the same be imported in ships or vessels, that may lawfully trade to his Majesty's plantations, manned as by law is required; and on failure of the said conditions or directions herein last-mentioned, such silks shall be liable to the payment of the respective duties, as if this act had never been made.

Raw silk of the growth of the British colonies in America, to be imported free, so as entry be made,

and the same imported in vessels that may lawfully trade.

II. Provided always, and be it further enacted by the authority aforesaid, That in order to intitle the importer and importers of raw silk, to the exemption intended by this act, every merchant or other person or persons whatsoever, who shall, after the twenty fourth day of *June*, one thousand seven hundred and fifty, load any raw silk on board any ship or vessel, in any of the *British* colonies or plantations in *America*, shall, before the clearing out of the said ship or vessel from thence, make proof, on oath, before the collector and comptroller of the customs, and naval officer, at the port or place where such raw silk shall be put on board, or any two of them, that the raw silk, which he, she, or they hath or have shipped on board the said ship or vessel (expressing the quantity thereof) is *bona fide* of the growth and culture of some or one of the *British* colonies or plantations in *America*, expressing the parish or place in such plantation where the same was cultivated and produced, and by whom, producing such person's oath thereto made before the governor of such island or province, or before the next justice of the peace (which oath the said governor or justice of the peace, collector and comptroller of the customs, and naval officer, or any two of them, are hereby required and impowered to administer without fee or reward) and the master, commander, or other person, taking charge of the ship or vessel, on board which such raw silk shall be loaded, shall also bring with him a certificate or certificates from such collector and comptroller of the customs, and naval officer, or any two of them, as aforesaid, under their hands and seals of office (which certificate or certificates, such collector and comptroller of the customs,

Oath to be made before clearing that the silk is of the growth of the British plantations, &c.

Master to bring a certificate from two officers of the customs,

toms,



which he is to deliver to the chief officer of the customs on his arrival at London,

and to make oath that the goods in the certificate are the same taken on board in America;

in default thereof, the duty is to be paid for such silk.

Penalty on persons entering foreign raw silk as of the growth of the British colonies,

or of mixing other silk therewith, to evade payment of the duties.

toms, and naval officer, are hereby required and directed to grant without fee or reward) expressing the marks, number, tale, and weight of the raw silk, in each bale, parcel, or other package whatsoever, so shipped or loaded on board such ship or vessel, with the names, place or places of abode of the exporter or exporters thereof, from the said *British* colonies or plantations in *America*; and the name or names, place or places of abode of such other person or persons, who shall have sworn the goods therein mentioned to have been of the growth and culture of the said *British* colonies or plantations in *America*; and the name or names of the person or persons to whom the same are consigned in the port of *London*; which certificate or certificates, the said master, commander, or other person taking charge of such ship or vessel, shall, on his arrival in the said port of *London*, deliver to the collector, comptroller, or other chief officer of his Majesty's customs at the said port, at or before the entry of the said raw silk; and at the same time shall make oath before any one of them the said collector, comptroller, or chief officer of his Majesty's customs (who are hereby required and impowered to administer the same without fee or reward) that the said bales and parcels, and goods contained in such certificate, are the same bales and parcels, and goods, as were taken on board in the said *British* colonies or plantations in *America*; and if any raw silk of the growth and culture of the *British* colonies or plantations in *America*, shall, after the said twenty fourth day of *June*, one thousand seven hundred and fifty, be imported, as herein before mentioned, without such certificate signed and delivered as herein before required, and oath made as before directed, by the master, commander, or other person taking charge of the ship or vessel in which the same is imported; all such raw silks shall be liable to the payment of the respective duties, as if this act had never been made; any thing herein before contained to the contrary notwithstanding.

III. And be it further enacted by the authority aforesaid, That if any person or persons shall, from and after the said twenty fourth day of *June*, one thousand seven hundred and fifty, make, or cause to be made, an entry or entries of any foreign raw silk, under the name or description of raw silk of the growth or culture of any of the *British* colonies or plantations in *America*, or shall mix, or cause to be mixed, any foreign raw silk with raw silk of the growth or culture of the *British* colonies or plantations in *America*, with intent to evade the payment of the duties payable on foreign raw silk, every person or persons so making, or causing to be made, such entry or entries, or mixing, or causing such mixture or mixtures to be made, shall forfeit and lose the sum of fifty pounds for every such offence, and all such foreign raw silk; and in case of any mixture, the quantity so mixed, both of foreign and *British* plantation culture or growth, or the value thereof, together with the bales or other packages containing the same, shall be forfeited, and shall and may be seized and prosecuted, or the value thereof be sued for by

by any officer or officers of his Majesty's customs; one moiety of which penalties and forfeitures shall be to the use of his Majesty, his heirs and successors, and the other moiety to him or them that shall seize, prosecute, or sue for the same, in any of his Majesty's courts of record at *Westminster*.

IV. Provided always, That if any doubt or dispute shall arise, whether the said raw silk, or any part thereof, so to be imported as aforesaid, is of the growth or culture of the colonies or plantations in *America*, or of foreign growth or culture, the *Onus Probandi*, shall lie on the owner or claimer thereof, and not on the informer or prosecutor; any law, custom, or usage to the contrary notwithstanding.

V. And be it further enacted by the authority aforesaid, That if any action or suit shall be commenced against any person or persons for any thing done in pursuance of this act, the defendant or defendants, in such action or suit, may plead the general issue, and give this act, and the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance and by authority of this act; and if it shall appear so to have been done, then the jury shall find for the defendant or defendants; and if the plaintiff shall be nonsuited, or discontinue his action, after the defendant or defendants shall have appeared, or if judgement shall be given upon any verdict or demurrer against the plaintiff, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same, as defendants have in other cases by law.

### CAP. XXI.

*An act for granting to his Majesty the sum of nine hundred thousand pounds out of the sinking fund, for the service of the year one thousand seven hundred and fifty; and for applying certain surplus monies, remaining in the exchequer, as part of the supply of the said year; and for the application of certain savings in the bands of the paymaster general; and for obviating a doubt in an act of the fifth year of King George the First, in respect to the payment of certain annuities thereby granted for the improvement of fisheries and manufactures in Scotland; and for the further appropriating the supplies granted this session of parliament; and for giving further time for the payment of duties omitted to be paid for the indentures or contracts of clerks and apprentices; and for transferring the bounties now payable upon the exportation of British sail cloth, to the customs; and for enforcing the laws against the clandestine importation of soap, candles, and starch, into this kingdom.*

*Most gracious Sovereign,*

**W**E your Majesty's most dutiful and loyal subjects, the commons of *Great Britain* in parliament assembled, being desirous to raise the necessary supplies which we have cheerfully granted to your Majesty in this session of parliament, for the service of the year one thousand seven hundred and fifty, in the easiest manner we are able, for the benefit of your Majesty's subjects, and also to use such ways and means therein, as that your Majesty may have the better and more speedy effect of the said supplies, have resolved to give and grant unto your Majesty the sum of nine hundred thousand pounds, out of the surplusses, excesses, and overplus monies, commonly called *The Sinking Fund*: and to that end and purpose do most humbly beseech your Majesty that it may be enacted, and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That by or out of such monies as now are, or shall from time to time be and remain in the receipt of the exchequer, of the said surplusses, excesses, or overplus monies, commonly called *The Sinking Fund* (after paying or reserving sufficient to pay all such sum and sums of money as have been directed by any former act or acts of parliament to be paid out of the same) there shall and may be issued, and applied, a sum not exceeding the said sum of nine hundred thousand pounds, for and towards the supply granted to his Majesty for the service of the said year one thousand seven hundred and fifty; and the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, are hereby authorized and impowered to issue and apply the same accordingly.

900,000 l.  
granted out  
of the sinking  
fund, towards  
the supply.

17,553l. 10s.  
10d. surplus  
of the addi-  
tional duties  
on wines im-  
ported,

29,856l. 1s.  
11d. halfpen-  
ny, surplus of  
the duties up-  
on houses, and  
coaches, &c.

71,116l. 17s.  
6d. surplus of  
the subsidy of  
poundage on  
goods im-  
ported,

II. And be it further enacted by the authority aforesaid, That the sum of seventeen thousand five hundred and fifty three pounds, ten shillings, and ten pence, now remaining in the receipt of his Majesty's exchequer at *Christmas* last, one thousand seven hundred and forty nine, being the surplus of the additional duties upon all wines imported, over and above sufficient to satisfy the annuities charged thereupon; and the sum of twenty nine thousand eight hundred and fifty six pounds, one shilling, and eleven pence halfpenny, being the surplus monies remaining in the receipt of his Majesty's exchequer at *Michaelmas* last, one thousand seven hundred and forty nine, of the rates and duties upon houses, windows, and lights, and of the duties on coaches and other carriages, after satisfying all payments due thereupon; and also the sum of seventy one thousand one hundred and sixteen pounds, seventeen shillings, and six pence, being the surplus monies remaining in the receipt of his Majesty's exchequer at *Michaelmas* last, one thousand seven hundred and forty nine, of the subsidy of poundage on goods

and

and merchandizes imported, after satisfying all payments due thereupon, shall and may be issued and applied at the said receipt, as part of the supply granted to his Majesty for the service of the year one thousand seven hundred and fifty; any thing in this or any former act or acts of parliament to the contrary thereof in any wise notwithstanding.

III. *And whereas the sum of forty six thousand eight hundred and forty nine pounds, eleven shillings, and ten pence, of monies or savings in the bands of the paymaster general of his Majesty's land forces, arising from the pay of his Majesty's land forces; as also the sum of sixty five thousand six hundred and seventy four pounds, eight shillings, and six pence, of monies or savings in the bands of the said paymaster, on the head of forage and provisions voted for the auxiliary troops of Russia, and on the subsidies to the Landgrave of Hesse Cassel, elector of Bavaria, and duke of Wolfenbuttle, have been granted to his Majesty in this session of parliament, towards defraying the extraordinary expences of his Majesty's land forces, and other services, incurred in the year one thousand seven hundred and forty nine, and not provided for by parliament: which two sums, together with the further sum of sixty five thousand four hundred and eighty one pounds, four shillings, and seven pence, granted in this session of parliament out of the supplies for the year one thousand seven hundred and fifty, amounting in the whole to the sum of one hundred seventy eight thousand and five pounds, four shillings, and eleven pence, are to be applied for defraying the said extraordinary expences of his Majesty's land forces, and other services incurred in the year one thousand seven hundred and forty nine, as aforesaid; be it therefore enacted by the authority aforesaid; That the said respective sums of forty six thousand eight hundred and forty nine pounds, eleven shillings, and ten pence, and sixty five thousand six hundred and seventy four pounds, eight shillings, and six pence, remaining in the hands of the said paymaster general of his Majesty's land forces, of the monies or savings herein before specified, shall and may be issued and applied, by any warrant or warrants of his Majesty, under his royal sign manual in that behalf, towards defraying the said extraordinary expences of his Majesty's land forces, and other services, incurred in the said year one thousand seven hundred and forty nine, and not provided for by parliament; any thing in this or any former act to the contrary thereof in any wise notwithstanding.*

IV. *And whereas the sum of fifteen thousand pounds of monies or savings remaining in the bands of the paymaster general of his Majesty's land forces, arising from the contingencies of the army, have been granted to his Majesty in this session of parliament, towards defraying the charge of out pensioners of Chelsea Hospital, for the year one thousand seven hundred and fifty; which sum, together with the further sum of forty nine thousand eight hundred and forty eight pounds, seven shillings, and six pence, granted in this session of parliament out of the supplies for the said year one thousand seven hundred and fifty, amounting in the whole to the sum of sixty four thousand eight hundred and forty eight pounds, seven shillings, and six pence,*

to be applied  
for the service  
of the year  
1750.

46,849 l. 11s.  
10d. savings  
from the pay  
of the land  
forces,

65,674 l. 8s.  
6d. savings on  
forage, &c.  
for the troops  
of Russia, and  
the subsidies  
to the Land-  
grave of Hesse  
Cassel, elector  
of Bavaria,  
and duke of  
Wolfenbuttle,

65,481 l. 4s.  
7d. granted  
for the service  
of the year  
1750.

to be applied  
towards the  
expences of  
the land  
forces in  
1749.

15,000 l. sav-  
ings from the  
contingencies  
of the army,

49,848 l. 7s.  
6d. of the  
supplies for  
the year  
1750.

to be applied  
to the out-  
pensioners of  
Chelsea Hos-  
pital.

5 Geo. I. c. 20.

The yearly  
funds of  
10,000 l. and  
2,000 l. to be  
paid out of the  
revenue of  
Scotland.

Proviso.

*pence, are to be applied for the defraying the charge of the said out pensioners of Chelsea Hospital for the said year one thousand seven hundred and fifty; be it therefore enacted by the authority aforesaid, That the said respective sums of fifteen thousand pounds, and forty nine thousand eight hundred and forty eight pounds, seven shillings, and six pence, remaining in the hands of the said paymaster general of his Majesty's land forces, of the monies or savings herein before specified, shall and may be issued and applied, by any warrant or warrants of his Majesty under his royal sign manual in that behalf, towards defraying the charge of out pensioners of Chelsea Hospital, for the year one thousand seven hundred and fifty; any thing in this or any former act or acts of parliament to the contrary notwithstanding.*

*V. And whereas by an act passed in the fifth year of his late Majesty King George the First, intituled, An act for settling certain yearly funds, payable out of the revenue of Scotland, to satisfy publick debts in Scotland, and other uses mentioned in the treaty of union, and to discharge the equivalents claimed on behalf of Scotland, in the terms of the same treaty; and for obviating all future disputes, charges, and expences concerning those equivalents; is was enacted, That the respective yearly funds of ten thousand pounds, and two thousand pounds, made payable thereby on account of the equivalents, and for the encouragement of fisheries and manufactures, should, during the continuance thereof respectively, be charged and chargeable upon, and be payable and paid out of, the monies arisen and to arise, from time to time, of or for any the customs, duties, excises, or revenues that are or shall be under the management of the commissioners of the customs, and commissioners of the excise in Scotland, or either of them, or of any commissioners, farmers, or managers of these revenues, or any of them for the time being: and whereas some doubts have arisen, whether by the above recited act, the above respective yearly funds of ten thousand pounds, and two thousand pounds, can or may be charged upon, and paid out of monies arisen or to arise from any customs, duties, excises, or revenues, granted or imposed upon that part of Great Britain called Scotland, since the making of the said act: now, for preventing the same for the future, be it declared and enacted by the authority aforesaid, That the said yearly funds of ten thousand pounds, and two thousand pounds, shall, during the continuance thereof respectively, yearly, and every year, be paid and payable out of all and every the customs, duties, excises, and revenues, granted or imposed upon that part of Great Britain called Scotland, that are under the management of the commissioners of the customs, and commissioners of the excise in Scotland, or either of them, or of any commissioners, farmers, or managers of these revenues, or any of them for the time being, since the making of the said act, as well as out of the customs, duties, excises, and revenues, that subsisted under the management aforesaid, at the time of making the said act; subject nevertheless to the several powers, clauses, and provisions in the said recited act mentioned and provided.*

VI. And

VI. And it is hereby enacted by the authority aforesaid, That in case the said commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall think it adviseable to raise the said sum of nine hundred thousand pounds, or any part thereof, by loans or exchequer bills, in manner herein after mentioned, that it shall and may be lawful to and for any person or persons, natives or foreigners, bodies politick or corporate, to advance or lend to his Majesty, at the receipt of his Majesty's exchequer, any sum or sums of money not exceeding the said sum of nine hundred thousand pounds, upon the credit of the said surplusses, excesses, or overplus monies, commonly called *The Sinking Fund*; and to have and receive for the forbearance of the money lent, interest after a rate not exceeding three pounds *per centum per annum*, so as such loans be allowed to be made by the said commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, who are hereby authorized to issue their warrants for that purpose as fast as such loans shall be wanted for the publick service; and moreover that no money to be lent upon the security of this act shall be rated or assessed to any tax or assessment whatsoever.

Clause of loan  
at 3 l. per  
cent.

VII. And be it further enacted, That all and every person and persons who shall lend any money upon the credit of this act as aforesaid, and pay the same into the receipt of the exchequer, shall immediately have a tally of loan struck for the same, and an order for his, her, or their repayment, bearing the same date with his, her, or their tally, in or upon which order shall be also contained a warrant for payment of interest for the forbearance thereof, not exceeding the said rate of three pounds *per centum per annum*, and to be paid every three months, until the repayment of the principal; and all such orders for repayment of money so to be lent shall be registred in course according to the dates respectively; and that all and every person and persons shall be paid in course, according as their orders shall stand registred in the said register books, so as the person or persons, natives or foreigners, his, her, or their executors, administrators, or assigns, who shall have his, her, or their order or orders first entered in the said books of register, shall be taken and accounted to be the first person or persons to be paid out of the said surplusses, excesses, or overplus monies; and he, she, or they, who shall have his, her, or their order or orders next entered, shall be taken and accounted to be the second person to be paid, and so successively and in course; and that the monies to come in, of, or for the said surplusses, excesses, or overplus monies, commonly called *The Sinking Fund*, as aforesaid, shall be in the same order liable to the satisfaction of the said respective persons, and body or bodies politick or corporate, their executors, administrators, successors, or assigns respectively, without any undue preference of one before another,

Tallies and  
orders for  
repayment,

to carry 3l. per  
cent. interest.

Orders to be  
registred, and  
paid in course.

No fee for  
registering  
&c.

Penalty.

Penalties how  
to be recover-  
ed.

No undue pre-  
ference, where  
tallies are  
dated the  
same day,  
&c.

Nor if subse-  
quent orders  
be paid before  
such as were  
not demand-  
ed.

and not otherwise, and shall not be diverted or divertible to any other use, intent, or purpose whatsoever (other than such uses and purposes as are appointed by any other act or acts of parliament in that behalf as aforesaid;) and that no fee, reward, or gratuity directly or indirectly shall be demanded or taken of any of his Majesty's subjects for providing or making of any such books or registers, or any entries, views, or searches in or for payment of money lent, or the interest thereof as aforesaid, by any of his Majesty's officer or officers, their clerks, or deputies, on pain of payment of treble damages to the party grieved by the party offending, with full costs of suit; or if the officer himself take or demand any such fee or reward, then to lose his place also; and if any undue preference of one before another shall be made either in point of registry or payment, contrary to the true meaning of this act, by any such officer or officers, then the party offending shall be liable by action of debt, or on the case, to pay the value of the debt with full costs of suit to the party grieved, and shall be forejudged of his place or office; and if such preference be unduly made by any his deputy or clerk, without direction or privity of his master, then such deputy or clerk only shall be liable to such action, debt, damages, and costs, and shall be for ever after incapable of his office or place; and in case the auditor of the receipt shall not direct the said orders of loan, or the clerk of the pells record, or the teller make payment upon such orders, according to each person's due place and order as before directed, then he or they shall be adjudged to forfeit, and the respective deputies and clerks therein offending, to be liable to such action, debt, damages, and costs, in such manner as aforesaid; all which said penalties, forfeitures, damages, and costs, to be incurred by any the officers of the exchequer, or any their deputies or clerks, shall and may be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*; wherein no essoin, protection, privilege, wager of law, injunction, or order of restraint shall be in any wise granted or allowed.

VIII. Provided always, and it is declared, That if it shall happen that several tallies of loan or orders for payment as aforesaid, bear date, or be brought the same day to the auditor of the receipt to be registred, then, it shall be interpreted no undue preference which of those be entered first, so as he enters them all the same day.

IX. Provided also, That it shall not be interpreted any undue preference to incur any penalty in point of payment, if the auditor direct, and the clerk of the pells record, and the tellers do pay subsequent orders to persons that come and demand their monies, and bring their orders, before other persons that did not come to take their monies, and bring their orders in course, so as there be so much money reserved as will satisfy precedent orders, which shall not be otherwise disposed of, but kept for them; interest upon loan being to cease from the time the money is so reserved and kept in bank for them.

X. And

X. And be it further enacted, That all and every person and persons to whom any money shall be due for loans to be registered by virtue of this act, after order entered in the book of registry as aforesaid, his, her, or their executors, administrators, or assigns, by proper words of assignment to be indorsed and written upon his, her, or their order, may assign and transfer his, her, or their right, title, interest, and benefit of such order, or any part thereof to any other; which being notified in the office of the auditor of the receipt aforesaid, and an entry or memorial thereof also made in the book of registry aforesaid for orders (which the officers shall upon request without fee or charge accordingly make) shall intitle such assignee, his, her, or their executors, administrators, successors and assigns, to the benefit thereof, and payment thereon, and such assignee may in like manner assign again, and so *toties quoties*; and afterwards it shall not be in the power of such person or persons who have or hath made such assignment, to make void, release, or discharge the same, or any the monies thereby due, or any part thereof.

Orders assign-  
able.

No fee for  
entry.

The assign-  
ment not to be  
voided.

XI. And to the end there may be no want or failure of a certain sum not to exceed in the whole the said sum of nine hundred thousand pounds, to be raised either by such loans as aforesaid, or by issuing exchequer bills as is herein after mentioned, & by both or either of those ways or means for the publick service; be it further enacted by the authority aforesaid, That in case the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall judge it more adviseable to raise the said sum of nine hundred thousand pounds, or any part thereof, by exchequer bills, instead of such loans as aforesaid, that then they respectively are hereby authorized and impowered at any time or times to prepare and make, or cause to be prepared and made at the exchequer, any number of new exchequer bills, for any sum or sums of money not exceeding in the whole the said sum of nine hundred thousand pounds, together with such loans as aforesaid, in the same or like manner, form, or order, and according to the same or like rules and directions, as in and by a certain act of parliament (*For granting an aid to his Majesty, by a land tax, for the service of the year one thousand seven hundred and fifty*) are enacted and prescribed concerning the exchequer bills to be made in pursuance of the said act.

Commission-  
ers of the  
treasury may  
make new ex-  
chequer bills  
for the said  
sum of  
900,000*l.*

XII. And be it further enacted by the authority aforesaid, That all and every the clauses, provisoes, powers, privileges, advantages, penalties, forfeitures, and disabilities, contained in the said last-mentioned act relating to the loans or exchequer bills authorized to be made by the same act (except such clauses as do charge the same on the aids or assessments, granted by the same act) shall be applied and extended to the exchequer bills to be made in pursuance of this act, as fully and effectually to all intents and purposes as if the said exchequer bills had been originally authorized by the said last mentioned act, or as if the

Subject to the  
regulations  
contained in  
the land tax,  
&c.

said



faid feveral claufes or provifoes had been particularly repeated or re-enacted in the body of this prefent act.

Exchequer  
bills, &c. to  
be repaid out  
of the finking  
fund,

XIII. And be it enacted by the authority aforefaid, That all the exchequer bills as fhall be made in purfuance of this act, and the intereft, premium, rate, and charges incident to, or attending the fame, fhall be and are hereby charged and chargeable upon, and fhall be repaid and borne by and out of the growing produce of the faid furpluffes, exceffes, and overplus monies, commonly called *The Sinking Fund* (except fuch monies of the faid finking fund as are appropriated to any particular ufe or ufes by any former or other act or acts of parliament in that behalf) and fuch monies of the faid finking fund fhall and may be iffued and applied, as faft as the fame can be regularly ftated and afcertained, for and towards the paying off, cancelling, and difcharging fuch exchequer bills, intereft, premium, rate, or charges, until the whole of them fhall be paid off, cancelled, and difcharged, or money fufficient for that purpofe be kept and referved in the exchequer, to be payable on demand to the refpective proprietors thereof.

Land tax, &c.

XIV. Provided always, and be it enacted by the authority aforefaid, That all the monies coming into the exchequer, either by loans or exchequer bills, upon one act of this feffion of parliament (intituled, *An act for granting aid to his Majesty by a land tax, to be raifed in Great Britain, for the fervice of the year one thoufand feven hundred and fifty*) and fo much money, if any fuch be, of the tax thereby granted, as fhall arife or remain, after all the loans or exchequer bills made or to be made on the fame act, and all the intereft, *Premium*, rate and charges thereupon, and the charges thereby allowable for raifing the faid land tax, fhall be fatisfied, or money fufficient fhall be referved in the exchequer to difcharge the fame; and alfo all the monies coming into the exchequer, either by loans or exchequer bills, upon one other act of this feffion of parliament

Malt tax,

(intituled, *An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the fervice of the year one thoufand feven hundred and fifty*) and fo much money, if any fuch be, of the duties thereby granted, as fhall arife or remain after all the loans or exchequer bills made, or to be made on the fame act, and all the intereft, *Premium*, rate, and charges thereon, and the charges thereby allowable for raifing the faid duties, fhall be fatisfied, or monies fufficient fhall be referved in the exchequer to difcharge the fame; and alfo all

and annuities.

the monies coming into the exchequer, for contributions for annuities after the rate of three pounds *per centum per annum*, granted by one other act of this prefent feffion of parliament, intituled, *An act for granting to his Majesty the fum of one million, to be raifed by annuities at three pounds per centum per annum, and charged on the finking fund, transferrable at the bank of England*; and the fum of feventeen thoufand five hundred and fifty three pounds, ten fhillings, and ten pence, remaining in the exchequer at *Chriftmas* laft, being the furplus of the additional duties

duties upon all wines imported, over and above fufficient to fatisfy the annuities charged thereupon; and the fum of twenty nine thousand eight hundred and fifty fix pounds, one fhilling, and eleven pence halfpenny, being the furplus monies remaining in the exchequer at *Michaelmas* laft, one thousand feven hundred and forty nine, of the rates and duties upon houfes, windows, and lights, and of the duties on coaches and other carriages, after fatisfying all payments due thereupon; and the fum of feventy one thousand one hundred and fixteen pounds, feventeen fhillings and fix pence, being the furplus monies remaining in the exchequer at *Michaelmas* laft, one thousand feven hundred and forty nine, of the fubfidy of poundage on goods and merchandizes imported, after fatisfying all payments due thereupon; and alfo the fum of nine hundred thousand pounds, by this act granted, fhall be further appropriated, and are hereby appropriated for and towards the feveral ufes and purpofes herein after expreffed (that is to fay) it is hereby enacted and declared by the authority aforefaid, That out of all or any the aids or fupplies aforefaid, there fhall and may be iffued and applied any fum or fums of money, not exceeding one million eleven thousand five hundred and twenty one pounds, five fhillings, and ten pence, for or towards the naval fervices herein after more particularly expreffed; that is to fay, for or towards defraying the charges of the ordinary of his Majesty's navy, and for half-pay to fea officers; and for or towards victuals, wages, wear and tear of the navy, and the victualling thereof, performed and to be performed, and for or towards fea fervices in the office of ordnance, performed and to be performed; and for or towards the buildings, rebuilding, and repairs of his Majesty's fhips for the year one thousand feven hundred and fifty.

out of the aids  
to be paid,

1,11,521. 5s.  
10d. towards  
naval fervices.

XV. And it is hereby alfo enacted by the authority aforefaid, That out of all or any the aids or fupplies aforefaid, there fhall and may be iffued and applied any fum or fums of money, not exceeding ten thousand pounds, upon account, towards the fupport of the royal hofpital at *Greenwich*, for the better maintenance of the feamen of the faid hofpital, worn out and become decrepit in the fervice of their country.

10,000l. to  
*Greenwich*  
hofpital.

XVI. And it is hereby alfo enacted, That out of all or any the aids or fupplies aforefaid, there fhall and may be iffued and applied any fum or fums of money, not exceeding one hundred forty four thousand feven hundred and eight pounds, fixteen fhillings and four pence, for or towards defraying the charge of the office of ordnance for the land fervice, for the fervice of the year one thousand feven hundred and fifty, performed and to be performed, and for defraying the extraordinary expence of the office of ordnance for land fervice, not provided for by parliament.

144,708l. 16s.  
4d. towards  
the office of  
Ordnance.

XVII. And it is hereby likewise enacted, That out of all or any the aids or fupplies provided as aforefaid, there fhall and may be iffued and applied any fum or fums of money, not exceeding one million two hundred thirty eight thousand feven hun-

1,238,704l.  
9s. 11d. to  
the land for-  
ces.

of which  
628,230l. 4s.  
7d. for guards  
&c. in Great  
Britain,  
Guernsey,  
and Jerſey;

236,420l. 18s.  
6d. 2q. for  
Garrifons, &c.  
in the planta-  
tions, Minor-  
ca and Gibralt-  
ar, Nova Sco-  
tia, New-  
foundland,  
and Providence.

29,993l. 3s.  
7d. to the  
duke of Brunf-  
wick Wolfen-  
bottle ;  
8,620l to the  
elector of  
Mentz.

22,372l. 3s.  
2d. 2q. to the  
elector of Ba-  
varia.

65,481l. 4s.  
7d. for extra-  
ordinary land-  
forces, &c.  
in 1749.

49,848l. 7s.  
6d. to out-  
penſioners of  
Chelſea Hof-  
pital ;

5,117l. 11s.  
8d. to the  
two troops  
of horſe  
guards, &c.

67,000l. to  
reduced offi-  
cers

3,374l. to re-  
duced officers  
widows, &c.

hundred and four pounds, nine ſhillings and eleven pence, for and towards maintaining his Majesty's land forces, and other ſervices herein after more particularly expreſſed ; (that is to ſay) any ſum or ſums of money, not exceeding ſix hundred twenty eight thouſand two hundred and thirty pounds, four ſhillings, and ſeven pence, for defraying the charge of the eighteen thouſand eight hundred and fifty ſeven effective men, including com- miſſion and non-commiſſion officers, and one thouſand eight hundred and fifteen invalids, for guards, garrifons, and other his Majesty's land forces, in *Great Britain, Guernsey, and Jerſey*, for the ſervice of the year one thouſand ſeven hundred and fifty ; and any ſum or ſums of money, not exceeding two hundred thirty ſix thouſand four hundred and twenty pounds, eighteen ſhillings, and ſix pence halfpenny, for maintaining his Majesty's forces and garrifons in the plantations, *Minorca, and Gibraltar*, and for proviſions for the garrifons in *Nova Scotia, Newfoundland Gibraltar, and Providence*, for the year one thouſand ſeven hun- dred and fifty ; and any ſum or ſums of money, not exceeding twenty nine thouſand nine hundred and ninety three pounds, three ſhillings and ſeven pence, to make good his Majesty's en- gagements with his moſt ſerene highneſs the duke of *Brunſwick Wolfenbottle*, purſuant to treaty ; and any ſum or ſums of mo- ney, not exceeding eight thouſand ſix hundred and twenty pounds, to make good his Majesty's engagements with the elec- tor of *Mentz*, purſuant to treaty ; and any ſum or ſums of mo- ney, not exceeding twenty two thouſand three hundred and ſe- venty two pounds, three ſhillings, and one penny halfpenny, to make good his Majesty's engagements with the elector of *Ba- varia*, purſuant to treaty ; and any ſum or ſums of money, not exceeding ſixty five thouſand four hundred eighty one pounds, four ſhillings, and ſeven pence, for defraying the extraordinary expences of his Majesty's land forces, and other ſervices incur- red in the year one thouſand ſeven hundred and forty nine, and not provided for by parliament ; and any ſum or ſums of money, not exceeding forty nine thouſand eight hundred forty eight pounds, ſeven ſhillings, and ſix pence, upon account, towards defraying the charge of out-penſioners of *Chelſea Hoſpital*, for the year one thouſand ſeven hundred and fifty ; and any ſum or ſums of money, not exceeding five thouſand one hundred ſe- venteen pounds, eleven ſhillings, and eight pence, for defray- ing the charge for allowances to the ſeveral officers and private gentlemen of the two troops of horſe guards, and regiment of horſe, reduced ; and to ſuperannuated gentlemen of the four troops of horſe guards, for the year one thouſand ſeven hundred and fifty ; and any ſum or ſums of money, not exceeding ſixty ſeven thouſand pounds, upon account of the reduced officers of his Majesty's land forces and marines, for the year one thouſand ſeven hundred and fifty, ſubject to ſuch rules to be obſerved in the application of the ſaid half-pay, as are hereafter preſcribed concerning the ſame; and any ſum or ſums of money, not ex- ceeding three thouſand three hundred ſeventy four pounds, for paying

paying of penfions to the widows of fuch reduced officers of his Majesty's land forces and marines, as died upon the eftablifhment of half-pay in *Great Britain*, and who were married to them before the twenty fifth day of *December*, one thousand feven hundred and fixteen, for the year one thousand feven hundred and fifty; which faid fum of three thousand three hundred and feventy four pounds, fhall be iffued to fuch perfon or perfons, as his Majesty fhall, by warrant or warrants under his Majesty's royal fign manual, direct and appoint to receive the fame, to be by him or them paid over to fuch widows of half-pay officers, or their affigns, according to fuch eftablifhments, lifts, or other directions, and with and fubject to fuch conditions, qualifications, and other allowances for the fame, as his Majesty, by fuch and the like warrant or warrants, fhall be graciously pleafed to direct and appoint; and any fum or fums of money, not exceeding one hundred twenty two thousand two hundred forty fix pounds, fixteen fhillings, and four pence, for defraying the expence of fervices incurred during the war in his Majesty's colonies in *North America*, on account of the intended expedition againft *Canada*, and for other fervices arifing therefrom, and for the fuccour of *Nova Scotia*.

XVIII. And it is hereby alfo enacted by the authority aforefaid, That out of all or any the aids or fupplies aforefaid, there fhall and may be iffued and applied any fum or fums of money not exceeding thirty fix thousand four hundred feventy fix pounds three fhillings, and ten pence, upon account, for defraying the charges incurred by transporting to his Majesty's colony of *Nova Scotia*, and fupporting and maintaining there, a number of reduced officers and private men difmiffed his Majesty's land and fea fervice, and other his Majesty's fubjects now fettled in the faid colony, and not provided for by parliament; and any fum or fums of money, not exceeding thirty nine thousand feven hundred feventy eight pounds, nineteen fhillings, and two pence, upon account, for fupporting, maintaining, and enlarging the fettlement of his Majesty's colony of *Nova Scotia*, for the year one thousand feven hundred and fifty.

XIX. And it is hereby alfo enacted, That out of all or any the aids or fupplies aforefaid, there fhall and may be iffued and paid to the commiffioners for building a bridge crofs the river of *Thames*, from the city of *Westminster* to the oppofite fhore in the county of *Surry*, or any feven or more of them, or to fuch perfon or perfons as fhall be appointed under the hands and feals of the faid commiffioners, or any feven or more of them, to receive the fame, the fum of eight thousand pounds, without account, other than is directed for other monies raifed by virtue of feveral former acts of parliament, paffed during the reign of his prefent Majesty, for building the faid bridge, to be applied to finifh the faid bridge, and to enable the faid commiffioners to perform the other trufts pofed in them.

XX. And it is hereby alfo enacted by the authority aforefaid, That out of all or any the aids or fupplies aforefaid, there fhall

222,246l. 16s.  
4d. for fervices during the war in North America, &c.

36,476l. 3s.  
10d. charges of fettling Nova Scotia.

39,778l. 19s.  
2d. for Nova Scotia.

8000l. for the Bridge at Westminster.

and

1,000,000l. to pay the like sum; charged on the first aids raised after 29 Sept. 1749.

94,655l. 7s. 4d. to make good the deficiency of the half subsidy.

10,000l. for support of the British forts, &c. upon the coast of Africa.

3,304l. 3s. 4d. for Georgia.

5,183l. 17s. 8d. to make good the deficiency of the stamp duties.

13,361l. 10s. 1d. deficiency of the duties on sweets.

35,000l. for interest on the salt duties.

7,196l. 4s. 5d. 2q. to make good the additional duties on wines.

and may be issued and applied any sum or sums of money, not exceeding one million, to discharge the sum of one million raised in pursuance of an act passed in the last session of parliament, and charged on the first aids or supplies to be granted in parliament, after the twenty ninth day of *September*, one thousand seven hundred and forty nine; and any sum or sums of money, not exceeding ninety four thousand six hundred fifty five pounds, seven shillings, and four pence, for making good the deficiency at *Christmas*, one thousand seven hundred and forty nine, of the half subsidy of tonnage and poundage, for paying the annuity and charges of management of the *South Sea* company, for subscriptions into their capital of annuities, granted by the second act *Anno* one thousand seven hundred and eight; and any sum or sums of money, not exceeding ten thousand pounds, towards the support of the *British* forts and settlements upon the coast of *Africa*, to be applied in such manner, as his Majesty shall think proper; and there shall and may be issued and paid to the trustees for establishing the colony of *Georgia* in *America*, any sum or sums of money, not exceeding three thousand three hundred and four pounds, three shillings, and four pence, by them to be applied for the further settling and improving the said colony.

XXI. And it is hereby also enacted by the authority aforesaid, That out of all or any the aids or supplies aforesaid, there shall and may be issued and applied any sum or sums of money, not exceeding five thousand one hundred eighty three pounds, seventeen shillings, and eight pence, to replace to the sinking fund the like sum paid out of the same, to make good the deficiency of the additional stamp duties at *Christmas*, one thousand seven hundred and forty eight; and any sum or sums of money not exceeding thirteen thousand three hundred sixty one pounds, ten shillings, and one penny, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the duty of twelve shillings a barrel on sweets, or wines made from *British* or foreign fruit or sugar, at *Michaelmas*, one thousand seven hundred and forty nine; and any sum or sums of money, not exceeding thirty five thousand pounds, to replace to the said sinking fund the like sum paid out of the same, to answer one year's interest due at *Michaelmas*, one thousand seven hundred and forty nine, after the rate of three pounds ten shillings *per centum per annum*, on the principal sum of one million lent on credit of the salt duties, which were continued for six years, from *Lady-day*, one thousand seven hundred and fifty three, towards the supply for the year one thousand seven hundred and forty five; and any sum or sums of money, not exceeding seven thousand one hundred ninety six pounds, four shillings, and five pence halfpenny, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the additional duties on wines at *Midsummer*, one thousand seven hundred and forty nine; and any sum or sums of

of money, not exceeding five thousand seven hundred twenty four pounds, three shillings, and nine pence, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the duty on licences for retailing of spirituous liquors, at *Lady-day*, one thousand seven hundred and forty nine; and any sum or sums of money not exceeding twenty one thousand five hundred sixty four pounds, two shillings, and ten pence halfpenny, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the duties on glass and spirituous liquors, at *Midsummer*, one thousand seven hundred and forty nine; and any sum or sums of money, not exceeding thirty nine thousand six hundred thirty one pounds, six shillings, and ten pence halfpenny, for making good the deficiency at *Christmas*, one thousand seven hundred and forty nine, of the said duties on glass and spirituous liquors; and any sum or sums of money, not exceeding two hundred seventy five thousand seven hundred thirty six pounds, five shillings, and three pence, to make good the deficiency of the grants, for the year one thousand seven hundred and forty nine.

XXII. And be it further enacted by the authority aforesaid, That the said aids and supplies provided as aforesaid shall not be issued or applied to any use, intent, or purpose whatsoever, other than the uses and purposes before mentioned, or for the several deficiencies or other payments directed to be satisfied thereout by any act or acts, or any particular clause or clauses for that purpose contained in any other act or acts of this present session of parliament.

XXIII. And as to the said sum of sixty seven thousand pounds by this act appropriated on account of half-pay, as aforesaid; it is hereby enacted and declared by the authority aforesaid, That the rules herein after prescribed shall be duly observed in the application thereof; that is to say, That no person shall have or receive any part of the same, who was a minor, and under the age of sixteen years, at the time when the regiment, troop, or company, in which he served, was reduced; that no person shall have or receive any part of the same, except such persons who did actual service in some regiment, troop, or company; that no person having any other place or employment of profit civil or military, under his Majesty, shall have or receive any part of the said half-pay; that no chaplain of any garrison or regiment, who has any ecclesiastical benefice in *Great Britain* or *Ireland*, shall have or receive any part of the said half-pay; that no person shall have or receive any part of the same, who has resigned his commission, and has had no commission since; that no part of the same shall be allowed to any person by virtue of any warrant or appointment, except to such persons, who would have been otherwise intitled to the same as reduced officers; and that no part of the same shall be allowed to any of the officers of the five regiments of dragoons, and eight regiments of foot, lately disbanded in *Ireland*, except to such as

5,724l. 3s. 9d. to make good the duty on licences for retailing spirituous liquors.

21,564l. 2s. 10d. 2q. deficiency of the duties on glass and spirituous liquors.

39,631l. 6s. 10d. 2q. deficiency at Christmas, 1749;

275,736l. 5s. 3d. deficiency of the grants for 1749;

The supplies to be applied only as this act directs.

Rules to be observed in the application of the half pay.

were lately taken off the establishment of half-pay in Great Britain.

2s Geo. 2.  
c. 42.

XXIV. *And whereas by an act of parliament made in the twenty second year of his Majesty's reign, (intituled, An act for granting to his Majesty the sum of one million out of the sinking fund, for the service of the year onethousand seven hundred and forty nine; and for enabling his Majesty to raise a further sum of one million for the uses and purposes therein mentioned; and for the further appropriating the supplies granted in this session of parliament; and for applying a certain sum for defraying certain charges and allowances to the officers and private gentlemen of the reduced troops of horse guards; and for continuing the bounties on the exportation of British and Irish linens; and for making forth duplicates of exchequer bills, lottery tickets, annuity orders, or other orders, lost, burnt, or otherwise destroyed) several supplies which had been granted to his Majesty, as is therein mentioned, were appropriated to several uses and purposes therein expressed, amongst which, any sum or sums of money, not exceeding sixty seven thousand two hundred and twenty six pounds, eighteen shillings, and four pence, was appropriated to be paid to the reduced officers of his Majesty's land forces and marines, subject nevertheless to such rules to be observed in the application of the said half-pay, as in and by the aforesaid act were prescribed in that behalf; now it is hereby provided, enacted, and declared by the authority aforesaid, That so much of the said sum of sixty seven thousand two hundred twenty six pounds, eighteen shillings, and four pence, as is or shall be more than sufficient to satisfy the said reduced officers, according to the rules prescribed by the said act to be observed in the application thereof, or any part of such overplus, shall and may be disposed of to such officers who are maimed or lost their limbs in the late wars, or such others, as by reason of their long service, or otherwise, his Majesty shall judge to be proper objects of charity, or to the widows or children of such officers, according to such warrant or warrants, under his Majesty's royal sign manual, as shall be signed in that behalf; any thing in this act, or the said former act to the contrary notwithstanding.*

Application of the surplus of 67,226l. 18s. 4d. appropriated in 1749, to the half-pay.

Clause for relief of persons who have omitted to pay the duties charged on indentures.

XXV. *And for the relief of any person or persons, who through neglect or inadvertency, have omitted to pay the several rates and duties, or any part thereof, upon monies given, paid, contracted, or agreed for, with or in relation to any clerk, apprentice, or servant, which hath been put or placed to or with any master or mistress to learn any profession, trade or employment, and to have such indentures or other writings, which shall contain the covenant, articles, contracts, or agreements, relating to the service of such clerk, apprentice, or servant, stamp within the times by the several acts of parliament, for those purposes respectively limited, or who have also in like manner omitted to insert and write in words at length, in such indentures or other writings as aforesaid, the full sum or sums of money, or any part thereof received, or in any wise directly or indirectly given, paid, agreed, or contracted for, with, or in relation*

lation to every fuch clerk, apprentice, or fervant as aforefaid; be it enacted by the authority aforefaid, That upon payment of the rates or duties upon monies, or fuch part of fuch monies fo neglected or omitted to be paid as aforefaid, on or before the firft day of *Auguft*, one thoufand feven hundred and fifty, to fuch perfon or perfons to whom the fame ought to be paid, and tendering the faid indentures or other writings to be ftamped at the fame time, or at any time on or before the twenty ninth day of *September*, one thoufand feven hundred and fifty, of which timely notice is to be given in the *London Gazette*, the fame indentures or other writings fhall be good and available in law and equity, and may be given in evidence in any court whatfoever; and the clerk, apprentice, or fervant therein named, fhall be capable of following and exercifing their refpective intended trades or employments, as fully as if the faid rates and duties fo omitted had been duly paid, and the full fum or fums received or agreed for as aforefaid had been inferted, and the perfons who have incurred any penalties by the omissions aforefaid, fhall be acquitted and difcharged of and from the faid penalties, any thing in this or any former acts to the contrary in any wife notwithstanding.

XXVI. *And whereas the fund upon which the bounties granted upon the exportation of British made fail cloth are charged, hath of late been deficient, which has contributed to the decay of the faid manufacture*; in order therefore to feure the due and regular payment of the faid bounties for the future, be it enacted by the authority aforefaid, That from and after the firft day of *June*, one thoufand feven hundred and fifty, the bounty which is now payable upon exportation of *British* fail cloth out of the duty of one penny per ell, on foreign fail cloth imported, fhall from time to time for the future, be fupplied and paid out of fuch part of the old fubfidies as are applicable to the payment of incidents (after fatisfying all payments already charged thereupon, by any former act or acts of parliament in that behalf) in the like manner, and under the like regulation and reftrictions, as are directed and prefcribed by the feveral acts for the payment of fuch bounties.

The bounty upon exportation of *British* fail cloth, to be paid for the future out of the old fubfidies.  
26 Geo. 2.  
c. 32. f. 9.

XXVII. *Whereas great frauds and abufes are committed in the duties arifing from candles, foap and ftarch, which apparently tend not only to the diminution of the faid revenues, but alfo to the difcouragement of the fair traders*; for remedy whereof, be it enacted by the King's moft excellent Majefty, by and with the advice and confent of the lords fpiritual and temporal, and commons, in this prefent parliament affembled, and by the authority of the fame, That from and after the firft day of *May*, one thoufand feven hundred and fifty, no candles, foap, or ftarch fhall be brought or imported into *Great Britain*, in any fhip or vefel from *Ireland*, or the ifle of *Man*, or from any other place or places whatfoever beyond the feas, otherwife than in cask, cheft, cafe, bag, or other package, each cask, cheft, cafe, bag, or other package whereof, fhall contain two hundred and twenty four pounds, of neat candles, foap, or ftarch at the leaft, to be ftowed openly in the hold of fuch fhip, or vefel importing the fame,

Candles, foap, or ftarch imported contrary to this act,

under



to be forfeited,  
and the mafter  
to pay 50l.  
26 Geo. 2.  
c. 32. f. 8.

Officers may  
feize the fame.

Officers of ex-  
cife may go on  
board veffels,

and rummage  
for candles,  
foap, and  
ftarch, &c.

Cocquets to  
exprefs the  
quality, quan-  
tity, and  
weight, &c.  
of thofe com-  
modities, un-  
der penalty of  
the goods  
being forfeit-  
ed, &c.

under the penalties and forfeitures following (that is to fay) that all the candles, foap, or ftarch fo imported, in any fhip or veffel contrary to this act, together with the package, fhall be forfeited, and the mafter, mate, or other perfon, taking the charge or command of fuch fhip or veffel, fhall forfeit fifty pounds; and it fhall and may be lawful for the refpective officers of the customs or excife, or fuch other perfons who are or fhall be deputed or authorized thereto, by warrant from the high treafurer, commiffioners of the treasury, or under treafurer, or by fpecial commiffion from his Majefty, under the great feal or privy feal, to feize fuch candles, foap, or ftarch, together with the casks, chefts, or other package, containing the fame.

XXVIII. And be it enacted by the authority aforefaid, That from and after the firft day of *May*, one thoufand feven hundred and fifty, it fhall and may be lawful to and for the officers of his Majefty's revenue of excife, or any of them, to go on board and enter into any fhip or veffel whatfoever, which fhall be within the limits of any of the ports of the kingdom of *Great Britain*, and to continue on board the fame, and to rummage and fearch in like manner as the officers of the customs may now legally do, for all candles, foap, and ftarch, and to feize for his Majefty's ufe, as well all fuch of the faid commodities as fhall be there found, which by the laws thereunto refpectively relating, fhall be forfeited, together with the casks, boxes, chefts, bags, or other package containing the fame; and in like manner to feize fuch of the commodities aforefaid, every or any of them, as before due entry thereof, with the proper officer or officers, and without paying or fecuring the duties on the importation thereof, fhall be found unshipping or unshipped out of fuch fhip or veffel, to be laid on land, without entry and payment of the duties due for the fame refpectively, together with the casks, chefts, boxes, bags, or other package whatfoever, containing the fame.

XXIX. And be it further enacted by the authority aforefaid, That from and after the faid firft day of *May*, one thoufand feven hundred and fifty, where any fufferance, cocquet, or tranfire fhall be granted, for any candles, foap, or ftarch, to be fhipped or put on board, to be carried forth to the open fea from any port, creek, or member, within the kingdom of *Great Britain*, to be landed at any other place in the faid kingdom, fuch fufferance, cocquet, or tranfire, fhall refpectively exprefs the quality, quantity, and weight of the faid candles, foap, or ftarch, and mark of the package fo to be fhipped, by whom fuch candles, foap, or ftarch were made and fold, and to what place the fame is or are configned; and where any candles, foap, or ftarch fhall be fo fhipped or put on board, without fuch fufferance, cocquet, or tranfire, fuch candles, foap, or ftarch, together with the package containing the fame, fhall be forfeited and loft; and it fhall and may be lawful for the refpective officers of the customs or excife, or fuch other perfons who are or fhall be deputed or authorized thereto, by warrant from the high treafurer, commiffioners

missioners of the treasury, or under treasurer, or by special commission from his Majesty, under the great seal, or privy seal, to seize such candles, soap, or starch, together with the casks, or other package containing the same.

XXX. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any officer or officers of excise or customs, to seize any quantity of candles, soap, or starch, together with the package containing the same, that shall be found in any ship or vessel, or shall be carrying in any cart or waggon, or in any other carriage whatsoever, where they shall have good reason to suspect and believe, the same hath been made in some private workhouse or other place, or clandestinely imported without payment of the duty, or that the same are candles, soap, or starch which have been exported, and re-landed, after the duty had been repaid and drawn back for the same at the time of the exportation thereof; and if the party in whose possession such candles, soap, or starch shall be found, does not at the hearing of the information for that purpose to be exhibited as herein after directed, make it appear that the duty hath been paid or secured for the same, all the said candles, soap or starch, so seized for the causes aforesaid, shall be forfeited, together with the package containing the same; and the person in whose possession such candles, soap, or starch shall be found, shall likewise forfeit and pay the sum of five pounds, for every hundred pounds weight; and so in proportion for a greater or lesser quantity.

XXXI. And be it further enacted by the authority aforesaid, That if any foreign candles, soap, or starch, shall be unshipped with intention to be laid on land before an entry has been made thereof, with the proper officer or officers for the said duties, and before the respective duties for the same have been first paid or secured; or if any candles, soap, or starch contained or specified in any certificate, whereupon any drawback is to be made, or whereupon any debenture is to be made forth for such drawback, shall, when shipped for exportation, be landed again in any part of *Great Britain*; such candles, soap, or starch, together with the package containing the same, and the vessels and boats, and all the horses and other cattle and carriages whatsoever, used in the landing, re-landing, removing, carrying, or conveying of the aforesaid goods, shall be forfeited and lost, and may be seized by any officer or officers of the customs or excise; and the person or persons from whom such candles, soap, or starch shall be seized, shall also forfeit and pay five pounds, for every hundred pounds weight thereof; and so in proportion for a greater or less quantity.

XXXII. And for the more effectual discovering and detecting the running of any candles, soap, or starch; be it enacted by the authority aforesaid, That in case any person or persons whatsoever shall knowingly harbour, keep, or conceal, or shall knowingly permit or suffer to be harboured, kept, or concealed, such candles, soap, or starch, which have been so unlawfully imported,

Officers may seize those commodities suspected to have been made in private workhouses, or clandestinely imported, &c.

and the possessor not proving the payment of the duty,

to forfeit the goods, and 5*l.* for every C. weight.

Foreign candles, soap, or starch unshipped before entry,

or re-landed, after shipped for exportation,

forfeited, and the vessels, horses, and carriages, &c.

and the possessor to pay 5*l.* for every C. weight.

Persons harbouring any of those commodities unlawfully imported, &c.

to forfeit the goods,

and 50l. for every C. wt.

Method of proceeding when no person appears to claim the goods within 20 days.

Judgements to be final.

or which have been shipped for exportation upon debenture, and so relanded as aforesaid, the party or parties offending therein, whether, he, she, or they, have or have not, or do, or do not claim or pretend to have any property or interest in such candles, soap, or starch, so harboured, kept, or concealed, shall, for every such offence, forfeit and lose all such candles, soap, or starch, so harboured, kept, or concealed, with the casks, vessels, or other package containing the same; and shall forfeit and lose the sum of fifty pounds, for every hundred pounds weight thereof; and in the same proportion for a greater or lesser quantity.

XXXIII. Provided always, and it is hereby further enacted by the authority aforesaid, That in all cases, where any such candles, soap, or starch shall be seized as forfeited, and no person or persons within twenty days next after such seizure shall appear to the officer or officers who made such seizure, to claim the same, then, and in such case, if such seizure or seizures shall happen to be made within the limits of the chief excise office in *London*, it shall and may be lawful for the officer or officers who shall make such seizure or seizures, from and after the expiration of the said twenty days next after such respective seizure or seizures, to cause notice in writing to be signed by his Majesty's solicitor for the revenue of excise for the time being, to be affixed at the *Royal Exchange*, signifying the day and time of the day, that the commissioners of the excise for the time being, or three of them, will proceed to hear the matter of such seizure or seizures, and to the condemnation of the candles, soap, or starch, so seized as aforesaid, and of the casks, vessels, or other package containing the same; and if such seizure of candles, soap, or starch as aforesaid, shall happen to be made as aforesaid, out of the limits of the said chief excise office in *London*, it shall and may be lawful for the officers who shall make such seizure or seizures, from and after the expiration of twenty days next after such respective seizure or seizures, to cause publick notice to be given by proclamation, at the next market town to the place or places where such respective seizure or seizures shall be made as aforesaid, upon the next market day after the expiration of the said twenty days, of the day and place when and where the justices of the peace will proceed to hear the matter of such seizure or seizures, and to the condemnation of the candles, soap, or starch so seized as aforesaid; in which said cases it shall and may be lawful for the said commissioners of excise, and justices of the peace respectively, within their respective jurisdictions to proceed to examine into the cause of such seizure or seizures, and to give judgement for the condemnation of such candles, soap, or starch so seized, as upon due examination shall appear to be forfeited, and of the casks, vessels, or other package containing the same, which judgements shall be good, valid, and effectual in the law, and final to all intents and purposes whatsoever, as if the respective owner or owners of the said candles, soap, starch, or the respective person or persons in whose custody the same were or was at the respective

time

time or times of the feizure or feizures thereof, had been refpectively fummoned to attend the faid commiffioners of excife or juftices of the peace, in the manner herein prefcribed, and fhall not be liable to any appeal; or to be removed by *Certiorari*; any thing in this prefent act contained, or any law, ftatute, or provifion to the contrary thereof, in any wife notwithstanding.

and not removeable by *Certiorari*.

XXXIV. And be it further enacted by the authority aforefaid, That in cafe any officer or officers for the faid duties of excife, fhall have caufe to fufpect that any candles, foap, or ftarch fhall be fraudulently hid or concealed in any place whatfoever, either entered for keeping the fame, or not entered, with an intent to defraud his Majefty of the duties thereon, then and in fuch cafe, if fuch place fhall be within the cities of *London* or *Westminfter*, or within the limits of the weekly bills of mortality, upon oath made by fuch officer or officers before the commiffioners of excife for the time being, or any two or more of them, or in cafe the fame fhall be in any other part of *Great Britain*, upon oath made by fuch officer or officers, before one or more juftice or juftices of the peace for the county, riding, divifion, or place where fuch officer fhall fufpect the fame to be hid or concealed, fetting forth the ground of his or their fufpicion, it fhall and may be lawful to and for the faid commiffioners, or juftice or juftices of the peace refpectively, before whom fuch affidavit or affidavits fhall be made, if he or they fhall judge it reasonable, by fpecial warrant or warrants, under his or their refpective hands and feals, to authorize and impower fuch officer or officers by day or by night, but if in the night, in the prefence of a conftable or other lawful officer of the peace, to enter into all and every fuch place or places, where he or they fhall fo fufpect fuch candles, foap, or ftarch to be fo fraudulently hid or concealed, and feize and carry away all fuch candles, foap, or ftarch, which he or they fhall then and there find fo fraudulently hid and concealed, as forfeited, together with all the cafts, chefts, boxes, bags, or other package whatfoever, where- in the fame fhall be contained; and if any perfon or perfon

Method of proceeding when officers fufpect fuch commodities to be concealed.

whatfoever, fhall obftruct, oppofe, moleft, lett, or hinder any officer or officers of or for the faid duties, or any of them, in the doing, performing, or executing any of the powers or authorities by this act given to fuch officer or officers; every fuch perfon or perfon offending therein, fhall, for every fuch offence, forfeit and lofe the fum of one hundred pounds.

Penalty of obftructing officers.

XXXV. And be it declared and enacted by the authority aforefaid, That if any of the faid candles, foap, or ftarch fhall be fo feized for non-payment of duties or non-entry, and any difpute fhall arife, whether the customs, excife, or inland duties have been paid for the fame, or the fame have been duly entered, then, and in fuch cafes, the proof thereof fhall lie on the owner or claimer of fuch goods, and not on the officer who fhall feize or flop fuch goods.

On feizure for non payment of duties, the proof to lie on the claimer.

XXXVI. And be it further enacted by the authority aforefaid, That from and after the faid firft day of *May*, one thoufand feven

No drawback on candles, foap or ftarch,

made in Ire-  
land, &c.

seven hundred and fifty, no person who shall export from any part of *Great Britain*, candles, soap, or starch made in *Ireland*, or in the isle of *Man*, or in any other place or places whatsoever beyond the seas, shall, on exportation thereof, be intitled to receive any drawback, or be repaid the duties, customs, or impositions, paid, payable, or secured on importation of the same, or any part thereof; any law, statute, custom, or usage to the contrary notwithstanding.

Method of  
proceeding to  
condemnation  
of such seiz-  
ures.

XXXVII. And be it further enacted by the authority aforesaid, That when any candles, soap, or starch shall be seized by any officer of excise, or any other persons authorized thereto, on board any ship or vessel, or unshipping or unshipped, as forfeited by virtue and in pursuance of this act; and when any candles, soap, or starch shall be seized by any officer of excise, or any other persons authorized thereto, carrying or removing by land, or lodged or concealed in any place whatsoever on shore, as forfeited by virtue and in pursuance of this act; all such seizures of the said goods and packages, and of the vessels, boats, horses, and other cattle, waggons, carts, and other carriages, used for carrying and removing the same (except such seizures of the said goods and packages, and of the vessels, boats, horses, and other cattle, waggons, carts, and other carriages, used for carrying and removing the same) where no person or persons shall, within twenty days after such seizure, claim the same (in which case the method of proceeding has been herein before directed) and the several penalties and forfeitures by this act respectively imposed, shall and may be proceeded upon, heard, and determined in such manner and form as hereafter in and by this act is directed and appointed (that is to say) all informations for the condemnation of such seizures, and for the penalties and forfeitures by this act respectively imposed, if the said seizures were made, and penalties and forfeitures incurred within the limits of the chief office of excise in *London*, shall be proceeded upon, heard, and determined by the commissioners of excise for the time being, or any three of them, or by the commissioners of appeals, or the major part of them, in case of appeal, and not otherwise: and all informations for the condemnation of such seizures, and for the penalties and forfeitures by this act respectively imposed, if such seizures were made, and penalties and forfeitures incurred out of the limits of the said chief office of excise in *London*, shall be proceeded upon, heard, and determined by any two or more of the justices of the peace for time being, residing near to the place where such seizure shall be made, or penalty or forfeiture incurred; and if either party find himself aggrieved by the judgement given by two or more justices, he shall and may appeal to the justices of the peace at the next quarter sessions, who are hereby authorized and empowered to hear and determine the same; whose judgement therein shall be final: which said commissioners of excise and appeals, and the said justices of the peace respectively, are hereby authorized and required, upon any information exhibit-

ed, or complaint made, within three months after any seizure made, or penalty or forfeiture incurred, to summon the party accused, and also the witnesses on either side; and upon the appearance, or default of the party accused in not appearing (upon proof of notice given) to proceed to the examination of the matter of fact, and of the witness or witnesses, upon oath (which oath they the said commissioners and justices are hereby respectively impowered to administer) touching such seizure or seizures, penalties or forfeitures; and thereupon to proceed to give judgement, as well for any penalty or forfeiture inflicted by this act, which, upon due examination, or the voluntary confession of the party accused, shall be found to be incurred, as for the condemnation of such candles, soap, or starch, and the packages, and the vessels, boats, horses, and other cattle, waggons, carts, and other carriages, so seized, which, upon due examination, or the voluntary confession of the party accused, shall be found to be forfeited by virtue of this act, or any other act relating to his Majesty's revenue of excise, and to issue out their warrants for the sale of such candles, soap, or starch, and the packages, and vessels, boats, horses, and other cattle, waggons, carts, and other carriages, as shall be so by them respectively condemned; and where the party accused shall be convicted of the offence alleged against him, to award and issue warrants under their hands for the levying any pecuniary penalty or penalties so adjudged upon the goods and chattels of the said offenders, and to cause sale to be made of the said goods and chattels, if they shall not be redeemed within fourteen days, rendering to the party the overplus (if any) and for want of sufficient distress, to imprison the party offending till satisfaction be made.

XXXVIII. Provided nevertheless, That it shall and may be lawful to and for the said commissioners and justices, where they shall see cause, to mitigate or lessen any penalties and forfeitures, in such manner as they shall think fit; the reasonable costs and charges of the officers, as well in making the discovery, as in the prosecution of the same, being always allowed over and above such mitigation, and so as such mitigation do not reduce the penalty to less than one fourth part thereof, over and above the said costs and charges; any thing contained in this act to the contrary notwithstanding.

XXXIX. And it is hereby further enacted, That all penalties and forfeitures in this act mentioned (all necessary charges for the recovery thereof being first deducted) shall be employed, one moiety thereof to and for the use of his Majesty, his heirs and successors, and the other moiety to the seizer or prosecutor.

XL. Provided also, and be it enacted, That no writ or writs of *Certiorari* shall supersede execution, or other proceedings upon any order or orders, made in pursuance of this act; but that execution, and other proceedings, shall and may be had and made thereupon; any such writ or writs, or allowance thereof, notwithstanding.

Power to mitigate the penalties, &c.

Application of the penalties.

Execution, &c. not to be superseded by *Certiorari*.

## C A P. XXII.

*An act for giving further time to the proprietors of annuities, after the rate of four pounds per centum per annum, to subscribe the same in the manner, and upon the terms, therein mentioned; and for redeeming such of the said annuities, as shall not be so subscribed; and for empowering the East India company to raise certain sums by transferable annuities.*

*Most gracious Sovereign,*

23 Geo. 2. c. 1. **W**HEREAS by an act made and passed in this present session of parliament, intituled, An act for reducing the several annuities which now carry an interest after the rate of four pounds per centum per annum to the several rates of interest therein mentioned; it was amongst other things, enacted, That any person and persons, bodies politick or corporate, who were interested in, or intituled unto, any part of the national debt incurred before Michaelmas, one thousand seven hundred and forty nine, redeemable by law, which now carries an interest after the rate of four pounds per centum per annum; and who should, on or before the twenty eighth day of February, one thousand seven hundred and forty nine, subscribe their names, or signify their consents, in books prepared for that purpose, to accept of an interest of three pounds per centum per annum, to commence from the twenty fifth day of December, one thousand seven hundred and fifty seven, subject to the same provisoes, notices, and clauses of redemption, which their respective four per cents are now liable to; should, in lieu of their present interest, be intituled unto, and receive an interest of four pounds per centum per annum, until the twenty fifth day of December, one thousand seven hundred and fifty; and from and after the twenty fifth day of December, one thousand seven hundred and fifty, an interest of three pounds ten shillings per centum per annum, until the twenty fifth day of December, one thousand seven hundred and fifty seven; and that no part of the same should be liable to be redeemed, except as therein is excepted, till after the said twenty fifth day of December, one thousand seven hundred and fifty seven, as in and by the said act, relation being thereunto had, may more fully appear: and whereas in pursuance of the powers given by the before recited act, great part of the said annuities, after the said rate of four pounds per centum per annum, have been subscribed upon the terms of the said act: now we your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, being truly sensible that the completing the reduction of the said annuities, carrying an interest of four pounds per centum per annum, which remain unsubscribed, would be of publick service to the nation, have resolved, That any person or persons, bodies politick or corporate, who now are, or hereafter may be, interested in, or intituled unto, such part of the national debt, incurred before Michaelmas, one thousand seven hundred and forty nine, redeemable

Time given to  
30 May, to the  
proprietors of  
the four per  
cent annui-

able by law, which now carries an interest of four pounds *per centum per annum*, as hath not been subscribed, in pursuance of the said recited act of this session of parliament, and who do, on or before the thirtieth day of *May*, one thousand seven hundred and fifty, subscribe their names, or signify their consent, to accept of an interest of three pounds *per centum per annum*, to commence from the twenty fifth day of *December*, one thousand seven hundred and fifty five, subject to the same provisions, notices, and clauses of redemption, which their respective four *per cents* are now liable to, shall, in lieu of their present interest, be intitled unto, and receive, an interest of four pounds *per centum per annum*, until the twenty fifth day of *December*, one thousand seven hundred and fifty; and from and after the said twenty fifth day of *December*, one thousand seven hundred and fifty, an interest of three pounds and ten shillings *per centum per annum*, until the twenty fifth day of *December*, one thousand seven hundred and fifty five; and that no part of the same shall be liable to be redeemed, until after the said twenty fifth day of *December*, one thousand seven hundred and fifty five; and that such part of the national debt incurred before *Michaelmas*, one thousand seven hundred and forty nine, redeemable by law, which now carries an interest of four pounds *per centum per annum*, and which shall not be subscribed on or before the thirtieth day of *May*, one thousand seven hundred and fifty, be redeemed and paid off; and that your Majesty be enabled to borrow of any person or persons, bodies politick or corporate, any sum or sums of money, not exceeding such part of the national debt, carrying an interest of four pounds *per centum per annum*, redeemable by law, as hath not been subscribed in pursuance of the said act, and shall not be subscribed according to the foregoing resolution, to be charged upon the sinking fund; and to be applied to pay off and redeem such part of the said national debt, so unsubscribed as aforesaid, upon any terms, not exceeding the rates of interest proposed in the said resolution: and whereas several notices have been given by the speaker of the house of commons, in pursuance of the resolution of the said house, that unless the said unsubscribed annuities, carrying an interest of four pounds *per centum per annum*, be subscribed on or before the thirtieth day of *May*, one thousand seven hundred and fifty, the same would be redeemed and paid off, according to the terms in the said notices contained respectively; that is to say, That so much of the annuities transferrable at the bank of *England*, created in the year one thousand seven hundred and forty six; and so much of the annuities transferrable at the bank of *England*, as were raised by a lottery in the year one thousand seven hundred and forty seven, as have not been subscribed in pursuance of an act passed this session of parliament, and shall not be subscribed on or before the thirtieth day of *May*, one thousand seven hundred and fifty, will be redeemed and paid off on the twenty fourth day of *June*, one thousand seven hundred and fifty one, agreeable to the clauses and powers of redemption, contained in

ties, to subscribe, &c.

Such part of the four per cent. annuities as shall not be subscribed, to be paid off.

His Majesty empowered to borrow money on the sinking fund to pay off the same.



the feveral acts of parliament for creating the faid annuities refpectively; that fo much of the annuities transferrable at the bank of *England*, created in the year one thousand feven hundred and forty eight, as have not been fubfcribed, purfuant to an act paffed this feffion of parliament, and fhall not be fubfcribed on or before the thirtieth day of *May*, one thousand feven hundred and fifty, will be redeemed and paid off, on the twenty fifth day of *March*, one thousand feven hundred and fifty one, agreeable to the claufes and powers of redemption, contained in the act of parliament for creating the faid annuities; that fo much of the annuities transferrable at the bank of *England*, created in the year one thousand feven hundred and forty nine, as have not been fubfcribed, purfuant to an act paffed this feffion of parliament, and fhall not be fubfcribed on or before the thirtieth day of *May*, one thousand feven hundred and fifty, will be redeemed and paid off on the twenty ninth day of *September*, one thousand feven hundred and fifty one, agreeable to the claufes and power of redemption, contained in the feveral acts of parliament for creating the faid annuities refpectively; that fo much of the annuities charged upon wrought plate, and payable at the exchequer, as have not been fubfcribed, purfuant to an act paffed this feffion of parliament, and fhall not be fubfcribed on or before the thirtieth day of *May*, one thousand feven hundred and fifty, will be redeemed and paid off on the twenty fifth day of *March*, one thousand feven hundred and fifty one, agreeable to the claufes and powers of redemption contained in the act made in the fixth year of the reign of King *George* the Firft, for laying a duty upon wrought plate; that the fum of four million two hundred thoufand pounds, now due and owing to the united company of merchants trading to the *East Indies*, will be redeemed and paid off in manner and form following, *videlicet*; one million and fifty thoufand pounds, on the twenty fifth day of *March*, one thousand feven hundred and fifty one; one million and fifty thoufand pounds, on the twenty fourth day of *June*, one thousand feven hundred and fifty one; one million and fifty thoufand pounds, on the twenty ninth day of *September*, one thousand feven hundred and fifty one; and the remaining fum of one million and fifty thoufand pounds, on the twenty fifth day of *December*, one thousand feven hundred and fifty one, unlefs the fum of three million two hundred thoufand pounds be fubfcribed on or before the thirtieth day of *May*, one thousand feven hundred and fifty: and therefore your faithful commons do moft humbly befeech your Majefty that it may be enacted; and be it enacted by the King's moft excellent majefty, by and with the advice and confent of the lords fpiritual and temporal, and commons, in this prefent parliament afsembled, and by the authority of the fame, That fuch notices as aforefaid

Notices given  
by the fpeaker,  
&c. to be  
deemed good.

fhall be and be deemed, adjudged, and taken to be good and fufficient notice or notices, within the true intent and meaning of the feveral acts of parliament for the redemption of the faid feveral annuities, and the fame fhall be redeemable accordingly;

ingly; any thing in the same, or any other act or acts of parliament to the contrary in any wise notwithstanding.

II. And be it enacted by the authority aforesaid, That any person or persons, bodies politick or corporate, who now are, or hereafter may be, interested in, or intitled unto, any part of the national debt, incurred before *Michaelmas*, one thousand seven hundred and forty nine, redeemable by law, which now carries an interest of four pounds *per centum per annum*, as hath not been subscribed in pursuance of the said recited act of this present session of parliament; and who do, on or before the thirtieth day of *May*, one thousand seven hundred and fifty, subscribe their names, or signify their consent, to accept of an interest of three pounds *per centum per annum*, to commence from the twenty fifth day of *December*, one thousand seven hundred and fifty five, subject to the same provisos, notices, and clauses of redemption, which their respective four *per cents* are now liable to, shall, in lieu of their present interest, be intitled unto, and receive, an interest of four pounds *per centum per annum*, until the twenty fifth day of *December*, one thousand seven hundred and fifty; and after the said twenty fifth day of *December*, one thousand seven hundred and fifty, an interest of three pounds ten shillings *per centum per annum*, until the twenty fifth day of *December*, one thousand seven hundred and fifty five; and that no part of the same shall be liable to be redeemed, till after the said twenty fifth day of *December*, one thousand seven hundred and fifty five.

The proprietors subscribing within the time limited, to be allowed an interest after the several rates mentioned.

III. And be it further enacted by the authority aforesaid, That such part of the national debt, incurred before *Michaelmas*, one thousand seven hundred and forty nine, redeemable by law, which now carries an interest at the rate of four pounds *per centum per annum*, and which shall not be subscribed before the said thirtieth day of *May*, one thousand seven hundred and fifty, shall be redeemed and paid off.

Such part of the said annuities as shall not be subscribed, to be paid off.

IV. And be it further enacted by the authority aforesaid, That in case the sum of three million two hundred thousand pounds, now due and owing to the united company of merchants trading to the *East Indies*, carrying an interest after the rate of four pounds *per centum per annum*, be not subscribed on or before the said thirtieth day of *May*, one thousand seven hundred and fifty, upon the terms herein before mentioned; then, and in such case not only the said sum of three million two hundred thousand pounds, but also the sum of one million, now due and owing to the said united company, at an interest after the rate of three pounds *per centum per annum*, by virtue of an act of parliament passed in the seventeenth year of his Majesty's reign, shall be redeemed and paid off.

The East India company not subscribing to be paid off.

V. Provided nevertheless, and be it further enacted by the authority aforesaid, That in case the said united company shall, on or before the said thirtieth day of *May*, one thousand seven hundred and fifty, signify their consent to the reduction of the interest of four pounds *per centum per annum*, now payable to

The East India company subscribing within the time limited,

the

the said united company, in respect of the said principal sum of three million two hundred thousand pounds, to the several rates of interest before mentioned, redeemable by parliament, as aforesaid, and also that the said sum of one million, due and owing to the said united company, at an interest after the rate of four pounds *per centum per annum*, by virtue of the said act of the seventeenth year of his Majesty's reign, shall remain and continue at the said rate of three pounds *per centum per annum*, until the same shall be redeemed and paid off, according to the proviso contained in the said act of the seventeenth year of his Majesty's reign, in that behalf; that then it shall and may be lawful to and for the said united company, and they are hereby authorized and impowered by and with the consent and approbation of the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, at such time or times, and in such manner, as they shall find to be most for the advantage of the said united company, to borrow, or take in by subscription, or otherwise, from any person or persons, bodies politic or corporate, who are willing to advance the same, any sum or sums of money, not exceeding in the whole the sum of four million two hundred thousand pounds, by sale of annuities, after the several rates of interest following; that is to say, any sum or sums, not exceeding three million two hundred thousand pounds, by sale of annuities, after the several rates of interest herein before proposed to be paid, for the said sum of three million two hundred thousand pounds, in case the same shall be subscribed on or before the said thirtieth day of *May*, one thousand seven hundred and fifty; and any sum or sums, not exceeding one million more, by sale of annuities, after the rate of three pounds *per centum per annum*; all which said annuities shall be paid and payable to the respective persons and corporations intitled thereunto, their executors, administrators, or assigns, at the office of the said united company, out of the same duties and revenues, as the present annuities payable to the said united company, in respect of the said principal sums of three million two hundred thousand pounds, and one million, are now payable, and shall commence and be paid at such feast days, as shall be agreed upon between the said united company, and the said several contributors respectively; and that the said sum of four million two hundred thousand pounds, so to be advanced, or so much thereof as shall be advanced as aforesaid, and all and every the annuities payable for or in respect of the same, shall be free of all taxes, charges, and impositions whatsoever; and shall be assignable or transferrable in a book or books to be provided for that purpose, in the office of the said united company, in such manner as the said commissioners of the treasury, or any three or more of them now being, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being, shall direct in that behalf, without fee or gratuity, and free from all charges; and that

are impowered, with consent of the treasury, to borrow 4,200,000l. at the several rates of interest granted by this act, &c.

The annuities to be free of taxes, and assignable;

that the faid annuities fhall be deemed and taken to be a per-  
 fonal, and not a real eftate, and fhall go to the executors or ad-  
 miniftrators of the perfon or perfons dying poffeffed thereof, in-  
 terefted therein, or intitled thereunto, and not to the heir at  
 law; fubject nevertheless to fuch or the like provifo or condition  
 of redemption by the publick, as the faid fums of three million  
 two hundred thoufand pounds, and one million, due to the faid  
 company, would be fubject, in cafe fuch fubfcription by the  
 faid company, on or before the faid thirtieth day of *May*, one  
 thoufand feven hundred and fifty, and the faid fums had then  
 remained due from the publick to the faid company.

and a personal  
 eftate;

fubject to re-  
 demption by  
 parliament.

VI. And be it enacted by the authority aforefaid, That the  
 feveral powers given to the faid united company, by feveral  
 acts of parliament now in force, of raifing money by bonds un-  
 der their common feal for the carrying on the trade of the faid  
 company, and lending money on bottomry, and otherwife, as  
 in the faid acts, fome or one of them is mentioned, fhall con-  
 tinue and be in force, but that the amount of the fums which  
 the faid united company fhall raife by fale of annuities by virtue  
 of this act, as aforefaid, fhall be by them applied towards the  
 difcharge of their prefent bond debt; and fhall be computed  
 and confidered as part of what they are fo impowered to borrow.

The powers  
 given to the  
 company of  
 raifing money  
 by bonds, &c.  
 continued;  
 the money to  
 go to paying  
 their prefent  
 bond debt.

VII. And be it enacted by the authority aforefaid, That it  
 fhall and may be lawful to and for the King's moft excellent  
 majefty, by warrant under his royal fign manual, to authorize  
 and impower the commiffioners of the treasury, or any three or  
 more of them now being, or the high treafurer, or any three  
 or more of the commiffioners of the treasury for the time being,  
 to raife by loans or exchequer bills, or by way of fubfcription,  
 or in fuch other manner or form as his Majefty fhall, in his  
 great wifdom, think moft for the advantage of the publick, from  
 any perfon or perfons, bodies politick or corporate, any fum or  
 fums of money, not exceeding fuch part of the national debt,  
 carrying an intereft of four pounds *per centum per annum*, re-  
 deemable by law, as hath not been fubfcribed in purfuance of an  
 act of this feffion of parliament, and fhall not be fubfcribed ac-  
 cording to the propofal herein before mentioned, to be charged  
 on the finking fund, and to be applied to pay off and redeem  
 fuch part of the national debt fo unfubfcribed as aforefaid, upon  
 any terms not exceeding the rate of intereft in the aforegoing  
 propofal mentioned.

Power given  
 to his Majefty  
 to borrow  
 money on the  
 finking fund,  
 to pay off un-  
 fubfcribed an-  
 nuities.

VIII. And be it further enacted by the authority aforefaid,  
 That the feveral annuities of four pounds *per centum per annum*,  
 now payable in refpect of the faid principal fum unfubfcribed by  
 the proprietors thereof, and by this act continued to them un-  
 til the twenty fifth day of *December*, one thoufand feven hun-  
 dred and fifty, as alfo the feveral reduced annuities of three  
 pounds ten fhillings *per centum per annum*, and three pounds *per  
 centum per annum*, by this act made payable in lieu thereof, from  
 the refpective days therein mentioned, fhall, during the refpec-  
 tive continuances thereof, be paid and payable to the refpective  
 perfons

The reduced  
 annuities  
 made payable  
 and transfer-  
 rable as the  
 four per cents.

persons and corporations intituled thereunto, their executors, administrators, or assigns, at the same respective offices and places, and out of the same duties, revenues, and incomes, and at such time and times, and shall be assignable, transferrable, and disposable in the same manner and form, as the said annuities of four pounds *per centum per annum* are now payable, assignable, transferrable, and disposable by the respective acts and statutes now in force, for or concerning the same, and as if this present act had never been made; subject nevertheless to redemption by parliament, from the said twenty fifth day of *December*, one thousand seven hundred and fifty five, in manner herein after mentioned; any thing herein contained to the contrary thereof in any wise notwithstanding.

Books to be opened for taking in the subscriptions.

IX. And be it further enacted by the authority aforesaid, That there shall forthwith be prepared and kept in the office of the auditor of the receipt of the exchequer, and also at the respective offices of the governor and company of the bank of *England*, and of the governor and company of merchants of *Great Britain*, trading to the *South Seas*, and for encouraging the fishery, commonly called the *South Sea Company*, a book or books for taking in subscriptions, or receiving the consent of such person or persons as now are or shall be interested in, or intituled unto, any part of the said now unsubscribed annuities or interests, after the said rate of four pounds *per centum per annum*, who are willing to accept of an annuity of three pounds ten shillings *per centum per annum* in lieu thereof, from the said twenty fifth day of *December*, one thousand seven hundred and fifty, until the said twenty fifth day of *December*, one thousand seven hundred and fifty five; and of an annuity of three pounds *per centum per annum*, from the said twenty fifth day of *December*, one thousand seven hundred and fifty five, to the end the proprietors of the said annuities, after the said rate of four pounds *per centum per annum*, may make their subscriptions, and give their consents, in the said respective book or books, under a proper preface to be prepared for that purpose, by subscribing their respective sums and names, with his, her, or their respective proper additions; which said books shall constantly lie open at the said receipt of exchequer, and other the publick offices aforesaid, for that purpose, every day, (*Sundays* excepted) until the said thirtieth day of *May*, one thousand seven hundred and fifty inclusive, and no longer; and it shall and may be lawful to and for the proprietors of the said annuities of four pounds *per centum per annum*, or such person or persons, as he, she, or they have authorized, or shall respectively authorize and empower, by writing in that behalf, to subscribe or consent for them, in manner aforesaid, to have free access to the said respective books, at all seasonable hours, and they have hereby power to make their subscriptions, or give their consents, for the whole sum or sums due to them, or any of them, according to this act, without any fee or charge whatsoever; and the severall and respective officers in the said receipt of exchequer, and other the publick offices

Officers to attend in office hours.

offices aforefaid, appointed to take in the faid fubfcriptions, or receive fuch confents, as aforefaid, fhall, during the time aforefaid, constantly attend at the faid refpective offices for that purpofe, at fuch hours as bufinefs is ufually tranfacted at the faid feveral and refpective publick offices; and the feveral and refpective officers at the faid receipt, and other the publick offices aforefaid, are hereby required to caufe publick notice thereof to be forthwith affixed in their refpective offices, and at the *Royal Exchange*, and alfo to publifh in the *London Gazette*, that fuch books are prepared and lie open in the faid refpective offices for receiving fuch confent, and taking fuch fubfcriptions, as aforefaid.

Notice to be publifhed of the books being opened.

X. And be it further enacted by the authority aforefaid, That all and every perfon and perfons, bodies politick or corporate, who have or fhall, on or before the faid thirtieth day of *May*, one thoufand feven hundred and fifty, have fubfcribed, or given their confent in the book or books aforefaid, to accept of an intereft or annuity after the rate of three pounds ten fhillings *per centum per annum*, from the faid twenty fifth day of *December*, one thoufand feven hundred and fifty, until the faid twenty fifth day of *December*, one thoufand feven hundred and fifty five; and of an annuity of three pounds *per centum per annum*, to commence from the faid twenty fifth day of *December*, one thoufand feven hundred and fifty five, in lieu of their prefent annuities of four pounds *per centum per annum*, fhall have, receive, and enjoy, and they are hereby declared to be intitled to an annuity of three pounds ten fhillings *per centum per annum*, from the faid twenty fifth day of *December*, one thoufand feven hundred and fifty, until the faid twenty fifth day of *December*, one thoufand feven hundred and fifty five; and to an annuity of three pounds *per centum per annum*, from the faid twenty fifth day of *December*, one thoufand feven hundred and fifty five, redeemable by parliament, in manner herein after mentioned; and the faid annuities of three pounds ten fhillings *per centum per annum*, and three pounds *per centum per annum*, and the principal or capital for which the fame fhall be payable, are hereby declared, and fhall be adjudged, taken, and accepted in conftruction of law, and in all courts of law and equity whatfoever, to all intents and purpofes whatfoever, to be a perfonal and not a real eftate, and fhall go to the executors or administrators of the perfon or perfons dying poffeffed thereof, interefted therein, or intitled thereunto, and not to the heirs of fuch perfon or perfons; any law, ftatute, custom, or ufage to the contrary notwithstanding; and that the faid annuities fhall be free from all taxes, charges, and impositions whatfoever, in the fame manner as they now are.

Subfcribers intitled to the feveral rates of intereft mentioned in this aft.

Annuities to be a perfonal eftate,

and free from taxes.

XI. And it is hereby enacted and declared, That it fhall and may be lawful for all executors, administrators, guardians, truftees, committees of the eftates of ideots or lunatics, and the accomptant general of the court of chancery, and the deputy remembrancer of his Majefty's court of exchequer, to make, or caufe to be made, fubfcriptions in the faid book or books,

Executors, &c indemnified for not fubfcribing.

books, signifying their consent to accept an interest or annuity of three pounds ten shillings *per centum per annum*, from the said twenty fifth day of *December*, one thousand seven hundred and fifty, until the said twenty fifth day of *December*, one thousand seven hundred and fifty seven, and of an annuity of three pounds *per centum per annum*, to commence from the said twenty fifth day of *December*, one thousand seven hundred and fifty five, for and on the behalf of their respective testators, infants, minors, femes covert, ideots, or lunaticks, and the suitors of the court of chancery, and of the said court of exchequer, and others, for whom they are or shall be respectively intrusted; and such executors, administrators, guardians, trustees, committees, and accomptant general, and deputy remembrancer, are, and shall be, by virtue of this act, indemnified in and for doing the same.

Treasury to defray the charges of this act.

XII. Provided always, and be it further enacted, That the commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall have power, and they are hereby authorized, out of any money remaining in the receipt of the exchequer, of or for the duties, revenues, and incomes appropriated for the payment of the said annuities of four pounds *per centum per annum*, to reward all such persons as shall be any ways employed in the execution of this act, in relation to the taking in such subscriptions, or receiving such consents as aforesaid, and to defray all such incident charges, as shall necessarily attend the execution of the said act, in such manner as to them shall seem just and reasonable.

Funds appropriated for payment of the reduced, and unsubscribed annuities.

XIII. And it is hereby also enacted by the authority aforesaid, That all the duties, revenues, and incomes which are now appropriated, subject, or applicable to the payment of the said annuities of four pounds *per centum per annum*, shall, from and after the said twenty fifth day of *December*, one thousand seven hundred and fifty, be subject and liable to the payment of such of the said annuities of four pounds *per centum per annum*, as shall not be subscribed, in case any shall be unsubscribed, and also of the said reduced annuities of three pounds ten shillings *per centum per annum*, and three pounds *per centum per annum*, in the same manner, to all intents and purposes, as the same were liable and subject to the payment of the said annuities of four pounds *per centum per annum*; and all the monies coming into the exchequer, of or for the several duties, revenues, and incomes, appropriated, subject, or liable to the payment of the said unsubscribed annuities and of the said reduced annuities of three pounds ten shillings *per centum per annum*, and three pounds *per centum per annum*, which shall be more than sufficient to answer and pay the said respective annuities, shall, from and after the said twenty fifth day of *December*, one thousand seven hundred and fifty, be applied to the same uses, intents, and purposes, and in the same manner, as the several surplusses, excesses, or overplus monies of the said duties, revenues, and incomes are now applicable.

XIV. Pro-

XIV. Provided always, and it is hereby enacted by the authority aforesaid, That from and after the said twenty fifth day of *December*, one thousand seven hundred and fifty five, the said Clause of redemption.

reduced annuities of three pounds *per centum per annum*, shall and may be redeemed by parliament, upon giving the same notices, and making the same payments of principal money at a time to such persons or corporations as now are, or hereafter shall be, intitled to the said annuities, and of all arrearages of the said annuities, as are directed to be given and made by the several and respective acts, by which the said several annuities, after the rate of four pounds *per centum per annum*, were made payable, and from and after payment of any such principal money, to the said persons or corporations, as are or shall be intitled to the same, a proportional part of the said annuities shall cease and determine, and be understood to be redeemed; any thing in this or any former act or acts of parliament to the contrary in any wise notwithstanding.

## CAP. XXIII.

An act to continue several laws for preventing the spreading of the distemper which now rages amongst the horned cattle; and for empowering his Majesty to prohibit the killing of cow calves.

## CAP. XXIV.

*An act for the encouragement of the British white herring fishery.*

WHEREAS the carrying on, and improvement of, the British white herring fisheries, are of great importance to these kingdoms, as they may be of great advantage to the trade and navigation thereof, and may be a means of employing and providing for great numbers of industrious poor, provided the same could be carried on with a sufficient stock, under proper regulations, and that reasonable encouragements be given to such persons as are willing to carry on the said fisheries: therefore for the encouragement of such persons as are willing to carry on the said fisheries, and for the better regulation of the said trade, and for preventing frauds and impositions in the management 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 it shall and may be lawful for his Majesty, his heirs and successors, by letters patent under the great seal of Great Britain, to incorporate the right honourable Sir Samuel Pennant lord mayor of the city of London; Sir James Lowther baronet, Sir Nathaniel Curzon baronet, Sir Bouchier Wrey baronet, Sir Walter Blacket baronet, Sir Ciril Wych baronet, Sir Richard Lloyd knight, Edward Vernon esquire, William Whitaker, Stephen Theodore Janssen, and Slingsby Bethell, esquires, aldermen of the city of London; lieutenant general Roger Handasyd, lieutenant general Richard Onslow, lieutenant general James Oglethorpe, Thomas Fomereau esquire, Velters Cornwall esquire, William Willy esquire, George

See 26 Geo. 2. c. 9.

His Majesty empowered to grant letters patent to incorporate the persons herein mentioned,



*George Doddington* eſquire, *William Northey* eſquire, *Charles Gray* eſquire, *William Davis* eſquire, *Edward Stevenſon* eſquire, *Paul Humsfrey* eſquire, *John Edwards* eſquire, *Francis Craſleyne* eſquire, *Meſſieurs Neuſville* and *Schuman*, *Andrew Drummond* eſquire, captain *George Steevens*, *Robert Crammond* eſquire, *Jeffery French* eſquire, Maſter *Michael Miller* of *Briſtol*, Maſter *Robert Mackay*, Maſter *Jonathan Perry*, Maſter *Richard Baker*, Maſter *William Bowden*, *John Bance* eſquire, Maſter *Peter Symond*, *Theodore Cock* eſquire, *George Dunbar* eſquire, *Taylor White* eſquire, Maſter *John Patten*, Maſter *Clark* of the *Old Jewry*, *Michael Wilkins Conway* eſquire, *Archibald Stuart* eſquire, *John Spooner* eſquire, *Aribur Beardſh* eſquire, Maſter *Roger Hogg* of *Baſingball Street*, Maſter *William Crammond*, Maſter *Hutchinſon Muir*, Maſter *Robert Scott*, Maſter *George Spence*, Maſter *Robert Cady*, *Richard Taunton* eſquire, *William Belchier* eſquire, *William Thornton* eſquire, *Francis Gwyn* eſquire, *Peter Delme* eſquire, *Jonathan Watſon* eſquire, *Thomas Saluſbury* eſquire, *Richard Gildart* eſquire, *John Hardman* eſquire, *Lawrence Dundas* eſquire, *Thomas Curtis* eſquire, *Michael Beecher* eſquire, *Joſeph Percival* eſquire, *Edward Ironſide* eſquire, alderman of the city of *London*; *George Walker* eſquire, and all and every perſon and perſons, bodies politick and corporate, who, in their own right, or as executors, adminiſtrators, ſucceſſors, or aſſigns, derived or to be derived from, by, or under, the original proprietors, at any time or times hereafter, ſhall have, and be intituled to, any part, ſhare, or intereſt of or in the capital ſum of five hundred thouſand pounds herein after-mentioned, ſo long as they reſpectively ſhall have any ſuch part, ſhare, or intereſt therein, to be one body politick and corporate, in deed and in name, by the name of *The ſociety of the free Britiſh fiſhery*; and by that name to have a ſucceſſion to continue for the term of twenty one years, and to have a common ſeal, with power, from time to time, to chuſe their governor, preſident, vice preſident, council, and other officers, in ſuch manner, and under ſuch qualifications, with regard to the electors, and elected, as ſhall be directed in ſuch letters patent; the firſt governor, preſident, vice-preſident, and council, being qualified in the like manner as all ſubſequent governors, preſidents, vice preſidents, and council, ſhall, by the ſaid letters patent, be directed to be qualified, and to continue in their reſpective offices for the ſpace of three years, from the date of the ſaid letters patent.

by the name of The Society of the free Britiſh fiſhery; for 21 years.

Society im- powered to make by-laws;

II. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for his Maſteſty, his heirs and ſucceſſors, by the ſaid letters patent of incorporation, to im- power the ſaid ſociety to make by-laws from time to time, for the regulation and government of the ſaid ſociety; and for the regulation and management of the ſaid trade and commerce which ſhall be carried on by them; and for the curing, ſorting, and packing their white herrings in ſuch manner, as effectually to ſecure the credit of the ſaid commodities in foreign markets; and for the government of the ſervants, and others employed by the ſaid ſociety in the ſaid fiſheries.

III. And

III. And be it further enacted by the authority aforesaid, That it shall be lawful for the said society, from time to time, to direct what seals or marks they shall think proper to be put on all or every barrel or cask of their fish; and that if any person or persons whatsoever shall counterfeit such seal or mark, or shall knowingly affix such seal or mark, so counterfeited, to any barrel or cask of fish not belonging to the said society, such persons shall forfeit and pay the sum of five hundred pounds for each offence, to be recovered by action, plaint, or information, in any of his Majesty's courts of record at *Westminster*; or in the court of session in that part of *Great Britain* called *Stotland*, the one moiety to be paid to the said society, and the other moiety to be paid to such person or persons as shall sue for the same.

and to direct what seals or marks shall be put on every barrel of fish.  
Penalty of counterfeiting the same.

IV. And be it further enacted, That it shall and may be lawful for his Majesty, his heirs and successors, by his said letters patent, to empower the said society, by a voluntary subscription, to raise the sum of five hundred thousand pounds; which said sum, when so raised, shall be the capital stock of the said society; and to direct how the property of the persons subscribing may be ascertained, transferred, and alienated.

The society empowered to raise a capital of 500,000 l.

V. And be it further enacted by the authority aforesaid, That it shall and may be lawful for his said Majesty, his heirs and successors, by the said letters patent, to empower the said society, or such part thereof, as shall in the said letters patent be for that purpose named, to make calls, and direct the payment of any part of the said sum of five hundred thousand pounds, which any person or persons shall subscribe towards carrying on the said undertaking, at such times as the said society, or such part thereof as shall be for that purpose named, shall direct and appoint, so as the first payment directed to be made, shall be made within the space of thirty days from the time of such subscription, and be after the rate of ten pounds by the hundred of the whole sum subscribed, and so as the second payment be after the rate of ten pounds by the hundred of the sum subscribed; and that the other payments be pursuant to the direction of a general court of the said society, which shall be for that purpose assembled, or a majority of them; and in case any person or persons shall refuse or neglect to pay any money which shall be so called for by the said society, at the times when the same shall be appointed to be paid, notice of such call being given in the *London Gazette* by the said society at least thirty days before the day appointed for such payment, it shall be lawful for the said society to sell and dispose of so much of the share or stock of the person or persons so neglecting or refusing, as shall produce the sum which such person or persons ought to have paid on such call; provided that all such money which shall be so subscribed and directed to be paid, shall be paid into the bank of *England*, on account of the said society.

and to make calls for payment of the subscriptions.

The times of payment, and the sums.

The society may sell the shares of those who refuse to pay, after notice of call in the Gazette.

Subscriptions to be paid into the bank.

VI. And be it further enacted, That for an encouragement to such persons as shall become subscribers to the said stock for carrying on the said fisheries, that the sum of three pounds by

1. per cent. per annum, for the sums employed in

the fishery to be paid to the society for 34 years.

the year, for each hundred pounds which shall be actually employed in the said fishery, and proportionably for any greater or lesser sum, shall be paid to the proprietors of the said stock, for and during the space of fourteen years from the date of the said charter, out of the customs, by the receiver general of his Majesty's customs, by equal half-yearly payments; and to the end it may be known, what sums shall from time to time be actually expended or employed by the said society in the said fishery, an account shall be delivered to the commissioners of his Majesty's customs of the sums which shall be so expended or employed; and the said account shall be produced by the comptant of the said society, who shall, if required by the commissioners, produce his vouchers, distinguishing the several articles in which the said sums shall be so expended or employed, which account shall be signed by three, at least, of the council of the said society, as an attestation that they have examined the said account, and believe the same to be just; and such account shall also be attested by the oath of the comptant of the said society, that he believes the same to be a just and true account; which oath shall be made before any two commissioners of his Majesty's customs (who are hereby impowered and required to administer the said oath) and shall be wrote at the foot of the said account; and the said oath and account shall be left in the custody of the commissioners, and thereupon they, or any three of the said commissioners, shall make order that payment be made by the receiver general of his Majesty's customs to the said society, or such person as shall be by them impowered to receive the same, after the rate aforesaid, for such sums as by such account shall appear to be so actually employed or expended by the said society, in or on account of the said fishery.

An account of the said sums to be given annually to the commissioners of the customs.

100,000l. to be employed in the fisheries within 18 months from the date of the subscription.

The accounts to be laid before parliament.

Sums contracted to be paid in 6 months, deemed to be employed.

VII. Provided, and be it further enacted by the authority aforesaid, That the said society shall employ the sum of one hundred thousand pounds at least in the said fisheries, within the space of eighteen months after the date of such subscription; and that for the manifestation of the sums which shall be so employed by the said society, the accounts of the said society shall be annually laid before parliament; and if loss should arise by any year's adventure, and there should be gain by the succeeding years, the said gain shall be applied so as to complete and make good the vessels and fishing stock, to the full value of the said original sum of one hundred thousand pounds, before any dividend shall be made out of the said gain.

VIII. Provided always, and be it enacted by the authority aforesaid, That such sums as shall *bona fide* be contracted to be paid within six months, shall be deemed employed within the sense and meaning of this act, in case so much money of the said company as will be sufficient to answer the said contracts respectively, shall, at the time of making the same, be in the bank of *England*, and there remain for the purpose of paying the same; such contracts being in writing, and signed or executed in the presence of two witnesses.

IX. And be it further enacted by the authority aforesaid, That no transfer shall be made of any of the said stock or share of or in the said five hundred thousand pounds, for the space of five years from the date of the said charter; but that the same shall be absolutely void to all intents and purposes whatsoever.

No transfer to be made of the stock for five years.

X. Provided always, That it shall and may be lawful for the executors and administrators or devisees of any person or persons who shall happen to die possessed of, or interested in any such stock or share of or in the said five hundred thousand pounds, and also for the assignees under any commission of bankrupts, to transfer such stock or shares, and dispose of the produce thereof, in such manner, as they may by law dispose of any other effects of such testator, intestate, or bankrupt.

Executors and assignees of bankrupts, &c. may transfer.

XI. And be it further enacted, That as a further encouragement to all persons whatsoever, as well bodies politick and corporate as others, and also the persons who shall be so incorporated, to engage in the said white herring fisheries, that a bounty of thirty shillings *per ton* shall be paid annually, out of such sums as shall be produced out of his Majesty's customs, to the owner or owners of all decked vessels, from twenty to eighty tons burthen, which shall be built, after the commencement of this act, for the use of the said fisheries, and fitted out and employed in the said fisheries, whether by the said society, or any other person or persons whatsoever, in manner, and under the regulations herein after-mentioned.

30 s. *per ton* bounty to be paid out of the customs, for decked vessels built for the fisheries.

XII. And be it further enacted; That every such bus or vessel, which shall be employed in the said white herring fisheries, by the said society, or whose owners shall be intitled to the bounty of thirty shillings *per ton*, by virtue of this act, shall be a decked bus or vessel, built in *Great Britain*, after the commencement of this act; and shall proceed on the said fishery from some port in *Great Britain*, manned and navigated as by the law now in force is directed: and before such bus or vessel proceed on such voyage, or be intitled to the benefit of this act, she shall be visited by such officer or officers of the customs belonging to such port, who shall be appointed by the commissioners of the customs to examine into such bus or vessel; and who shall take an account of the tonnage thereof by admeasurement, and shall certify such his or their visitation, examination, and admeasurement, to the commissioners of his Majesty's customs, and that she hath on board such a quantity of fishing nets, and other stores to be used in the said fishery, as herein after are mentioned, and otherwise is a proper vessel to be employed in the said fishery: and, upon its further appearing by the oath of one or more owner or owners, or agent appointed by them, or of a proper officer or agent of the said society (who shall be appointed for that purpose) and of the master or chief officer of such vessel, written at the foot of the said certificate, and made before the collector and comptroller of such port, who are hereby impowered and required to administer the same, That it is really and truly their firm purpose and determined resolution,

Conditions of the bounty.

that fuch bufs or vefſel ſhall proceed reſpectively, ſo manned, furniſhed, and accoutred, either to *Brasſey's Sound* in *Shetland*, and be at the rendezvous of the ſaid fiſhery there, on or before the eleventh day of *June*, and ſhall not ſhoot or wet their net before the thirteenth day of the ſaid month of *June*, and ſhall continue following and fiſhing amongſt the ſhoals of herring, as they move ſouthward, to the firſt day of *October*, or ſhall proceed to *Campbell Town* in *Argyllſhire*, and be at the rendezvous of the ſaid fiſheries, on or before the firſt day of *September*, and ſhall continue fiſhing among the ſhoals of herring, as they move, to the thirty firſt day of *December*, unleſs they ſhall have ſooner completed their loading of fiſh; and ſhall fiſh in an orderly and regular manner, without impeding or obſtructing other veſſels which ſhall be employed in the ſaid fiſhery; and ſhall keep a journal of their proceedings, and an account of what quantities of fiſh they ſhall diſpatch away to foreign markets in their jagers or tenders, before they come into port, beſides the particular quantity they ſhall bring into port with them: and if, after ſuch certificate had, and oath made, ſuch owner or owners, or officer or agent of the ſaid ſociety, and maſter or chief officer of ſuch veſſel, as aforeſaid, do alſo become bound, with two ſufficient ſureties, unto his Maſteſty, his heirs and ſucceſſors, in the penalty of ſuch ſum as ſhall be equal to treble the bounty on the tonnage of his veſſel, intended by this act (which bond the collector, with the approbation of the comptroller, is hereby required to take, and is to be in force for the ſpace of three years, againſt the maſter and his ſureties) for the faithful dealing of his ſaid maſter, and ſhip's company, in regard to the ſaid veſſel and voyage; then and in ſuch caſe, it ſhall and may be lawful for the collector and comptroller of ſuch port to give and grant, and they are hereby required to give and grant to the maſter and owners of ſuch bufs or veſſel, full licence and authority to proceed on ſuch voyage as aforeſaid.

How every veſſel employed in the fiſhery ſhall be qualified, &c.

XIII. And to prevent any diſputes which may ariſe, whether a veſſel be properly qualified and duly fitted out for the herring fiſhery, according to the true intent and meaning of this act, and intituled to a certificate from the cuſtom-houſe officers; it is hereby enacted, That every ſuch veſſel ſhall be a decked veſſel, built in *Great Britain*, after the commencement of this act, and ſhall have on board twelve *Wincheſter* buſhels of ſalt for every laſt of fiſh, which ſuch veſſel is capable of holding, which ſalt ſhall be barrellled up in new barrells, and as many more new barrells as ſuch bufs or veſſel is capable of carrying, and ſhall have two fleets of tanned nets, proper for the herring fiſhery; that is to ſay, That every ſuch bufs or veſſel of the burthen of ſeventy tons, and deſigned for this fiſhery, ſhall on her proceeding to ſea, have on board one fleet of fifty nets, each net to be thirty yards full upon the rope, and ſeven fathoms deep, and ſo in proportion for any veſſels of a greater or leſſer tonnage, and be provided with one other fleet of fifty like nets, on board a jag-

ger or tender, which is to attend the said fishery, or left on shore in a proper place, for the use of the said bus or vessel:

XIV. And be it further enacted, That every such vessel of twenty tons, which shall be employed in the said fishery, shall have on board at such of the places aforementioned, as shall be appointed for their rendezvous, not less than six men, and every vessel of greater burthen, shall, over and above the six men aforesaid, have one for every five tons which she shall exceed twenty tons.

XV. And be it further enacted by the authority aforesaid, That on the return of such vessel into any port of *Great Britain*, for her discharge, the chief officer of the customs, or such other officer of the customs as he shall appoint at such port, shall immediately repair on board such vessel, and view the condition of such vessel and her lading, and certify the same, together with their observations thereon, and also the real tonnage of the said bus or vessel, and the said officers are also to take an account of the names of the master and other persons on board, and to certify the same; and the master shall make oath before the collector and comptroller of such port (who are hereby impowered and required to administer the same) which shall be wrote on the back of, or annexed to the licence granted as aforesaid, and which they are hereby required to deliver up, and what they did in pursuance thereof, that such vessel was at one of the places before-mentioned, at the time appointed by this act, and has not since been on any other voyage, or pursued any other design or view of profit, and that they did remain fishing according to the direction of this act, and had at the time of their rendezvous the quantity of nets and other stores, and number of men herein before directed to be on board the said vessel and jagger or tender, or left on shore as aforesaid; all which certificate, schedule, licence, and oath, together with the account of the fish taken by the said vessel, shall be transmitted by the collector and comptroller of such port, to the respective commissioners for that part of *Great Britain*, from whence the bus or vessel departed with her licence; and such commissioners being fully satisfied of the faithful dealings of the master, and other persons employed in such vessels, with respect to such voyage and fishing, shall, on demand, cause payment to be made to the owner or owners, or to his or their assigns, by the receiver general of the customs, the sum of thirty shillings *per ton*, according to the admeasurement of such vessel, duly certified as aforesaid.

XVI. Provided always, That such bounty of thirty shillings *per ton* aforesaid, shall be paid yearly, during the space of fourteen years, from the commencement of this act, and no longer, upon conforming to the regulations of this act.

XVII. Provided also, That nothing in this act shall be construed to extend to exclude any of his Majesty's subjects, who shall not be members of the said society, or employed by them, from fishing or carrying on the white herring and cod fisheries,

Vessels of 20 tons to have on board 6 men, &c.

Officer of the customs to go on board every vessel at her return; who is to certify the tonnage, and names of the master, &c. The master to make oath, that his vessel was at one of the places before mentioned.

Certificate, &c. to be transmitted to the commissioners from whence the vessel departed;

who are to cause payment to be made of 30 s. *per ton*.

Bounty of 30s. *per ton* to be paid yearly for 14 years.

This act not to exclude any of his Majesty's subjects.

and any other whatsoever, in such manner as they might have done, in case this act had never been made.

XVIII. *And whereas the encouragement above-mentioned ought to be extended, as far as may be, to all the subjects of Great Britain: and whereas the supporting and enriching the cities and towns, being ports, will be for the security and good of the realm, by augmenting the navigation, and strengthening the sea coasts: be it therefore enacted,* That any number of persons, who shall subscribe ten thousand pounds, or upwards, into the stock of the said society, and shall carry on the said fishery under their own management, and on their own account of profit and loss, conformably nevertheless to the directions of this act, and of the said intended charter, except as to their being obliged to use the marks of the said society, and from the port named by them, if they do subscribe under the name of *The Fishing Chamber* of such city, town, or port respectively; and shall send their account of monies expended in the said fisheries, which account shall be attested by three of the committee, to be appointed by the majority of such subscribers, for managing the matters of the said chamber, and be also signed by a person to be appointed by the majority of such subscribers, to be the accomptant of the said chamber, who shall make oath before one of his Majesty's justices of the peace, that he verily believes the same is a true account, the vouchers whereof he shall produce, if required; the said account shall be transmitted to the governor and council of the said society at *London*; and the accomptant of the said society at *London* shall be impowered, and is hereby required to enter the same, as a sum expended in the said fisheries, by the said society, in the account which he shall deliver in to the commissioners of the customs, as aforesaid; and the said chamber shall be intitled to, and receive yearly, three pounds for every hundred pounds, in the same manner as the society do for any other monies employed in the fishery by the said society, after deducting the necessary charges and expences arising from the receipt of the same.

Persons subscribing  
10,000l. under  
the name of  
*The Fishing  
Chamber,*

who shall send  
their accounts  
to the society  
of *London,*

shall be intitled  
to 3l.  
per cent. per  
annum.

*Fishing Chambers* not to  
have any profit,  
&c. from  
the trade of  
the society.

Receiver general  
to pay yearly  
3l. per cent.  
to the society  
in *London,*  
who are to pay  
over the same  
to the respective  
*Fishing  
Chambers.*

XIX. Provided also, That such chambers which shall so trade or fish on their own account, shall not have any profit or loss arising from the trade of the said society.

XX. Provided always, That the receiver general of his Majesty's customs shall pay yearly the said sum of three pounds for every hundred pounds, unto the said society in *London,* or to such person or persons, as shall be by them impowered to receive the same; and the said society shall pay over the said yearly sum of three pounds for every hundred pounds, deducting thereout the necessary charges of receiving the same, unto the respective fishing chambers intitled thereto, or to such person or persons as shall, by the said chambers respectively, be impowered to receive the same.

## C A P. XXV.

*An act for making good a deficiency upon the revenue of the office of keeper or clerk of the Hanaper, and for preventing any future deficiency therein, to answer the publick services provided for out of the same; and for augmenting the income of the office of master or keeper of the rolls.*

**W**HEREAS by an act of parliament made and passed in the 12 Geo. 1. c. 33. twelfth year of the reign of his late majesty King George the First, intituled, An act for relief of the suitors of the high court of Chancery; after reciting (amongst other things) That Fleetwood Dormer, and John Borrett, esquires, both deceased, formerly masters of the said court, and Richard Godfrey, and Edward Conway, esquires, then masters of the same court, had been deficient in answering the money and effects ordered by the court into their hands, and which deficiency, after deducting what should be made and produced out of the estates and effects of the said deficient masters, and the sum of thirty thousand pounds given by his Majesty, on the address of the house of commons, towards the relief of the said suitors, amounted, according to the then computation, to the sum of fifty one thousand eight hundred fifty one pounds, nineteen shillings, and eleven pence farthing, besides several other claims on the offices of four of the said deficient masters remaining, and which, if allowed, would greatly increase the said deficiency; it was, for the relief of the said suitors, and making a provision for payment of their just debts and demands, enacted, That there should be raised, collected, and paid, throughout England, the dominion of Wales, and the town of Berwick upon Tweed, for the term of sixteen years, from the second day of August, one thousand seven hundred and twenty six, for every piece of vellum, parchment, or paper, upon which any original writ (except such original on which a writ of Capias issues) Subpœna, bill of Middlesex, Latitat, writ of Capias, Quo minus, writ of Dedimus Potestatem to take answers, examine witnesses, or appoint guardians, or any other writ whatsoever, or any other process or mandate that should issue out of, or pass the seals of any of the courts at Westminster, courts of great sessions in Wales, courts in counties palatine, or any other court whatsoever holding plea where the debt or damage doth amount to forty shillings, or above, or the thing in demand is of that value, should be ingrossed or written (writs of covenant for levying fines, writs of entry for suffering common recoveries, and writs of Habeas Corpus, always excepted) the sum of six pence; for every piece of vellum, parchment, or paper, upon which any entry of any action in the mayor's and sheriffs courts of London, and in courts in all corporations, and other courts whatsoever, out of which no writs, process, or mandates issue, holding plea where the debt or damage doth amount to forty shillings, or above, shall be ingrossed or written, the sum of six pence; and for every piece of vellum, parchment, or paper, upon which should be ingrossed or written any citation or monition made in any ecclesiastical court, the sum of six pence; and the said sums and duties so to be raised and collected, were thereby appointed to be under the direc-



tion and management of the commissioners of the stamp duties; and such provision was made for the levying, receiving, and enforcing the payment of the same, as in the said act is mentioned, expressed, and provided in that behalf: and it was thereby enacted, That the money thereby to be raised and collected, should be paid into the bank of England; and the said court of Chancery was thereby impowered to borrow any sum of money upon the fund thereby granted, not exceeding in the whole the sum of sixty thousand pounds: and it was thereby also enacted, That all the money then deposited, or thereafter to be deposited in the bank, on account of the suitors of the said court of Chancery, or by order of the said court, and all the monies arising by the rates and duties given by the said act, or borrowed thereon, and paid into the bank, should be accounted and taken to be one common and general cash, and should be promiscuously issued and issueable when and as the court of Chancery should direct, for the answering, paying, and clearing the debts and demands of any of the suitors of the said court: and whereas by another act of parliament made in the ninth year of the reign of his present Majesty, intituled, An act for continuing, for the purposes therein mentioned, the additional duties upon stamped vellum, parchment, and paper, laid by an act passed in the twelfth year of the reign of his late majesty King George the First, after taking notice of the said former act, and that upon stating the total deficiency of the said four masters, and the produce of the fund made liable to, and appropriated for payment of the same, it appeared that the deficiency standing out on the eighth day of March, one thousand seven hundred and thirty five, on the offices of the said four masters, was reduced to the sum of twenty four thousand eight hundred ninety one pounds, nine shillings, and ten pence; and that there was due from John Bennett esquire, one other of the masters of the said court of Chancery, to Humphry Bell a suitor of the said court therein mentioned, the sum of eleven thousand four hundred eighty five pounds, four shillings, and five pence, with interest; and that the said John Bennett had no estate or effects left to satisfy the said debt, or any part thereof; and that it was computed that the duties granted by the former act, would not be sufficient to raise the said two sums of twenty four thousand eight hundred ninety one pounds, nine shillings, and ten pence, and eleven thousand four hundred eighty five pounds, four shillings, and five pence, unless the said duties were farther continued, and the time for raising the same enlarged, it is enacted, That the said duties granted by the said former act, should be continued, and be payable and paid upon the several writs and law proceedings therein mentioned, for the farther term of four years, to be computed from the second day of August, one thousand seven hundred and forty two; and that out of the money which had arisen, and been collected by and out of the duties directed to be levied by the said former act, the said sum of eleven thousand four hundred eighty five pounds, four shillings, and five pence, should be issued and paid out of the general and common cash of the bank, when and as the said court of Chancery should direct, in satisfaction of the said debt due from the said John Bennett, as aforesaid: and it is thereby provided, enacted, and declared, That when and as soon

2 Geo. 2. c. 32.

as the deficiency of the ſuitors money thereby, and by the ſaid former acts directed and appointed to be answered and paid, and all money to be borrowed on the credit of the ſame, if neceſſary, ſhould have been fully paid and ſatisfied; then, and from thenceforth, all the ſurplus money which ſhould have been raiſed out of the ſaid duties, given, granted, and continued by the ſaid above-mentioned acts, over and beyond what ſhould be ſufficient for answering ſuch deficiency, and money lent, ſhould be reſerved for the benefit of the publick, and ſhould not be applied to any other uſe or uſes than ſuch as ſhould be thereafter directed by parliament: and whereas the ſaid deficiency, and all the money provided and directed to be paid by the ſaid former acts, or either of them, by and out of the fund thereby appropriated for that purpoſe, have been fully paid and ſatisfied, and there now remains in the bank of England as a ſurplus of the ſaid fund unapplied, the ſum of thirteen thouſand ſix hundred ninety eight pounds, one ſhilling, and eleven pence, ſubject to the diſpoſition of parliament: and whereas the office of keeper or clerk of the Hanaper in Chancery is a very ancient office, held and enjoyed by grant from his Majeſty's royal predeceſſors, Kings and Queens of this realm; and the yearly revenue thereof, conſiſting of ſeveral certain yearly rents or ſums, reſerved upon grants made by the crown of the ſeveral offices, commonly called the Seal or Green Wax Office, the Alienation Office, and the Six-penny Writ Office, in Chancery (the grant of which laſt-mentioned office is now expired and determined) and alſo of fees paid upon grants, commiſſions, and other patents paſſing under the great ſeal, which are uncertain and contingent, hath conſtantly been iſſued and applied in and for the payment of ſeveral ancient fees, ſalaries, and allowances, belonging to the lord chancellor, or lord keeper of the great ſeal, the maſter of the rolls, the maſters in Chancery, clerk of the parliaments, and other officers attending the parliament and great ſeal, and of ſeveral bills and diſburſements always paid and allowed out of the revenues of the Hanaper office: and whereas the office of maſter or keeper of the rolls, is an office of great truſt and conſequence to the publick, and the revenue belonging thereto is not adequate to the trouble, dignity, and importance of the ſaid office: and whereas the income or revenue of the ſaid office of the Hanaper, hath not for ſeveral years laſt paſt been ſufficient to answer and pay the ſeveral fees, ſalaries, allowances, and diſburſements, iſſuing and payable out of the ſame; and there remained due and in arrear, at Michaelmas, one thouſand ſeven hundred and forty nine, to the ſeveral perſons claiming and intitled to ſuch fees, ſalaries, allowances, and diſburſements reſpectively, ſeveral ſums of money, amounting together to the ſum of ten thouſand five hundred ninety pounds, twelve ſhillings, and eleven pence; and as the revenue of the Hanaper office will, in all probability, ſtill continue to be deficient, not only the preſent debt upon the ſaid office will be loſt, but the ſervices to which the ſame for the future are to be applied, will remain unprovided for: wherefore, and in order to make a provision for the payment of the ſaid debt, and arrears incurred upon the Hanaper office; 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

Out of the fum  
of 13,698 l.  
2s. 11d. fur-  
plus unappli-  
ed,

10,590 l. 12s.  
11d. is to be  
paid to the  
creditors of  
the Hanaper,  
as the court  
of Chancery  
shall direct.

Certificates of  
the draughts  
for payment  
to be transmit-  
ted to the clerk  
of the Hanaper,  
&c.

Certificates to  
be filed, and  
the vouchers  
delivered to  
the auditor.

Duties payable  
upon writs,  
&c. granted  
by 12 Geo. 1.  
continued for  
ever;

this present parliament assembled, and by the authority of the same, That out of the said sum of thirteen thousand six hundred ninety eight pounds, one shilling, and eleven pence, now remaining in the bank of *England*, as the surplus unapplied, of the fund given and granted by the said former acts of parliament, for the purposes therein mentioned, and so reserved for the disposition of parliament as aforesaid, there shall be issued and paid such sums of money, not exceeding in the whole the said sum of ten thousand five hundred and ninety pounds, twelve shillings, and eleven pence, herein before-mentioned, to be due and in arrear at *Michaelmas*, one thousand seven hundred and forty nine, to the creditors upon the office of keeper or clerk of the *Hanaper* as aforesaid, when, and as the court of *Chancery* shall order and direct, in satisfaction of the said debt, and arrears to the several persons intitled to the same respectively; and as often as the accomptant general of the said court shall, in pursuance of any such order of the said court, give a draught upon the bank of *England*, for any of the said debts or arrears, certificates thereof from the said accomptant general (which certificates he is hereby required to make without fee or reward) shall be transmitted to the keeper or clerk of the *Hanaper*, together with proper vouchers of the payment of the said debts and arrears, specifying to whom such payments shall have been made, and to what time the same shall extend, to the end the same may be brought into the account of the keeper or clerk of the *Hanaper*, to be by him passed before one of the auditors of the said revenue; and all such certificates shall, from time to time, be filed in the said office of keeper or clerk of the *Hanaper*, and the vouchers to be transmitted therewith, are to be delivered over to the said auditor

II. And your Majesty's most dutiful and loyal subjects, the commons of *Great Britain*, in parliament assembled, being desirous to provide for and supply any future deficiency of the income and revenue of the said *Hanaper* office, to answer the several services aforesaid, and to discharge the several fees, salaries, and allowances, issuing and payable out of the said revenue; and being also desirous to augment the revenue of the office of master or keeper of the rolls; do give and grant unto your Majesty, for the purposes aforesaid, the several duties granted by the said first recited act, upon the several writs and law proceedings therein mentioned, to be respectively applied and disposed of, in the manner, and for the purposes herein after-mentioned, expressed, and declared; and therefore do most humbly beseech your Majesty, that it may be enacted; and be it further enacted by the King's most excellent majesty, by and with the 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 duties granted by the said act of the twelfth year of the reign of his late Majesty, for the term of sixteen years, and continued by the said act of the ninth year of the reign of his present Majesty, for the farther term of four years, and

and which expired in the month of *August*, one thousand seven hundred and forty six, shall be, and the same are hereby revived, and shall by virtue of this act be payable and paid upon the several writs and law proceedings in the said former acts mentioned, from the twenty fourth day of *June*, which shall be in the year of our Lord one thousand seven hundred and fifty, for ever; and that all the penalties, powers, remedies, provisions, and directions in the said former acts provided and contained, for and concerning the raising, levying, collecting, securing, and managing the same, and defraying the expences thereof, shall be revived, and be, from time to time, and at all times from thenceforth, applied, exercised, practised, and executed, as fully to all intents and purposes, as if the same had been or were in this act repeated, and again particularly enacted.

to commence  
from 24 June,  
1750.

III. And it is hereby further enacted by the authority aforesaid, That all and every the officer and officers, who shall be concerned in the raising, levying, collecting, receiving, managing, and applying the duties arising by virtue of and under this act, shall and do keep separate and distinct accounts thereof, and pay the same into the receipt of his Majesty's exchequer at *Westminster*, weekly on every *Wednesday*, unless it be an holy-day; and in that case on the next day after which shall not be an holy-day.

Officers to keep distinct accounts of the duties, and to pay the same into the exchequer weekly.

IV. And be it further enacted by the authority aforesaid, That there shall be provided and kept in the said exchequer a book or books, wherein a separate and distinct account of all the money to be paid in weekly in pursuance of this act, shall be entered and kept, and that out of the money arising and to be produced, by and from the duties granted by this act, and hereby directed to be paid into the said receipt of exchequer as aforesaid, there shall be issued and paid unto the keeper or clerk of the *Hanaper* office for the time being, or his deputy, a yearly sum not exceeding the sum of three thousand pounds of lawful money of *Great Britain*, by equal half-yearly payments, at or on the twenty fifth day of *March*, and twenty ninth day of *September*, in every year, the first payment thereof to begin and to be made, at or on the twenty ninth day of *September*, which will be in the year of our Lord one thousand seven hundred and fifty (for the issuing of which yearly sum, no fee or gratuity whatsoever shall be demanded or taken) and that the receipt or receipts of the keeper or clerk of the *Hanaper* for the time being, or his deputy, shall from time to time, be a sufficient and effectual discharge for the same.

Books to be kept for entering the monies arising by the duties.

3,000l. to be paid yearly out of the same to the clerk of the Hanaper, half-yearly.

V. And be it further enacted, That the residue of the said thirteen thousand six hundred ninety eight pounds, one shilling, and eleven pence, surplus cash in the bank of *England*, after satisfaction of the said debt, due from the keeper or clerk of the *Hanaper* in *Chancery*, at *Michaelmas* one thousand seven hundred and forty nine, as aforesaid, shall be placed out at interest on government securities, under the direction of the said court of *Chancery*, in the name and with the privity of the accountant general

Residue to be put out at interest, on government securities;

the interest to be paid to the clerk of the Hanaper.

general of the said court, and placed to the account of the keeper or clerk of the *Hanaper* in *Chancery*, and that the interests or dividends, and yearly proceed arising therefrom, be, from time to time, paid to the keeper or clerk of the *Hanaper* for the time being, or his deputy, in order to be applied in aid of the said revived duties, to make good the said annual sum of three thousand pounds, granted to his Majesty out of the said duties as aforesaid, and that the receipt or receipts of the keeper or clerk of the *Hanaper* for the time being, or his deputy, shall, from time to time, be a sufficient and effectual discharge for the same.

The said yearly sums and interest, to be accounted for as part of the revenue of the Hanaper;

VI. And it is hereby further enacted, That the said yearly sum of three thousand pounds, so to be paid to, and received by the keeper or clerk of the *Hanaper* for the time being, or his deputy as aforesaid, and also the yearly interest, dividends, and proceed, which shall arise or be produced from the surplus cash in the bank of *England*, as aforesaid, shall, from time to time, as the same shall come in and be received, be issued, paid, applied, and accounted for, together with and as part of the ordinary income and revenue of the *Hanaper* office, to and for such and the same ends, intents, and purposes, and in such and the same manner, as the income and revenue of the said office hath, from time to time, been issued, paid, applied, and accounted for; and also for the payment of the yearly sum of twelve hundred pounds, to the master or keeper of the rolls for the time being, by equal half-yearly payments, at or on the twenty fifth day of *March*, and the twenty ninth day of *September* in every year, the first payment thereof, to begin and be made at or on the twenty ninth day of *September*, which will be in the year of our Lord one thousand seven hundred and fifty.

and 1,200 l. to the master of the rolls.

Clerk of the Hanaper to account for surplusses.

VII. And be it further enacted, That in case the yearly income and revenue of the said office of keeper or clerk of the *Hanaper* augmented by virtue of this present act, shall, at any time or times hereafter be more than sufficient to answer and pay the said yearly sum of twelve hundred pounds to the master or keeper of the rolls for the time being, and also the several fees, salaries, and allowances paid and payable out of the same as aforesaid, then, and in such case, the said keeper or clerk of the *Hanaper* for the time being, shall be accountable for such overplus, and upon a certificate thereof from one of the auditors of the imprest (which certificate such auditor is hereby authorized and required, from time to time, in every such case, to make and transmit to the lord high treasurer, or commissioners of the treasury for the time being) such overplus shall, from time to time, as often as it shall so happen, be carried on to the account of the subsequent year of the said keeper or clerk of the *Hanaper*, who shall stand charged therewith, in such subsequent account, and only so much of the said yearly sum of three thousand pounds shall be paid to the said keeper or clerk of the *Hanaper*, or his deputy, for and towards the next subsequent payment or payments,

ments, as with fuch overplus to be afcertained by fuch certificate as aforefaid, will be fufficient to anfwer and pay the faid yearly fum of twelve hundred pounds to the mafter or keeper of the rolls for the time being, and the feveral fees, falaries, and allowances paid and payable out of the fame.

VIII. And it is hereby further enacted, That in cafe the yearly income and revenue of the faid office of keeper or clerk of the *Hanaper*, augmented by virtue of this prefent act as aforefaid, fhall, at any time or times hereafter, fall fhort or prove deficient to anfwer and pay the faid yearly fum of twelve hundred pounds, to the mafter or keeper of the rolls for the time being, and the feveral fees, falaries, and allowances paid and payable out of the fame as aforefaid, then and in fuch cafe, from time to time, as it fhall fo happen, it fhall and may be lawful to and for the lord high treafurer, or commiffioners of the treasury, or any three of them for the time being, out of any money that is or fhall be in the exchequer, that hath arifen or fhall arife, by and from the faid revived duties granted and directed to be paid by this act, not otherwife applied by parliament, to direct fuch fum and fums of money not exceeding what fhall have been faved in former years, by lefs having been paid to the faid keeper or clerk of the *Hanaper* or his deputy, than the annual fum of three thoufand pounds as aforefaid, to be iffued and paid unto the keeper or clerk of the *Hanaper* for the time being, or his deputy, as fhall be neceffary for the anfwering and fupplying fuch deficiency, fo from time to time happening, to be afcertained by a certificate from one of the auditors of the impreft, to be directed to the lord high treafurer or commiffioners of the treasury in that behalf, in the manner aforefaid, and that the receipts of fuch keeper or clerk of the *Hanaper* or his deputy, fhall be a good and fufficient difcharge for all fuch fum and fums of money as fhall be fo iffued and paid as aforefaid.

Deficiencies in the Hanaper office, how to be made good.

IX. Provided always, and it is hereby enacted and declared, That in cafe the faid revived duties, and the intereft or yearly proceed of the faid furplus cash in the bank of *England*, fhall in any one year produce lefs, and in another more than the fum of three thoufand pounds, then, and in fuch cafe, from time to time, as it fhall fo happen, it fhall and may be lawful to and for the lord high treafurer, or commiffioners of the treasury, or any three of them, for the time being, to order fuch deficiencies to be made good out of fuch furpluffes, fo as the whole money to be iffued, paid, and applied to the keeper or clerk of the *Hanaper* or his deputy, out of the faid monies arifing from the faid revived duties, and the intereft and yearly proceed of the faid furplus cash in the bank of *England*, do not one year with another, exceed the yearly fum of three thoufand pounds, defigned to be provided for the faid office by this act.

Deficiencies of one year to be made good out of the furpluffes of another year.

X. And it is hereby further enacted, That all the refidue and furplus of the money arifing by the duties and other provifions, given, granted, made, or directed by this act, which fhall, from time to time remain after, and fhall not be iffued and applied

The furplus of the duties to be difpofed of by parliament.

in

in and for the payment of the feveral yearly and other fums of money hereby directed to be iffued and paid as aforefaid, fhall be, and the fame is hereby referved for the benefit of the publick, and fhall not be applied to any other ufe or ufes, than fuch as fhall be hereafter directed by parliament.

## C A P. XXVI.

*An aét to continue feveral laws for the better regulating of pilots, for the conducting of fhips and veffels from Dover, Deal, and Ifle of Thanet, up the rivers of Thames and Medway; and for permitting rum or fpirits of the Britifh fugar plantations to be landed before the duties of excife are paid thereon; and to continue and amend an aét for preventing frauds in the admeafurement of coals within the city and liberty of Weftminfter, and feveral parifhes near thereunto; and to continue feveral laws for preventing exactions of occupiers of locks and wears upon the river Thames weftward; and for afcertaining the rates of water carriage upon the faid river; and for the better regulation and government of feamen in the merchants fervice; and alfo to amend fo much of an aét made in the firft year of the reign of King George the Firft, as relates to the better prefervation of falmon in the river Ribble; and to regulate fees in trials at affizes, and Nifi Prius, upon records iffuing out of the office of pleas of the court of Exchequer; and for the apprehending of perfons in any county or place, upon warrants granted by juftices of the peace in any other county or place; and to repeal fo much of an aét made in the twelfth year of the reign of King Charles the Second, as relates to the time during which the office of excife is to be kept open each day, and to appoint for how long time the fame fhall be kept open upon each day for the future; and to prevent the stealing or destroying of turnips; and to amend an aét made in the fecond year of his prefent Majefty, for better regulation of attornies and folicitors.*

**W**HEREAS the laws herein after-mentioned (which have by experience been found ufeful and beneficial) are near expiring; may it therefore pleafe your Majefty, that it may be enacted; and be it enacted by the King's moft excellent majefty, by and with the advice and confent of the lords fpiritual and temporal, and commons, in this prefent parliament affembled, and by the authority of the fame, That an aét made in the third year of the reign of his late Majefty, intituled, *An aét for the better regulating of pilots for the conducting of fhips and veffels from Dover, Deal, and Ifle of Thanet, up the river of Thames and Medway; which was to* continue

continue in force for seven years, and from thence to the end of the then next session of parliament; and also a clause for further regulating the pilots of *Dover*, *Deal*, and the *Isle of Thanet*, <sup>7 Geo. 1. c. 21.</sup> in an act passed in the seventh year of the reign of his late Majesty, which was to be in force during the continuance of the said act of the third year of his said late Majesty's reign; which said act, together with the said clause, were, by an act made in <sup>10 Geo. 1. c. 17.</sup> the tenth year of the reign of his said late Majesty, continued in force for the further term of eleven years, and from thence to the end of the then next session of parliament; and which said <sup>8 Geo. 2. c. 21.</sup> act, together with the said clause, were, by an act made in the eighth year of his present Majesty's reign, further continued until the twenty fifth day of *March*, one thousand seven hundred and forty nine, and from thence to the end of the then next session of parliament, shall be, and the same are hereby further continued, from the expiration thereof, until the twenty fifth day of *March*, one thousand seven hundred and sixty four, <sup>further continued to 25</sup> and from thence to the end of the then next session of parliament. <sup>March, 1764.</sup>

II. And be it further enacted by the authority aforesaid, That <sup>Part of 15 Geo. 2. c. 25.</sup> so much of an act made in the fifteenth and sixteenth years of his present Majesty's reign, intituled, *An act to empower the importers or proprietors of rum or spirits of the British sugar plantations to land the same before payment of the duties of excise charged thereon, and to lodge the same in warehouses at their own expence; and for the relief of Ralph Barrow in respect to the duty on some rock salt lost by the overflowing of the rivers Weaver and Dane,* as relates to the landing of rum or spirits of the *British* sugar plantations, before payment of the duties of excise, and to the lodging of the same in warehouses at the expence of the importers or proprietors thereof; which was to continue in force until the twenty ninth day of *September*, one thousand seven hundred and forty nine, and from thence to the end of the then next session of parliament, shall be, and the same is hereby further continued, <sup>continued to 29 Sept. 1757.</sup> from the expiration thereof, until the twenty ninth day of *September*, one thousand seven hundred and fifty seven, and from thence to the end of the then next session of parliament.

III. And be it further enacted by the authority aforesaid, That <sup>19 Geo. 2. c. 35.</sup> an act made in the nineteenth year of the reign of his present Majesty, intituled, *An act more effectually to prevent the frauds and abuses committed in the admeasurement of coals within the city and liberty of Westminster, and that part of the dutchy of Lancaster adjoining thereto, and the several parishes of Saint Giles in the Fields, Saint Mary le Bon, and such part of the parish of Saint Andrew Holborn, as lies in the county of Middlesex,* which was to continue in force from the twenty fourth day of *September*, one thousand seven hundred and forty six, for the term of three years, and from thence to the end of the then next session of parliament, shall be, and the same is hereby further continued, <sup>continued to 24 Dec. 1750; Farther continued by 24 Geo. 2. c. 57. f. 12.</sup> from the expiration thereof, until the twenty fourth day of *December*, one



one thousand ſeven hundred and fifty, and from thence to the end of the then next ſeſſion of parliament.

Penalty on the principal land coal meters, not ſtationing labouring coal-meters; and on the labouring coal-meters not attending.

IV. *And whereas by the ſaid act no penalty is laid either upon the principal land coal-meters, in caſe they ſhall neglect to ſtation the labouring coal-meters at all the ſeveral wharfs within the limits deſcribed in the ſaid act, or upon the ſaid labouring coal-meters, in caſe they ſhall neglect to attend and perform their duty at ſuch wharfs as in the ſaid act is directed:* for remedy whereof, be it enacted by the authority aforeſaid, That if the ſaid principal land coal-meters, or either of them, ſhall neglect to ſtation labouring coal-meters at all the ſaid reſpective wharfs, on the days, and at the times, which by the ſaid act are ſpecially directed, ſuch principal land coal-meters, or either of them, ſo neglecting, ſhall, for every ſuch offence, forfeit the ſum of ten pounds; and if any labouring coal-meter or coal-meters ſo ſtationed by the principal land coal-meter or coal-meters at any wharf, as aforeſaid, ſhall not attend and perform his or their duty, at the time, and in ſuch manner, as by the ſaid act is ſpecially directed, ſuch labouring coal-meter or coal-meters ſhall, for every ſuch offence, forfeit the ſum of forty ſhillings; which ſaid ſeveral penalties of ten pounds, and forty ſhillings, ſhall be recovered, levied, and applied, in the like manner as any other penalty is directed to be recovered, levied, and applied by the ſaid act.

V. And be it further enacted by the authority aforeſaid, That an act made in the third year of the reign of his preſent Maſteſty, intituled, *An act for reviving and amending an act made in the ſixth and ſeventh years of the reign of his late maſteſty King William the Third, intituled, An act to prevent exactions of the occupiers of locks and wears upon the river Thames weſtward; and for aſcertaining the rates of water carriage upon the ſaid river; which was to continue in force from the firſt day of May, one thouſand ſeven hundred and thirty, for the term of nine years, and from thence to the end of the then next ſeſſion of parliament; and which, by another act made in the thirteenth year of the reign of his preſent Maſteſty, was further continued until the firſt day of June, one thouſand ſeven hundred and forty ſeven; and which, by another act made in the twentieth year of the reign of his preſent Maſteſty, was further continued until the firſt day of June, one thouſand ſeven hundred and forty nine; and which, by another act made in the twenty ſecond year of the reign of his preſent Maſteſty, was further continued until the firſt day of June, one thouſand ſeven hundred and fifty, ſhall be, and the ſame is hereby further continued from the expiration thereof, until the firſt day of June, one thouſand ſeven hundred and fifty one, and from thence to the end of the then next ſeſſion of parliament.*

VI. And be it further enacted by the authority aforeſaid, That an act made in the ſecond year of his preſent Maſteſty's reign, (intituled, *An act for the better regulation and government of ſea-men in the merchants ſervice*) which was to be in force for five years, from the twenty fourth day of June, one thouſand ſeven hundred

13 Geo. 2. c. 18.

20 Geo. 2. c. 47.

13 Geo. 2. c. 48.

continued to  
1 June, 1751.  
EXP. Sec.

24 Geo. 2. c. 8.

2 Geo. 2. c. 36.

hundred and twenty nine, and from thence to the end of the then next feffion of parliament, and which act was by an act made in the eighth year of the reign of his prefent Majefty, further continued until the twenty fifth day of *March*, one thousand seven hundred and forty nine, and from thence to the end of the then next feffion of parliament, shall be, and the fame is hereby further continued, from the expiration thereof, until the twenty fifth day of *March*, one thousand seven hundred and fixty four, and from thence to the end of the then next feffion of parliament.

8 Geo. 2. c. 21.  
continued to  
25 March,  
1764.

VII. *And whereas by an act of parliament made in the first year of the reign of his late Majefty King George the Firft, (intituled, An act*

1 Geo. 1. c. 18.  
f. 14.

for the better preventing fresh fish taken by foreigners, being imported into this kingdom; and for the prefervation of the fry of fish; and for the giving leave to import lobsters and turbutts in foreign bottoms; and for the better prefervation of falmon within several rivers, in that part of this kingdom called *England*) all persons whatsoever were restrained under the penalties, forfeitures, and punishments therein mentioned, from taking, killing, destroying, or wilfully hurting falmon of any kind or size whatsoever, in the river *Ribble* in the county of *Lancaster*, and other rivers therein particularly named, between the last day of *July*, and the twelfth day of *November*, for ever; which restraint hath been found inconvenient as to the said river *Ribble*, by reason that the time limited for restraining the taking fish therein, is not properly suited or adapted to the fishing seasons there, so as to answer the intention of the said act, but it would be much more advantageous to the falmon fisheries in that river, if persons were restrained from taking, killing, destroying, or wilfully hurting any falmon in the said river *Ribble*, betwixt the fourteenth day of *September*, and the second day of *January* yearly, and were at liberty to take and kill the same the remainder of the year; be it therefore enacted by the authority aforesaid, That

it shall and may be lawful to and for the respective owners and proprietors of the fisheries and fishings in the said river *Ribble*, and every other person or persons intituled to fish therein, and their and every of their lessees, tenants, servants, and agents, and every of them, at any time or times hereafter, betwixt the first day of *January*, and fifteenth day of *September*, in any year, to take and kill by any lawful ways or means whatsoever, any falmon, falmon peal, or falmon kind, in their respective fisheries and places within the said river *Ribble*, and to sell any of the fish so taken between the times aforesaid; any thing in the said recited act, or any other act, to the contrary notwithstanding.

Liberty given  
to take falmon  
in the river  
*Ribble*, be-  
tween 1 Jan.  
and 15 Sept.  
yearly.

VIII. And be it further enacted by the authority aforesaid, That if any person or persons whatsoever shall at any time hereafter, between the fourteenth day of *September*, and second day of *January* for ever, by or with any net, device, engine, ways or means whatsoever, take, kill, destroy, or wilfully hurt, any falmon of any kind or size whatsoever, in the said river *Ribble*, such person or persons shall incur, and be subject to such and

Penalty of tak-  
ing falmon in  
the said river  
out of the  
time limited.

the fame penalties, forfeitures and punishments as were by the faid recited act inflicted upon perfons taking, killing, destroying, or wilfully hurting falmon in the faid river, betwixt the laft day of *July*, and twelfth day of *November*, and fhall be proceeded againft and convicted thereof, in the fame manner, as by fuch recited act is for that purpofe directed.

The faid act continued.

IX. Provided always, and it is hereby declared, That all and every the claufes, articles, matters, and things contained in the faid recited act (fave the alteration hereby made in the times of taking, and being reftained from taking falmon in the faid river *Ribble* as aforefaid) fhall be and remain in full force; any thing herein contained to the contrary notwithstanding.

Fees upon *Nifi Prius* records iffuing out of the exchequer, to be the fame as in other courts.

X. And where the taking of larger fees by the officers of office and *Nifi Prius*, in the refpective circuits of this kingdom, upon records iffuing out of the office of pleas of his Majesty's court of Exchequer at *Westminster*, between party and party, than are taken on fuch records iffuing out of any other court, is a grievance to the fubject; be it enacted by the authority aforefaid, That from and after the twenty fourth day of *June*, one thousand feven hundred and fifty, no officer or other perfon whatfoever fhall demand, take, or receive any greater or other fees upon fuch records, iffuing out of the faid office, than are taken upon records in caufes of the like nature, iffuing out of the courts of *King's Bench* and *Common Pleas* at *Westminster*.

If an offender efcape out of the jurisdiction of the juftice who iffued his warrant, 24 Geo. 2. c. 55. the juftice where he fhall have efaped, may indorfe the warrant, &c.

XI. And whereas it frequently happens that perfons againft whom warrants are granted by the juftices of the peace, for the feveral counties within this kingdom, efcape into other counties or places out of the jurisdiction of the juftices of the peace granting fuch warrants, and thereby avoid being punifhed for the offences wherewith they are charged: for remedy whereof, be it enacted by the authority aforefaid, That from and after the twenty fourth day of *June*, one thousand feven hundred and fifty, in cafe any perfon againft whom a legal warrant fhall be iffued, by any juftice or juftices of the peace for any county, riding, divifion, city, liberty, town, or place within this kingdom, fhall efcape or go into any other county, riding, divifion, city, liberty, town, or place out of the jurisdiction of the juftice or juftices granting fuch warrant as aforefaid, it fhall and may be lawful for any juftice of the peace of the county, riding, divifion, city, liberty, town, or place to which fuch perfon fhall have gone or efaped, to indorfe fuch warrant, upon application made to him for that purpofe, and to caufe the perfon againft whom the fame fhall have been iffued, to be apprehended and fent to the juftice or juftices who granted fuch warrant, or to fome other juftice or juftices of the county, riding, divifion, city, liberty, town, or place, from whence fuch perfon fhall have gone or efaped, to the end that he or fhe may be dealt with according to law; any law or ufage to the contrary notwithstanding.

12 Car. 2. c. 24. f. 22.

XII. And whereas by an act of parliament paffed in the twelfth year of the reign of *King Charles the fecond*, (intituled, An act for taking away the court of wards and liveries, and tenures in *Capite*,

pite, and by knights service, and purveyance, and for settling a revenue upon his Majesty in lieu thereof) it was enacted, That the office of excise in all places where it shall be appointed, shall be kept open from eight of the clock in the morning, till twelve of the clock at noon, and from two of the clock in the afternoon, till five of the clock in the afternoon, for the due execution and performance of all and every the matters and things in the said act appointed and required: and whereas the limitations and restrictions of time in the said act mentioned, for transacting the business in the said office, have been found very inconvenient, and attended with extraordinary expences to the several persons who are charged with the payment of the duties, relating to the revenues under the management of the commissioners of excise: therefore for the future, be it further enacted by the authority aforesaid, That the said clause herein before recited shall, from and after the tenth day of *May*, one thousand seven hundred and fifty; and the same is hereby enacted and declared to be from thenceforth repealed; and that the said office shall, from and after the said tenth day of *May*, one thousand seven hundred and fifty, be kept open from eight of the clock in the morning, till two of the clock in the afternoon, and no longer.

The excise office to be kept open from 8 o'clock till 2.

XIII. And whereas great quantities of turnips have of late years been stolen and taken away by idle and ill-disposed persons, from the grounds of several farmers, and others growing turnips, to the great loss and damage of the owners of the said turnips; for remedy whereof, be it further enacted by the authority aforesaid, That if any person or persons shall, from and after the twenty fourth day of *June*, one thousand seven hundred and fifty, steal and take away, or maliciously pull up and destroy any turnips, growing or being in any lands or grounds belonging to any person or persons, and shall be thereof convicted before any one or more justice or justices of the peace for the county, town, or place, where the said offence shall be committed, either by confession of the party offending, or by the oath of one or more person or persons (and which oath such justice or justices is and are hereby authorized and empowered to administer) every person so offending, and being convicted of such offence, in manner herein before-mentioned, shall, for the first offence, give and pay to the owner or owners of the turnips so stolen, pulled up, or destroyed, such satisfaction for his or their damage thereby sustained, and within such time, as the said justice or justices shall appoint; and shall over and above pay down upon such conviction, unto the overseers of the poor of the parish where the offence or offences was or were committed, for the use of the said poor, such sum of money not exceeding ten shillings, as to the said justice or justices shall seem meet; and if any such offender or offenders shall not make such recompence or satisfaction to the said owner or owners, and also pay such sum to the use of the poor, in manner and form aforesaid, then the said justice or justices shall and may commit the said offender or offenders to the house of correction, for any space not exceeding one month, or shall

Penalty on persons stealing or destroying turnips growing in private grounds.

shall and may order fuch offender or offenders to be whipped by the conftable, as to the faid juftice or juftices fhall feem meet; and if any fuch perfon or perfons fhall again commit the like offence, and be thereof convicted as aforefaid, then he, ſhe, or they, fo offending the fecond time, and being thereof convicted as aforefaid, fhall be committed to the houfe of correction for three months.

Limitation of  
the profecution.

XIV. Provided always, That no perfon or perfons fhall be profecuted for any fuch offence of ſtealing, pulling up, or deſtroying of turnips, unlefs ſuch profecution be begun within thirty days after the offence committed.

2 Geo. 2.  
c. 23. f. 20.

XV. *And whereas by an act of parliament made and paſſed in the fecond year of the reign of his preſent Maſteſty, (intituled, An act for the better regulation of attornies and ſolicitors) it was enacted, That from and after the firſt day of December, one thouſand ſeven hundred and thirty, any perſon who ſhould be ſworn, admitted, and inrolled to be an attorney in any of his Maſteſty's courts of King's Bench, Common Pleas, Exchequer, counties palatine of Cheſter, Lancaſter, and Durham, and great ſeſſions in Wales, as is therein directed, might be ſworn, admitted, and inrolled to be a ſolicitor in all or any of the courts of equity, in the ſaid act ſpecified, without any fee for the oath, or any ſtamp to be impreſſed on the parchment, whereon ſuch admiſſion ſhould be written, if the maſter of the rolls, two maſters of the Chancery, the barons of the court of Exchequer, the chancellor of the dutchy of Lancaſter, and the judges of the other courts of equity, in the ſaid act mentioned for the time being, or any of them reſpectively, ſhould, upon examining ſuch attorney, touching his fitneſs and capacity to act as a ſolicitor in courts of equity, be ſatisfied that ſuch attorney is duly qualified to be ſo admitted; but there being no proviſion made in the ſaid in part recited act, for admitting perſons (who had been, or ſhall be ſworn, admitted, and inrolled ſolicitors of any of the courts of equity in the ſaid act mentioned) attornies of any of his Maſteſty's courts of law therein alſo mentioned, although ſuch ſolicitor ſhould be duly qualified in all other reſpects; wherefore, and to ſupply ſuch omiſſion, be it enacted by the authority aforeſaid, That from and after the ſecond day of May, one thouſand ſeven hundred and fifty, any perſon who hath been already, or who at any time or times hereafter ſhall be ſworn, admitted, and inrolled a ſolicitor in any of his Maſteſty's courts of equity at *Weſtmiſter*, in ſuch manner as by the ſaid act is directed, may be ſworn, admitted, and inrolled to be an attorney of his Maſteſty's court of *King's Bench* or *Common Pleas* at *Weſtmiſter*, without any fee for the oath, or any ſtamp to be impreſſed on the parchment whereon ſuch admiſſion ſhall be written (his having been ſworn, admitted, and inrolled a ſolicitor in any of the courts of equity afore-mentioned notwithstanding) if the judges of the ſaid courts of *King's Bench* or *Common Pleas* for the time being, or any of them reſpectively, ſhall, upon examining ſuch ſolicitor, touching his fitneſs and capacity to act as an attorney in the ſaid reſpective courts, be ſatisfied that ſuch ſolicitor is duly qualified to be ſworn, admitted, and inrolled an attorney, purſuant to*

Solicitors in  
the courts of  
equity may  
be admitted  
attornies  
without fees.

to the faid in part recited act, and other the laws now in force concerning attornies and folicitors.

## C A P. XXVII.

*An act for the more eafy and speedy recovery of fmall debts within the city and liberty of Weftminfter, and that part of the dutchy of Lancafter which adjoineth thereto.*

**W**HEREAS for want of an eafy and speedy method for the recovery of fmall debts, many ill-difpofed perfons, who have contracted fmall debts within the city and liberty of Weftminfter, and that part of the dutchy of Lancafter which adjoineth thereto, and refufe to pay the debts which they have fo contracted, to the lofs and prejudice of their creditors, and to the detriment of ufeul credit within the faid city and liberty of Weftminfter, and the faid part of the dutchy aforefaid: for the remedy of the faid inconvenience, and for the providing an eafy and speedy method for the recovery of fmall debts within the faid city and liberty of Weftminfter, and the faid part of the dutchy aforefaid; may it please your moft excellent Majefty, that it may be enacted; and be it enacted by the King's moft excellent majefty, by and with the advice and content of the lords fpiritual and temporal, and commons, in this prefent parliament affembled, and by the authority of the fame, That it fhall and may be lawful to and for all and every the parifhioners of the feveral and refpective parifhes within the faid city and liberty of Weftminfter, and the faid part of the dutchy aforefaid, who have a right to affemble in veftry, within their refpective parifhes, and they are hereby refpectively empowered and required to meet on the firft day of *May*, in the year of our Lord one thoufand feven hundred and fifty, and fo on the fame day in every fucceeding year, provided the fame fhall not fall on a *Sunday*; and if it fhould, then upon the next day at ten of the clock in the forenoon, in the feveral and refpective veftries in every of their refpective parifhes, and nominate and affign in the whole, the number of two hundred and forty two of the moft fubftantial and difcreet perfons refiding within their refpective parifhes, who are to be commiffioners for the purpofes hereafter-mentioned and expreffed; to be appointed by fuch parifhioners of the faid feveral parifhes, in manner following; (that is to fay) of the parifh of *Saint Margaret* to nominate and appoint thirty of the faid perfons; of the parifh of *Saint John the Evangelift*, other twenty of the faid perfons; of the parifh of *Saint James*, other forty two of the faid perfons; of the parifh of *Saint George, Hanover Square*, other thirty of the faid perfons; of the parifh of *Saint Anne*, other twenty four of the faid perfons; of the parifh of *Saint Martin in the Fields*, other forty of the faid perfons; of the parifh of *Saint Clement Danes*, as well within the liberty of *Weftminfter* as without, other twenty four of the faid perfons; of the parifh of *Saint Mary le Strand*, other twelve of the faid perfons; and of the parifh of *Saint Paul, Covent Garden*, other twenty of the faid perfons: and the church-wardens

*Amended by 24 Geo. 2. c. 42.*

The parifhioners of Weftminfter, to meet in their veftries on 1 May yearly,

and nominate 242 commiffioners, viz.

St. Margaret 30,  
St. John 20,  
St. James 42,  
St. George Hanover Square 30,  
St. Anne 24,  
St. Martin in the Fields 40,  
St. Clement Danes 24,  
St. Mary le Strand 12,  
St. Paul Covent Garden 20.

Churchwardens to make a lists, and affix one on the church door, and deliver the other to the high bailiff.

wardens of each respective parish for the time being, or one of them, shall, within two days after such nomination, cause two lists to be made out of the several persons so respectively nominated and appointed, as aforesaid; and shall cause one of the said lists, or a true copy thereof, to be fixed or stuck up on the church door of each respective parish; and shall deliver, or cause to be delivered, the other of the said lists to the high bailiff of the said city and liberty, or his deputy, who shall forthwith cause a copy of such lists to be made and stuck up in the several places where the said commissioners shall assemble; which said persons so nominated and returned by and for the said several parishes respectively, as aforesaid, from time to time, shall be, and are hereby declared, constituted, and appointed commissioners to hear and determine all such matters of debt as are hereafter mentioned; and such commissioners, so from time to time to be nominated and appointed, as aforesaid, are hereby constituted a court of justice, by the name of *The court of requests for the city and liberty of Westminster, and that part of the duchy of Lancaster, which adjoineth thereto*; and the said commissioners, or any three or more of them, are hereby authorized, impowered, and required to assemble, sit, and hold the said court, in and for the said several parishes, in such several divisions, and on such days, and in such manner, as is herein after-mentioned; *videlicet*, The commissioners of the parishes of *Saint Margaret and Saint John the Evangelist*, on every *Tuesday* in every week, or oftner, if necessary, in some convenient part of the said parish of *Saint Margaret*; the commissioners of the parishes of *Saint George Hanover Square, Saint James, and Saint Anne*, on every *Wednesday* in every week, or oftner, if necessary, in some convenient part of the said parish of *Saint James*; and the commissioners of *Saint Martin in the Fields, Saint Paul Covent Garden, Saint Clement Danes, and Saint Mary le Strand*, on every *Thursday* in every week, or oftner, if necessary, in some convenient part of the said parish of *Saint Paul Covent Garden*; and such commissioners, so to be nominated and appointed as aforesaid, for the time being, or any three or more of them, shall have power and authority, by virtue of this act, to hear and determine, in their respective divisions, all such causes as are herein after-mentioned, and to pronounce such judgement, and make such decree, and to award execution thereupon, with costs, against the bodies, or against the goods and chattels of all and every the person or persons against whom they shall give such judgement, or make such decree, as to them shall seem just in law or equity; so as no person shall remain in prison upon an execution, for a longer space than forty days.

Commissioners constituted a court of justice:

Three to hold the court,

in *St. Margaret*, every *Tuesday*;

in *St. James's*, every *Wednesday*;

and in *St. Paul Covent Garden*, every *Thursday*;

and to pronounce judgement, &c. None to be imprisoned upon an execution, longer than 40 days.

Qualification of commissioners.

II. Provided always, and it is hereby enacted by the authority aforesaid, That no person shall be capable of acting as a commissioner, in the execution of the powers given by this act, unless such person, at the time of his nomination, and also during the time he shall so act as a commissioner, in the execution of the powers given by this act, shall be seised of lands, tenements,

tegements, or hereditaments, of the yearly value of twenty pounds, clear of all incumbrances, or be possessed of a personal estate of the value of five hundred pounds.

III. And be it further enacted by the authority aforesaid, That if any person or persons summoned by virtue of this act, shall not perform such order as the said commissioners, or any three or more of them shall make and set down for or concerning such debts as aforesaid, then it shall and may be lawful to and for the said commissioners, or any five or more of them, after personal service of the said order, and due proof thereof made, to commit such person or persons to one of his Majesty's gaols within the city and liberty of *Westminster*, there to remain until he, she, or they shall perform such order, so as no person so imprisoned shall remain in prison for a longer space of time than forty days.

Persons summoned, not conforming, may be committed.

IV. And for the more orderly and regular proceeding in the said court, and to prevent any undue preference or delay, in summoning the said commissioners to attend the business of the said court, be it further enacted by the authority aforesaid, That the said high bailiff, who is hereby impowered and required from time to time so to do, shall, within two days next after such several lists shall be returned to him as aforesaid, summon, or cause to be summoned, the first seven persons named in each list containing forty two and forty, the first five in each list containing thirty, the first four in each list containing twenty four and twenty, and the first two in each list containing twelve, to attend as commissioners of the said court, in their respective divisions, for the month of *May*, and so the like number of persons out of every list, as they shall stand in order and rotation therein respectively, to serve as commissioners in their respective divisions, from month to month, during the term for which they are chosen commissioners.

The high bailiff to summon a certain number of commissioners monthly.

V. Provided always, That nothing herein before contained shall extend, or be construed to extend, to exclude or debar any of the persons who shall be nominated and returned for commissioners as aforesaid (although they be not in rotation) from sitting in the said court, in each respective division, but that all such commissioners shall and may, as often as they shall respectively think fit, sit and give judgement therein; any thing herein before contained to the contrary thereof notwithstanding.

Such commissioners as are not in rotation, may sit.

VI. And be it further enacted by the authority aforesaid, That from and after the said first day of *May*, one thousand seven hundred and fifty, it shall and may be lawful to and for every resiant and inhabitant within the said city and liberty, or the said part of the said dutchy aforesaid, and to and for all and every person and persons renting or keeping any shop, shed, stall, or stand, or seeking a livelihood within the said city and liberty of *Westminster*, or in the said part of the said dutchy aforesaid, who now have, or hereafter shall have, any debt or debts due or owing unto him, her, or them, not amounting to the sum of forty shillings, by any person or persons whatsoever,

Power given to resiants to sue for debts under 40 s.



Clerks to sum-  
mon the  
debtor.

Upon return  
of the sum-  
mons, the  
commission-  
ers to give  
judgement.

Orders, &c.  
to be register-  
ed and ob-  
served.

Commission-  
ers may ad-  
minister oaths  
to the parties,  
&c.

In an action  
for a debt un-  
der 40 s. sued  
for in any  
other court,  
the defendant  
may plead this  
act in bar, &c.

inhabiting or seeking a livelihood within the said city and liberty of *Westminster*, or in that part of the said dutchy aforesaid, to apply to the said clerks of the said court, or one of them, who shall cause such debtor or debtors so inhabiting or seeking a livelihood as aforesaid, to be warned or summoned by the said high bailiff, or his officer or officers (who are hereby appointed, authorized, and required, to execute all warrants, precepts, and process of the said court of requests) by writing left at the dwelling-house, or place of abode, shop, shed, stall, stand, or any other place of dealing of such debtor or debtors, to appear before the commissioners of the said court, to be held in and for such division, where such debtor or debtors shall inhabit or reside as aforesaid; and that the said commissioners, or any three or more of them, shall, after the return of such summons as aforesaid, have full power and authority by virtue of this act, to make, or cause to be made, such acts, order or orders, decrees, judgements, and proceedings, between such party or parties, plaintiffs, and his, her, or their debtor or debtors, defendants, touching such debts, not amounting to the sum of forty shillings, as they shall find to stand with equity and good conscience; and all such acts, decrees, judgements, and proceedings, order or orders, shall be entered and registred in a book to be kept for that purpose by the clerk or clerks of the said court; and shall be observed, performed, and kept in all parts, as well by the plaintiff as by the debtor or defendant.

VII. And for the more solemn determination of matters and causes which shall be depending in the said court intended to be established by this act, it is hereby further enacted, That it shall and may be lawful for the said commissioners, or any three or more of them, to administer an oath to the plaintiff or defendant, and to such witness or witnesses, as shall be produced by each party; and also to all the officers of the said court, for or concerning any business relative thereunto, if the same commissioners, or any three or more of them, shall think it meet.

VIII. And be it further enacted by the authority aforesaid, That if any action of debt, or action on the case upon an *Assumpsit* for the recovery of any debt to be sued or prosecuted against any person or persons aforesaid, in any of the King's courts at *Westminster*, or elsewhere, out of the said court of requests, the plaintiff shall declare for any sum of money, not amounting to the sum of forty shillings, the defendant may plead generally in bar of such action, That at the time of commencing such action, the defendant was inhabitant and resident within the said city and liberty of *Westminster*, or that part of the dutchy aforesaid, and was liable to be warned or summoned before the said court of requests, without pleading any other matter specially; and in case the plaintiff, in any such action, shall declare for the sum of forty shillings, or any sum of money exceeding the sum of forty shillings, the defendant may plead generally (over and above such matters as aforesaid) that the defendant was not, at the time of commencing such action, indebted to the plaintiff

in any fum or fums of money amounting to the fum of forty fhillings, without pleading any other matter fpecially, whereto the plaintiff fhall or may reply generally, and deny the matters pleaded as aforefaid; and if the plaintiff be nonfuit, or difcontinue his action, or verdict pafs againft him, or judgement be given on demurrer, the defendant fhall have full cofts.

Full cofts.

IX. Provided always, That it fhall and may be lawful to and for the plaintiff, in fuch action, afterwards to profecute the faid defendant for the recovery of his faid debt in the faid court of requests; fuch verdict or judgement obtained againft him as aforefaid, in any wife notwithstanding.

Plaintiff may afterwards fue in the court of requests.

X. And for the more effectual eftablifhing of the faid court of requests, and the better enforcing the orders and decrees which fhall be made by the faid commissioners; and that the faid commissioners may be invefted with proper power and authority, and be free and exempt from any infult or abufes; be it further enacted by the authority aforefaid, That if any perfon or perfons fhall contemptuously affront, infult, or abufe all or any of the commissioners of the faid court, during their fitting in the faid court, it fhall and may be lawful to and for the faid high bailiff, or his deputy, officer or officers, by order of the faid commissioners then fitting, or any three or more of them, to take fuch perfon or perfons fo offending as aforefaid into cuftody, and carry him, her, or them, before one or more of his Majesty's juftice or juftices of the peace for the faid city and liberty of *Westminfter*, to answer fuch affront, infult, or abufe; and upon the fact alledged being duly proved, upon the oath or oaths of one or more credible witnefs or witneffes, againft him, her, or them; then, and in fuch cafe, the faid juftice or juftices fhall proceed to punifh fuch perfon or perfons fo offending as aforefaid, by fine or imprifonment, or both; provided that the fine on any one perfon do not exceed the fum of twenty fhillings; and that the imprifonment be for no longer time than ten days.

Method of proceeding and punifhment, when any fhall infult the court.

Fine not to exceed 20 s. nor the imprifonment 10 days.

XI. And be it further enacted by the authority aforefaid, That upon the nonpayment of the faid fine, fo to be impofed or fet upon every perfon convicted of offending as aforefaid, it fhall and may be lawful for the faid juftice or juftices to ifsue a warrant or warrants, under his or their hands and feals, for levying the faid fine or fines fo impofed, upon the goods and chattels of every fuch offender or offenders, being then refiant or inhabiting within the faid city and liberty of *Westminfter*, or that part of the dutchy aforefaid, and to caufe fale to be made thereof, in cafe they fhall not be redeemed in five days, rendering the overplus, if any, to the owner upon demand, after deducting the reasonable charges of fuch fale; which fine or fines, when levied or received by virtue of this act, fhall be immediately paid over into the hands of the churchwardens or overfeers of the poor of the parifh wherein every fuch offender fhall, at the time of fuch offence committed, inhabit, dwell, or feek a livelihood, towards the fupport and maintenance of the poor

The fine to be levied by diftreff and fale,

towards the fupport of the poor;

of

Where the offender is not refiant, &c. he is to be committed.

of the fame parifh; and if fuch offender or offenders fhall not be refiant or inhabiting within the faid city and liberty of *Westminfter*, or that part of the dutchy aforefaid, or fhall not have any goods or chattels within the faid city and liberty of *Westminfter*, or that part of the dutchy aforefaid, whereof fuch fine or fines can be levied as aforefaid; then and in fuch cafe, and upon the nonpayment of fuch fine or fines, it fhall and may be lawful for the faid juftice or juftices, by warrant under his or their hand and feal, or hands and feals, to commit fuch offender or offenders to one of his Majefty's gaols within the city or liberty of *Westminfter*, there to remain for the fpace of one calendar month, unlefs he, fhe, or they, fooner pay the faid fine or fines fo impofed as aforefaid; in which cafe, he, fhe, or they, on payment of fuch fine or fines, are to be forthwith difcharged out of cuftody; and fuch fine or fines, when levied or received, fhall be immediately paid over into the hands of the faid churchwardens or overfeers of the poor for the purpofes aforefaid.

On payment of the fine the perfon to be difcharged.

Copy of the laft clauses to be ftuck up in the courts.

XII. And be it further enacted by the authority aforefaid, That the clerks of the faid court, or one of them, fhall fix, or caufe to be fixed, or ftuck up, in the moft publick part of the refpective places where fuch court fhall be held in the feveral divifions aforefaid, or other place where the faid commissioners fhall fit to do bufinefs as aforefaid, a true copy of the two laft preceding clauses of this act, to the end that no perfon or perfons fhall or may pretend ignorance in the premiffes.

Penalty of perjury.

XIII. And be it further enacted by the authority aforefaid, That in cafe any perfon or perfons fhall make oath, or give evidence, in any caufe depending in the faid court of requests, whereby he, fhe, or they, fhall commit any wilful or corrupt perjury, and fhall thereof be duly convicted according to law, then every fuch perfon or perfons fhall incur and fuffer the like pains and penalties as any other perfon or perfons convicted of wilful perjury according to the laws and ftatutes of this realm.

Clerks of the court,

XIV. And be it further enacted by the authority aforefaid, That *Thomas Smith*, *Stephen Popham*, *Harman Verelst*, and *John Spranger*, gentlemen, fhall be, and are hereby conftituted and appointed clerks of the faid court of requests during their refpective good behaviour; who fhall and are hereby impowered and required to iffue out and register all fummons, warrants, precepts, acts, orders, decrees, judgements, attachments, and proceedings of the faid court; and fhall keep proper books, wherein fhall be entered and regiftred all acts, orders, and proceedings of the fame court; and that no clerk of the faid court fhall act as a juftice of the peace within the limits of the jurisdiction of the faid court.

and their office.

No clerk to act as a juftice.

On the death, removal, or refignation of the clerks, the commissioners to be fummoned, and elect another.

XV. And be it further enacted by the authority aforefaid, That it fhall and may be lawful to and for the commissioners who fhall be fitting and acting in court, on the next court day after the death, refignation, or removal of any of the faid clerks appointed by this act, or fo foon after as the fame is publickly known, or the major part of them, to caufe the whole number

of commissioners to be summoned to meet at some convenient place to be appointed for that purpose, within four days next after their being summoned as aforesaid; and such commissioners, at such meeting, or the major part of them then present, are hereby authorized and required to elect another person or persons in the room of such of the said clerks so dying, resigning, or being removed, as aforesaid, for the use and purposes in this act contained; and so from time to time, upon every vacancy of the said office of clerk, for ever.

XVI. And be it further enacted by the authority aforesaid, That no person or persons shall be capable of acting as commissioner or commissioners, in the execution of the powers given by this act, until such time as he and they shall have respectively taken an oath to the effect following: Commissioners to be sworn.

**I** A. B. do swear, That I will faithfully, impartially, and honestly, according to the best of my judgement, bear and determine such matters and things as shall be brought before me, by virtue of an act of parliament (intituled, An act for the more easy and speedy recovery of small debts within the city and liberty of Westminster, and that part of the duchy of Lancaster which adjoineth thereto) without favour or affection to either party; and that I am now seised of lands, tenements, or hereditaments, of the yearly value of twenty pounds, clear of all incumbrances; or that I am possessed of a personal estate of the value of five hundred pounds. The oath.

Which oath the said clerks, or one of them, are or is hereby impowered and required to administer in open court; a memorial whereof shall be entered in the registers of the said court. to be administered by a clerk, and registered.

XVII. And be it further enacted by the authority aforesaid, That the several fees hereafter limited and expressed, and no other fee or fees, shall and may be taken for the respective services of the said high bailiff and clerks; that is to say, Fees allowed to be taken by the high bailiff and clerks.

For issuing out every summons, to the clerk or clerks, three pence.

For the service of such summons, to the high bailiff, three pence.

For every hearing, to the clerk or clerks, three pence; to the high bailiff, one penny.

For an attachment against the defendant for not appearing to the summons, to the clerk or clerks, six pence; to the high bailiff, one shilling and two pence.

For an execution, to the clerk or clerks, ten pence; to the high bailiff, one shilling and two pence.

For paying money into court, to the clerk or clerks, seven pence.

For acknowledging satisfaction in full, to the clerk or clerks, four pence.

For searching the books, to the clerk or clerks, two pence.

For calling the defendant before the court, when he refuses to

to appear, to the clerk or clerks, two pence; to the high bailiff, two pence.

For a nonsuit on the plaintiff's not appearing to the clerk or clerks, two pence :

Table of the fees to be hung up in the courts.

A table of which fees shall be hung up by the clerks of the said court, or one of them, in some publick or conspicuous part of every place where the said commissioners shall meet for the purposes aforesaid; to the end that all persons may at all times see and read the same.

Penalty on the high bailiff, &c. taking greater fees, &c.

XVIII. And be it further enacted, That if the said high bailiff for the time being, or any of his officers, or the said clerks, or any of them, shall take or demand any greater or other fee or fees than as above-mentioned, or otherwise misbehave, that then, upon complaint made to the said commissioners sitting in court, of the said offence or offences, such complaint being duly proved upon the oath or oaths of one or more credible witness or witnesses, against him or them so offending, as aforesaid, the said commissioners shall proceed to punish such person or persons so offending, as aforesaid, by fine, not exceeding the sum of five pounds for any one offence, to be levied by distress and sale of the offender's goods and chattels, by warrant under the hands and seals of the said commissioners, or any three of them (rendering to the owner the overplus, after the charges of such distress and sale are deducted) and to be paid over by the said commissioners, and applied to the use of the sick in the

Application of the penalty.

*Westminster infirmary.*

Method of proceeding against clerks where the offence deserves a greater punishment.

XIX. And be it further enacted by the authority aforesaid, That if upon complaint made by any person or persons of the misbehaviour of any clerk or clerks appointed or to be appointed by virtue of this act, or of any clerk or clerks taking or demanding any greater or other fees than as above-mentioned, it shall appear to the commissioners then present, that such offence deserves a greater punishment than is before provided, it shall and may be lawful for the commissioners then sitting in court, or the major part of them, in case they shall so think fit, to cause the whole number of commissioners to be summoned to meet as soon as conveniently may be, by publick notice to be given in the several parish churches aforesaid, by the parish clerks thereof (which notice the said parish clerks are hereby required and directed to give without fee or reward) immediately after divine service, on the *Sunday* morning next before such meeting is to be held (such *Sunday* to be at least three days before the day appointed for such meeting) to examine into the merits of such complaint; and if it shall then appear to the commissioners, being not less than sixty present, or to the major part of them, that such clerk or clerks hath or have been guilty of a gross misbehaviour, or breach of duty in his or their office, that then it shall, and may be lawful to and for the said commissioners, or the major part of them, to suspend or remove such clerk or clerks from his or their said office, and to elect

elect another person or persons in the room of the person or persons so removed.

XX. Provided always, That this act, or any thing herein contained, shall not extend to any debt for any rent upon any lease of lands or tenements, or on any other real contract, nor to any debt which shall arise by reason of any cause concerning testament or matrimony, or any thing concerning, or properly belonging to the ecclesiastical court, albeit the same shall be under forty shillings; any thing herein before contained to the contrary in any wise notwithstanding.

Certain debts not liable to be sued by this act.

XXI. And be it further enacted by the authority aforesaid, That no action or suit for any debt not amounting to the sum of forty shillings, and recoverable by virtue of this act in the said court of requests, shall be brought against any person residing or inhabiting within the jurisdiction thereof, in any other court whatsoever.

No suit for debts recoverable by this act, to be brought in any other court.

XXII. *And whereas the four council of the Marshalsea, and court of his Majesty's palace of Westminster, who hold their offices for the terms of their natural lives respectively, and who have been made chargeable by parliament, and actually assessed to the land tax for their freeholds in their said offices, will sustain great loss by this present act, unless a compensation shall be made to them for the same;* be it therefore enacted by the authority aforesaid, That the said high bailiff, and the clerks of the said court of requests for the time being, shall, and they are hereby required, out of the fees limited or to be limited to him and them, by virtue of this present act, to pay, or cause to be paid, in equal proportions, unto *John Lawson, Lomax Martyn, George Weller, and John Le Gros Spelman, esquires, the present council of the said court of the Marshalsea, and court of his Majesty's palace of Westminster, as a compensation for the loss they will sustain in their said offices by this present act, for and during the terms of their respective natural lives, the yearly sum of twenty pounds apiece, of lawful money of Great Britain (free and clear of and from all charges and deductions whatsoever) to be paid to them severally and respectively, yearly and every year, at or upon the several feast days following; that is to say, The feast of Saint Michael the Archangel, the feast of the nativity of our Lord, the feast of the annunciation of the blessed Virgin Mary, and the feast of the nativity of Saint John the Baptist, by even and equal portions; the first payment thereof to begin and to be made at or upon the feast day of Saint Michael the Archangel, in the year of our Lord one thousand seven hundred and fifty.*

20l. per annum to be paid yearly, to each of the four council of the court of Marshalsea.

XXIII. And be it further enacted by the authority aforesaid, That if any action or suit shall be brought or commenced against any person or persons for any matter or thing done or to be done in pursuance of this act, then, and in such case, such action or suit shall be brought or commenced within three calendar months next after the fact committed, and not afterwards; and the defendant or defendants, in such action or suit, shall and may plead

Limitation of actions.

**General issue.** plead the general issue, and give this act and the special matter in evidence at any trial to be had thereon: and if the plaintiff or plaintiffs shall become nonsuited, or discontinue his or their action or actions, suit or suits; or if, upon verdict or demurrer, judgement shall be given against the plaintiff or plaintiffs, the defendant or defendants shall and may recover treble costs, and have such remedy for the same, as any defendant or defendants hath or have in other cases by law.

**Treble costs.**

**Publick act.** XXIV. And be it further enacted by the authority aforesaid, That this act shall be deemed, adjudged, and taken to be a publick act, and be judicially taken notice of as such, by all judges, justices, and all other persons whatsoever, without specially pleading the same.

### C A P. XXVIII.

*An act to explain part of an act passed in the thirteenth and fourteenth years of the reign of King Charles the Second, for the uniformity of publick prayers, and administration of sacraments; and also part of an act passed in the thirteenth year of the reign of Queen Elizabeth, for the ministers of the church to be of sound religion.*

13 & 14 CAR. 2.  
C. 4. f. 6.

**W**HEREAS by an act passed in the thirteenth and fourteenth years of the reign of the late King Charles the Second, intituled, An act for the uniformity of publick prayers, and administration of sacraments, and other rites and ceremonies; and for establishing the form of making, ordaining, and consecrating bishops, priests, and deacons, in the church of England; it was enacted, That every person who should thereafter be presented or collated, or put into any ecclesiastical benefice or promotion, within England, the dominion of Wales, and town of Berwick upon Tweed, should, in the church, chapel, or place of publick worship, belonging to his said benefice or promotion, within two months next after that he shall be in the actual possession of the said ecclesiastical benefice or promotion, upon some Lord's day, openly, publicly, and solemnly read the morning and evening prayers appointed to be read by and according to the book of common prayer, at the times thereby appointed or to be appointed; and after such reading thereof, should openly and publicly, before the congregation there assembled, declare his unfeigned assent and consent to the use of all things therein contained and prescribed, according to the form therein before appointed; and that all and every such person who should (without some lawful impediment, to be allowed and approved by the ordinary of the place) neglect or refuse to do the same within the time aforesaid, or (in case of such impediment, within one month after such impediment removed) should (ipso facto) be deprived of all his said ecclesiastical benefices and promotions; and that from thenceforth it should and might be lawful to and for all patrons and donors of all and singular the said ecclesiastical benefices and promotions, or any of them, according to their respective rights and titles, to present or collate to the same, as though the person or persons so offending or neglecting were dead: and it was

by

by the said act (amongst other things) further enacted, That every parson, vicar, curate, lecturer, and every other person in holy orders, should, before his or their respective admission to be incumbent, or have possession of any parsonage, vicarage, or any curate's place or lecture, subscribe the declaration or acknowledgement therein directed before the respective archbishop, bishop, or ordinary of the diocese, upon pain that all and every of the persons afore-mentioned, failing in such subscription, should lose and forfeit such respective parsonage, vicarage, curate's place, or lecture, and should be utterly disabled and (ipso facto) deprived of the same; and that every such respective parsonage, vicarage, curate's place, or lecture, should be void, as if such person so failing were naturally dead; and that after such subscription made, every parson, vicar, curate, or lecturer should procure a certificate under the band and seal of the respective archbishop, bishop, or ordinary of the diocese (who were thereby enjoined and required, upon demand, to make and deliver the same) and should publickly and openly read the same, together with the declaration or acknowledgement therein mentioned, upon some Lord's day within three months then next following, in his parish church where he was to officiate, in the presence of the congregation there assembled, in the time of divine service, upon pain, that every person failing therein, should lose such parsonage, vicarage, or benefice, curate's place, or lecturer's place respectively, and should be utterly disabled and (ipso facto) deprived of the same; and that the said parsonage, vicarage, or benefice, curate's place, or lecturer's place should be void, as if he were naturally dead: and whereas doubts have arisen, whether the allowance and approbation of any lawful impediment before-mentioned, doth extend to both the said before-recited cases, or whether any archbishop, bishop, or other ordinary, hath power by the said act to allow and approve of any lawful impediment, as to reading the said last-mentioned certificate and declaration, within the time limited by the said act: for the obviating 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 every allowance and approbation of any lawful impediment already given and declared, or which shall hereafter be given and declared, in pursuance of the said act, by any archbishop, bishop, or ordinary, to any person for or in respect of not reading in the church, chapel, or place of publick worship, belonging to his benefice or promotion, within two months next after that he shall be in the actual possession of the said benefice or promotion, upon some Lord's day, openly, publickly, and solemnly, the morning and evening prayers, appointed to be read by and according to the said book of common prayer, and for or in respect of not openly and publickly, before the congregation there assembled, declaring his unfeigned assent and consent to the use of all things therein contained and prescribed, shall extend, and be construed to extend, to the not reading the said last-mentioned certificate and declaration, although the same be not mentioned in the said

Allowance of a lawful impediment extended to the not reading the certificate and declaration within the time limited.

allowance



allowance and approbation, for the like time as the said allowance and approbation shall extend to.

23 Eliz. c. 12.

II. *And whereas by an act passed in the thirteenth year of the reign of Queen Elizabeth, intituled, An act for the ministers of the church to be of sound religion; it was (amongst other things) enacted, That every person who should be admitted to a benefice with cure, except that within two months after his induction, he should publickly read the articles therein mentioned, in the same church whereof he should have cure, in the time of common prayer there, with declaration of his unfeigned assent therunto, should be, upon every such default (ipso facto) immediately deprived: and whereas it hath happened, and may hereafter happen, through sickness, or other lawful impediment, that divers persons have been, and may be hindered from reading the said articles, and making the said declaration, within the time directed by the said act, and yet such person, after such sickness, or other lawful impediment removed, hath read, and may hereafter read the said articles, and make the said declaration; and it is reasonable that such persons should be deemed to have complied with the true intent and meaning of the said act; be it therefore further enacted by the authority aforesaid, That every person who hath already read, or who shall hereafter read the said articles, and hath made, or shall hereafter make the said declaration, at the same time that he did read, or shall hereafter read the morning and evening prayer, and declare his unfeigned assent and consent to the use of all things therein contained and prescribed, according to the directions of the said in part recited act of the thirteenth and fourteenth years of the reign of King Charles the Second, shall be, and is hereby declared and adjudged to have complied with the true intent and meaning of the said act of the thirteenth year of the reign of Queen Elizabeth, although the same were not, or may not be read within the space of two months after such person's induction into any benefice with cure; and that every such person shall, and he is hereby declared to be freed and discharged from any deprivation, or other forfeiture by virtue of the said act; any thing therein contained to the contrary notwithstanding.*

Persons who shall read the articles and declaration at the time of reading the morning and evening prayer;

are declared to have complied with the intent of 23 Eliz.

Limitation of this act.

III. *Provided always, That this act shall not extend to restore any person to any parsonage, vicarage, or benefice, curate's place, or lecturer's place, which, for want of reading such certificate and declaration, within the time directed by the said first in part recited act, or of reading the said articles and declaration concerning the same, according to the said last-mentioned act, hath been forfeited or become void, and is already filled up or enjoyed by any person or persons whatsoever.*

## C A P. XXIX.

*An act to encourage the importation of pig and bar iron from his Majesty's colonies in America; and to prevent the erection of any mill or other engine for fitting or rolling of iron; or any plateing forge to work with a tilt hammer; or any furnace for making steel in any of the said colonies.*

**W**HEREAS the importation of bar iron from his Majesty's colonies in America, into the port of London, and the importation of pig iron from the said colonies, into any port of Great Britain, and the manufacture of such bar and pig iron in Great Britain, will be a great advantage not only to the said colonies, but also to this kingdom, by furnishing the manufacturers of iron with a supply of that useful and necessary commodity, and by means thereof large sums of money, now annually paid for iron to foreigners, will be saved to this kingdom, and a greater quantity of the woollen, and other manufactures of Great Britain, will be exported to America, in exchange for such iron so imported; be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the twenty fourth day of June, one thousand seven hundred and fifty, the several and respective subsidies, customs, impositions, rates, and duties, now payable on pig iron, made in and imported from his Majesty's colonies in America, into any port of Great Britain, shall cease, determine, and be no longer paid; and that from and after the said twenty fourth day of June, no subsidy, custom, imposition, rate, or duty whatsoever, shall be payable upon bar iron made in and imported from the said colonies into the port of London; any law, statute, or usage to the contrary thereof in any wise notwithstanding.

II. And be it further enacted by the authority aforesaid, That any such bar iron so imported into the port of London, shall be afterwards exported, or shall be carried coastwise to be landed at any other port or place of Great Britain, except for the use of his Majesty's dock yards, upon pain, that all such bar iron so exported, or carried coastwise, and every ship or vessel, on board of which any such bar iron shall be so exported, or carried coastwise, shall be subject to such forfeiture and seizure, as any prohibited or uncustomed goods, or any goods clandestinely exported or imported, or any ship or vessel on board of which any such goods shall be exported or imported, are now liable by law; and also upon pain, that every person, so exporting such bar iron, or sending the same coastwise, and the master or commander, and mariners of every ship or vessel, on board of which any such bar iron shall be so exported or carried coastwise, shall be subject to such and the like punishments and penalties as the master or commander, or mariners of any ship

Officers grant-  
ing any coc-  
quet for ex-  
porting there-  
of,

to forfeit 200 l.

and his office.

No bar iron  
to be carried  
coastwife, un-  
less the duty  
be paid.

Penalty of car-  
rying by land  
any fuch iron  
beyond 10  
miles from  
London.

Oath to be  
made of the  
place where  
the iron was  
made, and to  
whom con-  
signed.

or vessel, laden with any prohibited or uncustomed goods, or goods clandestinely exported or imported, are now liable to by law; and that no officer of his Majesty's customs shall sign or grant any cocquet, sufferance, transire, let-pafs, warrant, or certificate whatsoever, for exporting or carrying coastwife, except for the use of his Majesty's dock yards, any such bar iron so imported into the port of *London*, upon pain, that every officer of his Majesty's customs, so offending, shall forfeit and pay the sum of two hundred pounds, to be sued for and recovered by action, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, and to be applied, one moiety to the use of his Majesty, his heirs and successors, and the other moiety to such person or persons as shall sue for the same, and shall also lose and forfeit his office, and be incapable of serving his Majesty, his heirs or successors, in any office of trust or profit whatsoever; and that if any such cocquet, sufferance, transire, let-pafs, warrant, or certificate whatsoever, shall be signed or granted, the same shall be void, and of no effect whatsoever.

III. And be it further enacted by the authority aforesaid, That no bar iron whatsoever shall be permitted to be carried coastwife, unless mention be made in the certificate to be granted for that purpose, of the day on which the subsidies, customs, impositions, rates, and duties, payable upon the importation thereof, were paid, and of the name of the person or persons by whom the same were paid.

IV. And it is hereby further enacted, That no bar iron imported into the port of *London*, by virtue or in pursuance of this act, shall be carried or conveyed by land carriage to any place beyond ten miles from any part of the port of *London*, except to his Majesty's dock yards for the use of his Majesty, his heirs and successors; and if any person or persons shall carry and convey, or cause or procure to be carried or conveyed upon horseback, or in any waggon, cart, or other carriage, any iron so imported, to any place beyond the limits prescribed by this act, every person so offending, shall, for every such offence, forfeit and pay the sum of twenty shillings for every hundred weight of such iron.

V. And that the importers of foreign pig and bar iron, not made in and imported from the said colonies, may not, upon any pretence whatsoever, claim the exemption hereby granted; be it further enacted by the authority aforesaid, That every merchant, trader, factor, or other person, loading any pig or bar iron on board any ship or vessel in any of his Majesty's colonies in *America*, shall, before the clearing out of the said ship or vessel for any port of *Great Britain*, make oath before the governor or lieutenant governor, collector and comptroller of the customs, and naval officer, or any two of them (which oath every such governor or lieutenant governor, collector, and comptroller of the customs, and naval officer, is hereby impowered and required to administer without fee or reward) that the pig or bar iron

iron so shipped, the true weight whereof shall in such oath be expressed, was made at \_\_\_\_\_ within the colony of \_\_\_\_\_ in which oath also the name or names of the person or persons to whom the said iron shall be sold or consigned, shall be expressed; and thereupon the said governor, lieutenant governor, collector, and comptroller of the customs, and naval officer, or any two of them, shall deliver to such merchant, trader, factor, or other person, so making oath as aforesaid, a certificate, under their hands and seal of office, of such oath having been made before them. Certificate to be given.

VI. And be it further enacted by the authority aforesaid, That no person or persons importing any pig or bar iron into *Great Britain* from his Majesty's colonies in *America*, shall import the same duty-free as aforesaid, unless such pig or bar iron shall be stamped with some mark denoting the colony or place where the same was made; and unless such person or persons shall produce such certificate to the chief officer of the customs at the port in *Great Britain* where the same shall be imported; and unless oath shall be made before the said chief officer of the customs, by the master or commanding officer of the ship or vessel, importing such pig or bar iron (which oath such chief officer is hereby impowered and required to administer without fee or reward) that the iron so imported is the same iron mentioned in the said certificate. Rules to be observed in the importation of iron.

VII. Provided always, and be it enacted by the authority aforesaid, That all pig or bar iron imported into *Great Britain*, which shall not be so stamped and certified as aforesaid, to be made in his Majesty's colonies in *America*, shall be subject to the payment of the same subsidies, customs, impositions, rates, and duties, to which such iron was liable before the making of this act. Iron not marked, and certified, to pay the duties.

VIII. And be it further enacted by the authority aforesaid, That if any governor, lieutenant governor, collector, or comptroller of the customs, naval officer or chief officer of the customs as aforesaid, shall falsely make any such certificate, every person so offending shall, for every such offence, forfeit and pay the sum of two hundred pounds, and also forfeit and lose his office, and be incapable of serving his Majesty, his heirs and successors in any office of trust or profit; or if any merchant, factor, trader, and master, or commanding officer of any ship or vessel, shall falsely make any oath required by this act, every such offender shall incur the punishment inflicted by the laws of this realm for wilful and corrupt perjury; and if any person shall knowingly counterfeit any such stamp, or shall counterfeit any such certificate, or publish the same, knowing it to be counterfeit, every such person so offending shall incur the punishment inflicted by the laws of this realm for forgery. Penalty of false certificates, or oaths; and of counterfeiting the stamps, or certificate.

IX. And, that pig and bar iron made in his Majesty's colonies in *America* may be further manufactured in this kingdom, be it further enacted by the authority aforesaid, That from and after the twenty fourth day of *June*, one thousand seven hundred No mill for flitting of iron; or plate-

ing forge; or furnace for steel to be erected, &c. in America.

dred and fifty, no mill or other engine for fitting or rolling of iron, or any plateing-forge to work with a tilt hammer, or any furnace for making steel, shall be erected, or after such erection, continued, in any of his Majesty's colonies in *America*; and if any person or persons shall erect, or cause to be erected, or after such erection, continue, or cause to be continued, in any of the said colonies, any such mill, engine, forge, or furnace, every person or persons so offending, shall, for every such mill, engine, forge, or furnace, forfeit the sum of two hundred pounds of lawful money of *Great Britain*.

Penalty of 200 l.

to be deemed a common nuisance;

and the governor to cause it to be abated,

X. And it is hereby further enacted by the authority aforesaid, That every such mill, engine, forge, or furnace, so erected or continued, contrary to the directions of this act, shall be deemed a common nuisance; and that every governor, lieutenant governor, or commander in chief of any of his Majesty's colonies in *America*, where any such mill, engine, forge, or furnace, shall be erected or continued, shall, upon information to him made and given, upon the oath of any two or more credible witnesses, that any such mill, engine, forge, or furnace, hath been so erected or continued (which oath such governor, lieutenant governor, or commander in chief, is hereby authorized and required to administer) order and cause every such mill, engine, forge, or furnace, to be abated within the space of thirty days next after such information given and made as aforesaid; and if any governor, lieutenant governor, or commander in chief, shall neglect or refuse so to do, within the time herein before limited for that purpose, every such governor, lieutenant governor, or commander in chief, so offending, shall, for every such offence, forfeit the sum of five hundred pounds of lawful money of *Great Britain*, and shall from thenceforth be disabled to hold or enjoy any office of trust or profit under his Majesty, his heirs or successors.

Penalty of 500 l. &c.

Method of recovering the penalties.

XI. And it is hereby further enacted by the authority aforesaid, That the several penalties and forfeitures by this act inflicted for falsely making any stamp or certificate, herein before directed, or for erecting or continuing any mill, engine, plateing forge, or furnace prohibited by this act, or for refusing or neglecting to abate the same, shall and may be sued for and recovered by action, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, or in the court of *Exchequer* in *Scotland*, or in any of the courts of record in his Majesty's colonies in *America* respectively, wherein the offender shall dwell at the time when the offence shall be committed, or at the time when such action, bill, plaint, or information shall be brought; and every such action, bill, plaint, or information, to be brought in *Great Britain*, shall be laid either in the county where any such offence shall be committed, or where the offender shall dwell at the time when such action, bill, plaint, or information shall be brought.

Application of the penalties.

XII. And be it further enacted by the authority aforesaid, That all such penalties and forfeitures shall be applied, one moiety

ety to the use of his Majesty, his heirs and successors, and the other moiety to such person or persons as shall sue for the same.

XIII. And it is hereby further enacted by the authority aforesaid, That all bar iron which shall be imported from any of his Majesty's colonies in *America* into the port of *London*, by virtue or under the authority of this present act, shall be entered at the custom-house in *London*; and every bar of the said iron so entered, shall be marked or stamped with such mark or stamp as the commissioners of his Majesty's customs shall for that purpose order or direct, in three different parts of every such bar (that is to say) two of the said marks or stamps at the distance of one yard from each end of such bar, and the other of them at or near the middle thereof.

Iron imported on this act, to be entered at the custom-house in London, and to be stamped in 3 different parts.

XIV. And it is hereby further enacted, That if any person shall counterfeit, or willfully destroy or deface, any of the said marks or stamps, with an intent to convey or carry the same to any place ten miles from any part of the port of *London*, contrary to the true meaning of this act, every person so offending, and being thereof legally convicted, shall forfeit the sum of one hundred pounds, to be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*; one moiety thereof to his Majesty, his heirs and successors, and the other moiety to such person or persons who shall sue for the same.

Penalty of counterfeiting or defacing the stamps,

XV. And be it further enacted by the authority aforesaid, That from and after the said twenty fourth day of *June*, every governor or lieutenant governor, or commander in chief of any of his Majesty's colonies in *America*, shall forthwith transmit to the commissioners for trade and plantations, a certificate under his hand and seal of office, containing a particular account of every mill or engine for sitting and rolling of iron; and every plating forge to work with a tilt hammer; and every furnace for making steel, at the time of the commencement of this act, erected in his colony; expressing also in the said certificate such of them as are used, and the name or names of the proprietor or proprietors of each such mill, engine, forge and furnace, and the place where each such mill, engine, forge, and furnace is erected, and the number of engines, forges, and furnaces in the said colony; and if any governor, lieutenant governor, or commander in chief, shall neglect or refuse so to do within six months after the said twenty fourth day of *June*, every such governor, lieutenant governor, or commander in chief so offending, shall be subject to such penalties and forfeitures, as any governor, or lieutenant governor of any of the said colonies is liable to for any offence committed against this act, to be recovered in like manner, as is by this act directed for the same.

Governors to transmit certificates of mills for sitting iron, &c.

XVI. And be it further enacted by the authority aforesaid, That if any action or suit shall be commenced against any person or persons for any thing done in pursuance of this act, the defendant or defendants in any such action or suit may plead the general issue, and give this act and the special matter in evi-

Limitation of actions.

General issue,

dence, at any trial to be had thereupon; and that the same was done in pursuance and by the authority of this act; and if it shall appear so to have been done, the jury shall find for the defendant or defendants; and if the plaintiff shall be nonsuited, or discontinue his action after the defendant or defendants shall have appeared; or if judgement shall be given upon a verdict or demurrer against the plaintiff, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same, as any defendant or defendants hath or have in other cases by law.

Treble costs.

Publick act,

XVII. And be it further enacted by the authority aforesaid, That this act shall be deemed a publick act, and be judicially taken notice of such, by all judges, justices, and other persons whatsoever, without specially pleading the same.

### C A P. XXX.

*An act for the more easy and speedy recovery of small debts within the Tower Hamlets.*

WHEREAS many persons, living, residing, trading, or dealing within the several parishes, liberties, precincts, hamlets, and places herein after mentioned, do contract several debts, which in the whole amount yearly to a great sum of money, and although such debtors are well able to pay their respective debts, yet often refuse so to do, presuming on the discouragements their creditors lie under from the expence they are unavoidably put unto in suing for the same, and the delays they meet with even after judgement; and as providing an easy and speedy method for recovering of small debts, will greatly contribute to the promoting industry, and supporting and encouraging useful credit; may it therefore please your most excellent Majesty, that it may be enacted, and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful to and for such parishioners or inhabitants of the several and respective parishes, liberties, precincts, hamlets, and places within the said *Tower Hamlets*, (the precinct of the said *Tower-within* only excepted) as have a right to assemble and meet for the choice of officers in their several and respective vestries, or other places of meeting for transacting the publick business of such parishes, liberties, precincts, hamlets, or places, and they or the greater number of them so assembled as aforesaid, are hereby respectively impowered and required on the *Tuesday* next after the feast of *Easter*, or within one month after *Easter*, in the year of our Lord one thousand seven hundred and fifty; and on every *Tuesday* next after the feast of *Easter*, in every succeeding year, to nominate, assign, and appoint in the whole, the number of two hundred and forty of the most substantial and discreet persons residing within their respective parishes, liberties, precincts, hamlets, and places, who shall each be seised of lands, tenements, or hereditaments, of the value

Parishioners to meet on *Tuesday* after *Easter* yearly, and to nominate 240 commissioners, viz. St. Mary Whitechapel, 31; Christ Church, 21; St. Leonard Shoreditch 20; St. John Hackney 18; St. Matthew Bethnal Green 8;

lue of twenty pounds *per annum*, clear of all incumbrances, or possessed of a personal estate of the value of five hundred pounds or more, clear of all incumbrances, to be commissioners for the purposes herein after mentioned and expressed in manner following; *videlicet*, such parishioners of the parish of *Saint Mary Whitechapel*, to nominate, assign, and appoint thirty one of the said persons; such parishioners of the parish of *Christ Church* other twenty one; such parishioners of the parish of *Saint Leonard Shoreditch*, other twenty; such parishioners of the parish of *Saint John Hackney*, other eighteen; such parishioners of the parish of *Saint Matthew Bethnal Green*, other eight; such parishioners of the parish of *Saint Mary, Stratford Bow*, other four; such parishioners of the parish of *Bromley Saint Leonard*, other three; such parishioners of the parish of *Saint Anne*, other eight; such parishioners of the parish of *Saint Paul Shadwell*, other sixteen; such parishioners of the parish of *Saint George*, other eighteen; such parishioners of the parish of *Saint John Wapping*, other seventeen; such parishioners of the parish of *Saint Botolph without Aldgate*, commonly called the liberty of *East Smithfield*, other fifteen; such parishioners of the parish of *Trinity Minories*, other three; such parishioners or inhabitants of the hamlet of *Mile End Old Town*, other eight; such parishioners or inhabitants of the hamlet of *Mile End New Town*, other three; such parishioners or inhabitants of the hamlet of *Radcliffe*, other fifteen; such parishioners or inhabitants of the hamlet of *Poplar and Blackwall*, other seven; (which said last-mentioned four hamlets, are within the parish of *Saint Dunstan Stebunheath*, otherwise *Stepney*, in the county of *Middlesex*) such inhabitants of the precinct of the *Tower-without*, other six; such inhabitants of the precinct of *Saint Katherine's*, other seven; such inhabitants of the precinct of *Well-Close*, other three; such inhabitants of the precinct of the *Old Artillery Ground*, other four; and such inhabitants of the liberty of *Norton Falgate*, other five; and the churchwardens of each of the said respective parishes or hamlets, and the overseers of the poor of each of the respective liberties, precincts, or places aforesaid, for the time being, or one of them, shall, within two days next after every such nomination, cause two lists to be made out, of the several persons so respectively nominated, assigned, and appointed as aforesaid; and the said respective churchwardens shall cause one of the lists, or a true copy thereof, to be fixed and stuck up at the church door of each respective parish; and the overseers of the poor of each liberty, precinct, or place aforesaid, not being a parish of itself, shall also cause one of the said lists, or a true copy thereof, to be fixed and stuck up in some publick and convenient place, in each of their respective liberties, precincts, or places aforesaid, not being a parish of itself; and such churchwardens and overseers of the poor respectively shall forthwith give or cause to be given notice to all and every the commissioners so nominated, assigned, and appointed, for each of their respective parishes, liberties, precincts, hamlets, and places, of their being so appointed commissioners as aforesaid; and shall also within

St. Mary,  
Stratford Bow  
4;  
Bromley St.  
Leonard 3;  
St. Anne 8;  
St. Paul Shad-  
well 16;  
St. George 18;  
St. John Wap-  
ping 17;  
St. Botolph  
without Ald-  
gate 15;  
Trinity Minor-  
ies 3;  
Mile End Old  
Town 8;  
New Town 3;  
Radcliffe 15;  
Poplar and  
Blackwall 7;  
Tower with-  
out 6;  
St. Kath-  
erine's 7;  
Well Close 3;  
Old Artillery  
Ground 4;  
Norton Fal-  
gate 5;

Two lists to  
be made out;

One to be  
fixed on the  
church door,  
and one in  
some publick  
place.

Notice to be  
given to the  
commission-  
ers.



A lift to be hung up in the court houfe.

two days after every nomination of commissioners, pursuant to this act, caufe a true copy of fuch lifts to be made and wrote fair in one compleat lift, taking the feveral parifhes, liberties, precincts, hamlets, and places in order as they ftand in this act, and fhall ftick up the fame in fome convenient part of the court-houfe, or other convenient place, to be provided by the faid commissioners, or the major part of them, at fome general meeting to be held for that purpofe; which faid perfons, fo nominated and returned by the faid feveral parifhes, liberties, precincts, hamlets, and places refpectively as aforefaid, from time to time, are hereby declared, constituted, and appointed to be commissioners to hear and determine all fuch matters of debt as are herein after-mentioned; and fuch commissioners are hereby constituted a court of juftice, by the name of *The Court of Requests for the Tower Hamlets*; and the faid commissioners, or any three or more of them, are hereby authorized, impowered, and required to affemble, fit, and hold the faid court twice in every week, *videlicet*, on every *Tuesday* and *Friday*, or oftener, if need be, in a court-houfe to be provided as aforefaid for that purpofe, in the faid parifh of *Saint Mary Whitechapel*, or in fome other convenient place near or thereunto adjoining: and the faid commissioners, fo to be affigned and appointed for the time being, or any three or more of them, fhall have power and authority, by virtue of this act, to give judgement and decree, and to award execution thereupon, with cofts, againft the bodies, or againft the goods and chattels of all and every the perfon or perfons againft whom they fhall give any judgement or decree, as to them fhall feem juft in law or equity, fo as no perfon fhall remain in cuftody upon an execution for any longer fpace of time than forty days.

Commissioners constituted a court.

Three to fit Tuesday and Friday weekly.

and to give judgement, &c.

Perfons not appearing on fummmons,

or not conforming,

may be committed.

II. And be it enacted by the authority aforefaid, That if any plaintiff or creditor, defendant or debtor (after being duly warned or fummoned to appear in the faid court by one of the bea-dles herein after directed to be chofen) fhall, without fome juft caufe to be allowed by the faid commissioners in court, or any three or more of them, refufe to appear in the faid court before the faid commissioners, or fhall not perform fuch order as the faid commissioners, or any three or more of them, fhall make or fet down for or concerning fuch debts as aforefaid, it fhall and may be lawful to and for the faid commissioners, or any three or more of them, to commit every fuch perfon to the common gaol or houfe of correction for the faid county of *Middlefex*, or to the gaol for the liberty of the *Tower of London*, if fuch perfon fhall refide in the faid liberty, there to remain until he, ſhe, or they fhall perform the order of the faid commissioners, fo as no perfon fhall remain in cuftody for any longer fpace of time than forty days.

III. And, for the more orderly and regular proceeding in the faid court, and that no undue preference may be made or given in fummoning the faid commissioners to attend the bufinefs of the faid court, be it further enacted by the authority aforefaid,

faid, That the faid beadles, or one of them, who are hereby impowered and required, from time to time, fo to do, shall yearly fummon, or caufe to be fummoned, the firft five perfons out of the firft fixty named in the faid complete lift, the firft five perfons out of the fecond fixty named in the faid complete lift, the firft five perfons out of the third fixty named in the faid complete lift, the firft five perfons out of the fourth fixty named in the fame lift (making in all twenty perfons) to attend as commiffioners of the faid court for one calendar month, to commence at and upon the firft day of *May* in each year; and fo the like number of five perfons next ftanding, and fucceffively following in each of the faid fixty names, as they fhall ftand in order and rotation upon the faid complete lift, to ferve as commiffioners from month to month, during the term for which they are fo chofen commiffioners.

Commiffion-  
ers to attend  
monthly.

IV. Provided always, That nothing herein before contained fhall extend, or be conftrued to extend, to exclude or debar any of the perfons who fhall be nominated, appointed, and returned for commiffioners as aforefaid, being duly qualified as aforefaid, from fitting in the faid court, although they be not in rotation; but that all fuch commiffioners fhall and may, fo often as they fhall refpectively think fit, fit and give judgement therein; any thing herein before contained to the contrary thereof in any wife notwithstanding.

Commiffion-  
ers not in ro-  
tation may fit.

V. And be it enacted by the authority aforefaid, That from and after the faid firft day of *May*, one thousand feven hundred and fifty, it fhall and may be lawful to and for any perfon or perfons who now have, or hereafter fhall have any debt or debts owing unto him, her, or them, not amounting to the fum of forty fhillings, by any perfon or perfons whatfoever, refiding or inhabiting, or keeping any fhop, fhed, ftall, or ftand, or feeking a livelihood, or trading or dealing within the diftrict herein before defcribed, or any part thereof, to caufe fuch debtor or debtors, fo refiant, inhabiting, or keeping any fhop, fhed, ftall, or ftand, or feeking a livelihood, or trading or dealing, as aforefaid, to be warned or fummoned by one of the faid beadles, who is hereby appointed, authorized, and required to execute all warrants, precepts, and procefs of the faid court of requests, by perfonal fervice, or by writing left at the dwelling-houfe, or place of abode, fhop, fhed, ftall, ftand, or any other place of dealing of fuch debtor or debtors, to appear before the commiffioners of the faid court, to be held at or in the faid court-houfe, or other place to be provided, as aforefaid; and that the faid commiffioners, or any three or more of them, fhall, after fuch fummons as aforefaid, have full power and authority, by virtue of this act, from time to time, to make or caufe to be made, fuch acts, order or orders, decrees, judgements, and proceedings, between fuch party or parties, plaintiffs, and his, her, or their debtor or debtors, defendants, touching fuch debts, not amounting to the fum of forty fhillings, as they fhall find to ftand with equity and good confcience; and all fuch acts, order or

Power to fue  
refiants for  
any debt un-  
der 40 s.

Beadle to fum-  
mons the debt-  
or, &c.

After fum-  
mons the com-  
miffioners to  
give judge-  
ment.

orders;

Orders, &c. of the court to be registred.

orders, decrees, judgements, and proceedings, shall be entred and registred in a book or books, to be kept for that purpose by the clerks of the said court, or one of them, and shall be observed, performed, and kept in all parts, as well by the plaintiff, as the debtor or defendant.

Commissioners may administer oaths to the parties.

VI. And for the more due and regular proceeding in the said court intended to be established by this act, it is hereby further enacted, That it shall and may be lawful for the said commissioners, or any three or more of them, to administer an oath to the plaintiff or defendant, and to such witness or witnesses as shall be produced by each party, and also to all or any of the officers of the said court, for or concerning any business relative thereunto, if the same commissioners, or any three or more of them, shall so think it meet.

If action for debt under 40 s. shall be sued in any other court,

VII. And be it further enacted by the authority aforesaid, That if in any action of debt, or action on the case upon an *Assumpsit* for recovery of any debt to be sued or prosecuted against any person or persons aforesaid, in any of the King's courts at *Westminster*, or elsewhere, out of the said court of requests, and it shall appear to the judge or judges of the court where such action shall be sued or prosecuted, that the debt to be recovered by the plaintiff in such action doth not amount to the sum of forty shillings, and the defendant in such action shall duly prove, by sufficient testimony, to be allowed by any the judge or judges of the court where such action shall depend, that at the time of commencing such action, such defendant was inhabiting and resident within the district herein before described, or any part thereof, and was liable to be warned or summoned before the said court of requests for such debt, then, and in such case, the said judge or judges shall not allow to the said plaintiff any costs of suit; but shall award that the said plaintiff shall pay so much ordinary costs to the party defendant, as such defendant shall justly prove before the said judge or judges it hath truly cost him in defence of the said suit.

the plaintiff to pay costs;

unless the judge certify there was a reasonable cause of action.

VIII. Provided always, and be it enacted by the authority aforesaid, That where the plaintiff shall upon any action brought in any of the King's courts at *Westminster*, or in any of the courts of great session of *Wales*, or counties palatine, obtain a verdict for less than forty shillings, if the judge or judges, who shall try the said cause, shall certify, that there was a probable or reasonable cause of action for forty shillings or more, in every such case, the plaintiff shall not be liable to pay costs, but shall recover his costs of suit, as if this act had not been made.

then the plaintiff to have costs.

Method of proceeding when any shall insult the court.

IX. And, for the more effectual establishing of the said court of requests, and the better enforcing the orders and decrees which shall be made by the said commissioners; and that the said commissioners may be invested with proper power and authority, and be free and exempt from any insults or abuses; be it further enacted by the authority aforesaid, That if any person or persons shall contemptuously affront, insult, or abuse all or any of the commissioners of the said court, during their sitting

in the faid court, it fhall and may be lawful to and for the faid beadles, or one of them, by order of the faid commiffioners then fitting, or the major part of them, being three or more, to take fuch perfon or perfons fo offending as aforefaid, into custody, and carry him, her, or them before one or more of his Majefty's juftice or juftices of the peace for the county of *Middlefex*, if the faid offence be committed within the faid county; or before one or more juftice or juftices of the peace for the liberty of his Majefty's *Tower of London*, if the offence be committed within that liberty, to answer fuch affront, insult, or abufe; and upon the fact alledged being duly proved, upon the oath or oaths of one or more credible witnefs or witneffes, againft him, her, or them, then, and in fuch cafe, the faid juftice or juftices fhall proceed to punifh fuch perfon or perfons fo offending as aforefaid, by fine not exceeding twenty fhillings, which fine fhall be immediately paid into the hands of the faid juftice or juftices, before whom fuch offender or offenders fhall be carried; and if fuch offender or offenders fhall not fo pay the faid fine in manner as aforefaid, it fhall and may be lawful for the faid juftice or juftices for the faid county of *Middlefex*, or the liberty of the *Tower* aforefaid, by warrant under his or their hand and feal, or hands and feals, to commit fuch offender or offenders to the common gaol, or houfe of correction for the faid county of *Middlefex*, or to the faid gaol for the faid liberty, where the faid offence fhall happen refpectively to be committed, there to remain for any time not exceeding the fpace of one calendar month, or until he, fhe, or they fhall have paid the faid fine; and fuch fine, when received by the faid juftice or juftices, fhall be immediately paid over into the hands of the churchwardens or overfeers of the poor of the parifh, liberty, hamlet, precinct, or place, where fuch offence fhall be committed, or where the party fhall refide at the time of committing fuch offence, to be applied towards the relief of the poor of fuch parifh, liberty, precinct, hamlet, or place.

Fine not to exceed 20s.

nor the imprisonment one month.

Application of the fine.

X. And be it further enacted by the authority aforefaid, That the clerks of the faid court, or one of them, fhall fix, or caufe to be fixed or ftuck up, in the moft publick part of the court houfe aforefaid, for the faid *Tower Hamlets*, or other place where the faid commiffioners fhall fit to do bufinefs as aforefaid, a true copy of the preceding clause of this act, to the end that no perfon or perfons fhall or may pretend ignorance in the premiffes.

Copy of the preceding clause to be hung up in the court.

XI. And be it further enacted by the authority aforefaid, That in cafe any perfon or perfons fhall make oath, or give evidence, in any caufe depending in the faid court of requests, whereby he, fhe, or they, fhall commit any wilful or corrupt perjury, and thereof be duly convicted according to law, then every fuch perfon or perfons fhall incur and fuffer the like pains and penalties, as any other perfon or perfons convicted of wilful perjury, according to the laws and ftatutes of this realm.

Penalty of perjury.

XII. And be it enacted by the authority aforefaid, That the commiffioners fo nominated, affigned, and appointed as aforefaid,

Commissioners to meet on 1 May, 1750,

faid, fhall and may meet at the faid court-houfe, or fome other convenient place in the faid *Tower Hamlets*, on *Tuesday* the firft day of *May*, in the year one thoufand feven hundred and fifty, or within one month afterwards, in the forenoon of the fame day; and then and there the faid commiffioners, or the greater number of them then prefent, fhall and may, and they are hereby impowered and required by ballot to choofe clerks of the faid court, not exceeding four, nor lefs than two; and alfo beadles of the fame court, not exceeding four; who fhall continue clerks and beadles of the faid court, during fo long time as they fhall behave themfelves well in their refpective offices.

and choofe clerks, and beadles.

Commiffioners difqualified from being clerks, &c. On the death, or refignation of any of the clerks or beadles, the commiffioners to elect others.

XIII. Provided always, That no commiffioner fhall be capable of holding the office of clerk, or any other place of profit belonging to the faid court.

XIV. And be it further enacted by the authority aforefaid, That it fhall and may be lawful for the faid commiffioners in court, or the major part of them then prefent, on the next court day after the death or refignation of the faid clerks or beadles, or any or either of them, or fo foon after as the fame is publickly known; and they are hereby required to caufe the whole number of commiffioners to be fummoned, who next before fuch death or refignation were nominated and returned as aforefaid (by giving them four days notice at leaft) to meet at the place aforefaid, within twenty days next after their being fummoned as aforefaid; and fuch commiffioners at fuch meeting are hereby authorized, impowered, and required by ballot to choofe another perfon or perfons, in the room of fuch clerks and beadles, or any or either of them, fo dying or refigning as aforefaid, for the ufes and purpofes in this act contained; and fo, from time to time, upon every fuch vacancy of the faid office of clerk or beadle, for ever.

Commiffioners to be fworn.

XV. And be it further enacted by the authority aforefaid, That no perfon or perfons fhall be capable of acting as a commiffioner or commiffioners in the execution of the powers given by this act, until fuch time as he and they fhall refpectively have taken an oath to the effect following;

The oath.

**I** A. B. do fwear, That I will faithfully, impartially, and honeftly, according to the beft of my judgement, hear and determine fuch matters and things as fhall be brought before me, by virtue of an act of parliament (intituled, An act for the more eafy and speedy recovery of fmall debts within the *Tower Hamlets*) without favour or affection to either party; and that I am now feifed of lands, tenements, or hereditaments, of the value of twenty pounds per annum, clear of all incumbrances, or that I am poffeffed of a perfonal eftate of the value of five hundred pounds, clear of all incumbrances whatfoever.

Which oath three of the perfons to be affigned, nominated, and appointed commiffioners as aforefaid, are hereby impowered to adminifter, or caufe to be adminiftered, and a memorial thereof fhall be entered in the register of the faid court.

XVI. And

XVI. And be it further enacted by the authority aforefaid, That the feveral fees and fums of money hereafter limited and expreffed, and no more or greater fees fhall and may be taken for the refpective fervices of the clerks and beadles; that is to fay,

The fees of  
the clerks and  
beadles.

For every fummons, to the clerks, three pence; to the beadles, two pence.

For every hearing, to the clerks, three pence.

For calling the defendant before the court, when he or the refufe to appear, to the clerks, two pence; to the beadles, one penny.

For an attachment againft the defendant for not appearing to the fummons, to the clerks, fix pence; to the beadles, one fhilling.

For an execution, to the clerks, eight pence; to the beadles, one fhilling.

For paying money into court, to the clerks, fix pence.

For acknowledging fatisfaction in full, to the clerks, four pence.

For acknowledging fatisfaction in part, to the clerks, two pence.

For fearching the books, to the clerks, two pence.

For a nonfuit on the plaintiff's not appearing, to the clerks, two pence.

XVII. Provided always, That a yearly account fhall be given upon oath, by the faid feveral clerks and beadles, before the faid commissioners, fitting in court, or any three of them, of the amount of the fees by them feverally received; and that if the fees hereby appointed to be taken for the fervices of the clerks, fhall, in any one year, exceed two hundred pounds to each clerk, clear of all charges; and the fees for the fervices of the beadles, exceed fixty pounds to each beadle, clear of all charges, it fhall and may be lawful for the commissioners at a general meeting to be held and fummoned for that purpofe, to order the furplus to be divided between the clerks and beadles in proportion to their refpective fums of two hundred pounds, and fixty pounds *per annum*, and to order for the future that the faid fees be reduced, fo as to bring in, as near as may be, the faid refpective fums of two hundred pounds a year to each of the clerks, and the faid refpective fums of fixty pounds a year to each of the beadles; and if at any time after fuch reduction, the bufinefs of the faid court fhall decline, fo as not to produce the faid feveral fums of two hundred pounds a year to each clerk, and the faid feveral fums of fixty pounds a year to each beadle, it fhall be lawful for the faid commissioners at a general meeting as aforefaid, to reduce the number of clerks, or increafe the fees again, fo as they do not at any time exceed the prefent fettled fees.

An account  
upon oath, of  
the fees, to be  
given yearly,  
if the fame ex-  
ceed 200 l. to  
each clerk, or  
60 l. to each  
beadle, the  
furplus to be  
divided,

or the fees re-  
duced, &c.

XVIII. And be it enacted by the authority aforefaid, That a Table of the table

fees to be hung up.

table of the aforefaid fees fhall be hung up by the clerks of the faid court, or one of them, in fome publick and conspicuous part of the faid court-houfe, or other place where the faid commiffioners fhall meet for the purpofes aforefaid, to the end that all perfons concerned may at all times fee and read over the fame; and if the faid clerks or beadles, or either of them, for the time being, fhall take or demand any greater or other fees than as above-mentioned, or fhall otherwife mifbehave himfelf or themfelves in the execution of his or their office, then he or they for every fuch offence fhall forfeit and pay fuch fine, not exceeding the fum of twenty pounds, as the faid commiffioners, or any three of them fhall affefs, to be applied to the ufe of the fick, in the *London infirmary*.

Penalty of taking greater fees, &c.

Proceeding againft clerks, &c. where the offence deferves a greater punifhment.

XIX. And be it further enacted by the authority aforefaid, That upon complaint made by any perfon or perfons, of the mifbehaviour or breach of duty of the clerks or beadles, or any or either of them, to be appointed by virtue of this act, or of any clerk or clerks, beadle or beadles, in taking or demanding any greater or other fees than as above-mentioned; and if it fhall appear to the faid commiffioners, or the major part of them then prefent, that fuch complaint deferves a greater punifhment, then fuch commiffioners fo fitting in court are hereby directed and required to caufe the whole number of commiffioners to be fummoned to meet as foon as conveniently may be, by notice in writing to be given to all the faid commiffioners refpectively by the beadles aforefaid, or any other perfon or perfons the commiffioners fhall direct, at leaft four days before the holding of fuch meeting; and the faid commiffioners fo fummoned, and then prefent, being not lefs than fixty, fhall and may examine into the merits of fuch complaint; and if it fhall then appear to the faid commiffioners, or the major part of them, that fuch clerks or beadles, or any or either of them, have or hath been guilty of mifbehaviour or breach of duty as aforefaid, in his or their office, or in taking any greater or other fees than above-mentioned, that then it fhall and may be lawful to and for the faid commiffioners, or the major part of them, to fufpend or remove fuch clerks and beadles, or any or either of them, from his or their faid office, and to call another general meeting of the whole commiffioners, by giving two days notice at leaft, in writing, as aforefaid, and within eight days next after the removal of fuch clerks or beadles, or any or either of them; at which meeting all the commiffioners, or the greater part of them, fhall and may choofe by ballot a clerk or clerks, beadle or beadles of the faid court, in the room of fuch clerk or clerks, beadle or beadles fo removed as aforefaid.

Certain debts excepted.

XX. Provided always, That this act, or any thing herein contained, fhall not extend to any debt for any rent upon any leafe of lands or tenements, or any other real contract, nor to any other debt that fhall arife by reafon of any caufe concerning teftament or matrimony, or any thing concerning or properly belonging to the ecclefiaftical court, albeit the fame fhall be under

der forty fhillings; any thing herein before contained to the contrary notwithstanding.

XXI. And be it further enacted by the authority aforefaid, That no action or fuit for any debt not amounting to the fum of forty fhillings, and recoverable by virtue of this a $\ddot{c}$ t in the faid court of requests, fhall be brought againft any perfon refiding or inhabiting within the jurifdiction thereof, in any other court whatfoever. No fuit for debts recoverable by this a $\ddot{c}$ t, to be in any other court.

XXII. And whereas the four council of the ancient court of the Marfhalsea, and of the court of his Majesty's palace of Weftminfter, who hold their office for the terms of their natural lives refpectively, and who have been made chargeable by parliament, and actually affeffed to the land tax for their freeholds in their faid offices, will fuftain great lofs by this prefent a $\ddot{c}$ t, unlefs a compenfation fhall be made to them for the fame; be it therefore enacted by the authority aforefaid,

That the clerks of the faid court of requests for the time being fhall, and they are hereby required out of the fees limited or to be limited to the faid clerks by virtue of this prefent a $\ddot{c}$ t, to pay or caufe to be paid unto *John Lawfon, Lomax Martyn, George Weller, and John Le Gros Spelman*, efquires, the prefent council of the faid ancient court of the *Marfhalsea*, and the court of his Majesty's palace of *Weftminfter*, as a compenfation for the lofs they will fuftain in their faid offices by this prefent a $\ddot{c}$ t, for and during the terms of their refpective natural lives, the yearly fum of thirty pounds a piece, of lawful money of *Great Britain*, (free and clear of and from all charges and deductions whatfoever) to be paid to them feverally and refpectively, yearly and every year, at or upon the feveral feaft days following; that is to fay, the feaft of Saint *Michael* the Archangel; the feaft of the nativity of our Lord *Chrift*; the feaft of the annunciation of the Blessed Virgin *Mary*; and the feaft of the nativity of Saint *John the Baptift*, by even and equal portions; the firft payment thereof to begin and to be made at or upon the feaft day of Saint *Michael* the Archangel, in the year of our Lord one thoufand feven hundred and fifty. 30l. per ann. to be paid yearly to each of the four council of the Marfhalsea.

XXIII. Provided always, That nothing in this a $\ddot{c}$ t contained fhall extend, or be conftrued to extend, to refrain the ancient court of record, held for and within the liberty of the *Tower of London*, from holding plea of any perfonal action, the caufe of which fhall arife within the precinct of the fortrefs of the faid *Tower* commonly called *The precinct of the Tower within*, or from holding plea of any perfonal action (other than actions for debts not amounting to the value of forty fhillings, the caufe of which fhall arife in any part of the liberty of the faid *Tower*, out of the faid precinct of the *Tower within*) or to take away or abridge any jurifdiction, authority, privilege, immunity, or exemption, which the chief governor of the faid *Tower*, or his deputy or deputies, or any officers or minifters, or inhabitants within the faid liberty, enjoys or enjoy, or ought to enjoy by virtue of any law, ufage, cuftom, prefcription, grant, charter, or commiffion; any thing in this a $\ddot{c}$ t to the contrary thereof in any wife notwithstanding. This a $\ddot{c}$ t not to extend to the precinct of the Tower within, &c.

XXIV. And



Limitation of actions.

XXIV. And be it enacted by the authority aforefaid, That if any action or fuit fhall be brought or commenced againft any perfon or perfons for any matter or thing done or to be done in purfuanee of this act, then and in fuch cafe fuch action or fuit fhall be brought or commenced within three calendar months next after the fact committed, and not afterwards, and the defendant or defendants in fuch action or fuit to be brought fhall and may plead the general iffue, and give this act, and the fpecial matter in evidence, at any trial to be had thereupon; and if the plaintiff or plaintiffs fhall become nonfuit, or difcontinue his, her, or their action or actions, fuit or fuits; or if upon verdict or demurrer, judgement fhall be given againft the plaintiff or plaintiffs, the defendant or defendants fhall and may recover treble cofts, and have fuch remedy for the fame, as any defendant or defendants hath or have in any other cafes by law.

General iffue.

Treble cofts.

Publick act.

XXV. And be it further enacted by the authority aforefaid, That this act fhall be deemed, adjudged, and taken to be a publick act, and be judicially taken notice of as fuch by all judges, juftices, and all other perfons whatfoever, without fpecially pleading the fame.

### C A P. XXXI.

*An act for extending and improving the trade to Africa.*

WHEREAS the trade to and from Africa is very advantageous to Great Britain, and neceffary for the fupplying the plantations and colonies thereunto belonging with a fufficient number of negroes, at reasonable rates; and for that purpofe the faid trade ought to be free and open to all his Majesty's fubjects; therefore be it enacted, and it is hereby enacted by the King's moft excellent Majesty, by and with the advice and confent of the lords fpiritual and temporal, and commons, in this prefent parliament affembled, and by the authority of the fame, That it fhall and may be lawful for all his Majesty's fubjects to trade and traffick to and from any port or place in *Africa*, between the port of *Sallee* in *South Barbary*, and the *Cape of Good Hope*, when, and at fuch times, and in fuch manner, and in or with fuch quantity of goods, wares, or merchandizes, as he or they fhall think fit, without any reftRAINT whatfoever, fave as is hereinafter expreffed.

Free trade to Africa.

Traders incorporated, &c.

Their name,

II. And be it enacted by the authority aforefaid, That all his Majesty's fubjects, who fhall trade to or from any of the ports or places of *Africa*, between *Cape Blanco*, and the *Cape of Good Hope*, fhall for ever hereafter be a body corporate and politick, in name, and in deed, by the name of *The Company of Merchants trading to Africa*; and by the fame name fhall have perpetual fucceffion, and fhall have a common feal; and by that name fhall and may fue, and maybe fued, and do any other act, matter and thing, which any other body corporate or politick, as fuch, can or may lawfully do.

III. And

III. And, the better to uphold, maintain, and defend, all such forts, factories, and settlements, on the coast of *Africa*, as now are erected, or hereafter shall be thought necessary to be erected, for the securing and better carrying on the said trade, be it further enacted by the authority aforesaid, That all and every the *British* forts, settlements, and factories on the coast of *Africa*, beginning at *Cape Blanco* aforesaid, and extending from thence to the *Cape of Good Hope* inclusive, and all other the regions, countries, dominions, territories, continents, coasts, ports, bays, rivers, and places, lying and being within the aforesaid limits, and the islands neat adjoining to those coasts, and comprehended within those limits, which are now claimed by, or are in the possession of, the *Royal African Company* of England, or which may be hereafter in the possession of the company hereby established, shall, from and after the passing of an act of parliament for divesting the *African* company of their charter, forts, castles, and military stores, canoe men, castle slaves, and all other their property on the coast of *Africa*, their goods and merchandizes only excepted, be absolutely vested in the said new company established by this act and their successors, to the intent and purpose that the said forts, settlements, and premises, shall be employed at all times hereafter, only for the protection, encouragement, and defence, of the said trade.

The forts, settlements, and factories, &c. of the Royal African Company vested in the new company.

IV. And it is hereby further enacted by the authority aforesaid, That it shall not be lawful for the company established by this act, to trade to or from *Africa* in their corporate or joint capacity, or to have any joint or transferrable stock, or to borrow or take up any sum or sums of money on their common seal.

Company prohibited to trade in their joint capacity, &c.

V. And be it further enacted by the authority aforesaid, That the direction and management of the affairs of the said company hereby established, shall be in and by a committee of nine persons, to be chosen annually, as hereafter is mentioned, who are to meet and assemble together, from time to time, as often as shall be necessary, at some place in the city of *London*; and the committee-men for the time being, or any five or more of them, or the major part of them so assembled, shall, from and after the passing such act of parliament for divesting the *African* company of their charter, forts, castles, and military stores, canoe men, castle slaves, and all other their property on the coast of *Africa*, as aforesaid, or before the passing such act, so far as the said *African* company shall consent thereto, have full power, from time to time, to make orders for the governing, maintaining, preserving, and improving the forts and factories already built, or which hereafter shall be built, within the limits aforesaid; and to appoint governors, deputy governors, or any other officers, civil or military, of or for the said forts and settlements, and them to remove and displace when they shall see fit, and to make orders and regulations for the better government of the said officers and servants abroad, and to take security from them for their good behaviour, and for their paying due obedience to the regulations established by this act, and to such other orders and regulations as the said committee shall, from time to time, think

A committee of nine to be chosen annually to manage the affairs of the company.

No restraint to be laid on the trade, or traders.

proper to make; so as no orders or regulations, to be made by the said committee, shall tend to lay any restraint whatsoever on the said trade or traders to or from *Africa*, contrary to the true intent and meaning of this act.

Traders who shall pay 40s. for their freedom in the company, to meet on 10 July, and choofe the first committee;

VI. And be it further enacted by the authority aforesaid, That the traders, or persons intending to trade to or from *Africa*, who, in order to be admitted into the freedom of the said company, shall, on or before the thirtieth day of *June*, one thousand seven hundred and fifty, have paid into the hands of the chamberlain of the city of *London*, the sum of forty shillings each for their freedom in the said company, shall or may meet and assemble on the tenth day of *July*, one thousand seven hundred and fifty, in the guildhall of the said city; and they, or the major part of them so assembled, shall or may choofe three persons: and that in like manner such others of the traders to or from *Africa* who, in order to be admitted into the freedom of the said new company, shall, on or before the said thirtieth day of *June*, one thousand seven hundred and fifty, have paid into the hands of the clerk of the merchants hall in the city of *Bristol*, the sum of forty shillings each for their freedom of the said company, shall or may assemble on the tenth day of *July*, one thousand seven hundred and fifty, in some convenient place in the city of *Bristol*; and they, or the major part of them so assembled, shall choofe three other persons; and that in like manner such other of the traders to or from *Africa*, who, in order to be admitted into the freedom of the said new company, shall, on or before the said thirtieth day of *June*, one thousand seven hundred and fifty, have paid into the hands of the town clerk of *Liverpool*, the sum of forty shillings each for their freedom in the said company, shall or may assemble on the said tenth day of *July*, one thousand seven hundred and fifty, in the town hall of *Liverpool*; and they, or the major part of them, who shall be so assembled, shall and may choofe three other persons; and the nine persons so to be chosen in the manner before expressed, shall be the first annual committee for managing the affairs of the said company, and shall continue in office for one year, and until others shall be chosen in their room respectively, as is herein after mentioned.

who are to continue for one year.

Elections to be on 3 July yearly.

VII. And it is hereby further enacted by the authority aforesaid, That in all future elections, the said committee of nine persons shall annually, on the third day of *July* in every year, be nominated and chosen as follows; that is to say, three of the said committee shall be nominated and chosen by the major part of the freemen of the said company, admitted to the freedom of the said company in *London*, who shall assemble for that purpose at *London*; three other persons to be of the said committee, shall be chosen and nominated by the major part of the freemen of the said company admitted to the freedom of the said company in *Bristol*, who shall assemble for that purpose at *Bristol*; and three other persons to be of the said committee, shall be chosen and nominated by the major part of the freemen of the said company admitted to the freedom of the said company in the

town of *Liverpool*, who shall assemble for that purpose at *Liverpool*.

VIII. And be it further enacted, That it shall and may be lawful for the major part of the freemen of the said company, made free at *London*, assembled for that purpose at *London*, from time to time, at their will and pleasure, to choose and supply one or more committee-man, or committee-men, in the place or places of any of the committee-men by them chosen, that shall happen to die, be removed, or refuse to act; and in like manner, That it shall and may be lawful for the major part of the freemen of the said company, made free at *Bristol*, assembled for that purpose at *Bristol*, from time to time, at their will and pleasure, to choose and supply one or more committee-man or committee-men, in the place or places of any of the committee-men by them chosen, that shall happen to die, be removed, or refuse to act: and that it shall and may be lawful for the major part of the freemen of the said company, made free at *Liverpool*, assembled for that purpose at *Liverpool*, from time to time, at their will and pleasure, to choose and supply one or more committee-man, or committee-men, in the place or places of any of the committee-men by them chosen, that shall happen to die, be removed, or refuse to act: and publick notice shall be inserted in the *London Gazette*, previous to every such election, by the committee for managing the affairs of the said company, of the time and place when and where such election is to be had, ten days at least before the time appointed for such election.

Power to choose other committee-men in the room of those who shall die, &c.

10 days notice of such election to be given in the *London Gazette*.

IX. Provided always, and be it further enacted by the authority aforesaid, That in case at the time appointed for the first and other elections of the said committee-men, the traders admitted to their freedom, in any one or more of the said cities and towns respectively, shall neglect to proceed to such choice; in that case, such other of the persons who shall be chosen by the traders admitted to their freedom in the other of the said cities or towns, or the major part of them, though less in number than nine, shall or may act as the committee for managing the affairs of the said company, until the next annual election; and that all elections of committee-men for managing the affairs of the said company, shall be determined by the majority of votes then present; and that in all cases, where the third day of *July* shall happen to fall or be on a *Sunday*, the annual election of committee-men shall be had and made on *Monday* the fourth day of *uly*.

If no election be made by the traders of one town such as shall be elected by the other, shall manage the affairs.

Where 3 July shall be a *Sunday*, the election to be on the 4th.

X. Provided always, That in case of an equality of votes, the lord mayor of *London*, the mayor of *Bristol*, and the mayor of *Liverpool* respectively, shall and may determine which of such persons shall be the committee-man or committee-men.

In equality of votes, the mayor to determine.

XI. And be it further enacted by the authority aforesaid, That the said committee for managing the affairs of the said new company, shall meet together for the first time on the first *Monday* in *August*, one thousand seven hundred and fifty, and shall then settle the manner of their future meetings, and of the notices and summons to be sent for that purpose, from time to time,

First meeting of the committee.

No orders of the committee to which all are not consenting, to be valid, unless confirmed at a subsequent meeting,

to the members of the said committee; and no order or resolution of the said committee, to which all the members of the said committee, present at the making thereof, shall not be consenting, shall be valid or binding, unless the same shall be approved and confirmed at a subsequent meeting of the said committee, at which all the members of the said committee shall be present, or of which, such of them as shall happen to be absent, shall have had the usual notice.

chairman to be chosen.

Committee-men absent at the choice of the chairman not to vote.

XII. And be it further enacted by the authority aforesaid, That on every meeting of the said committee, when the time prefixed for entering on business shall be come, and the said nine committee-men, or so many of them as are necessary to make a committee, shall be present, before they enter upon business, a chairman shall be chosen by lot out of the committee-men then present, who shall take the chair for that meeting; and shall not be permitted to give his vote that day on any question before the said committee, unless there shall happen to be an equality of votes on any question or questions; in all which cases the said chairman shall be at liberty to give his vote on which side of the question he shall judge to be right; and to prevent any of the said committee-men from being designedly absent when a chairman is to be chosen, every committee-man, who shall not be present at the choice of the chairman, shall not be permitted to vote on any question before the committee that day; but shall be at liberty to be present, and give his opinion in all matters whatsoever, as any other committee-man may do: and all matters which shall be decided by a plurality of votes of such committee-men as shall be intitled to vote, shall be deemed and taken to be decided by a majority of committee-men present; any thing in this act to the contrary notwithstanding.

Traders paying 40s. on or before 30 June, 1750, to be the first members, &c.

XIII. And be it further enacted by the authority aforesaid, That such of his Majesty's subjects, who shall, on or before the said thirtieth day of *June*, one thousand seven hundred and fifty pay to the chamberlain of *London*, the clerk of the merchants hall in *Bristol*, or the town clerk of *Liverpool* respectively, the sum of forty shillings each, for their freedom in the said company, shall be the first freemen and members of the said new company established by this act: and that, from and after the said thirtieth day of *June*, one thousand seven hundred and fifty, any other of his Majesty's subjects, trading, or intending to trade to or from *Africa*, shall and may be admitted to be a freeman or member of the said company at *London*, *Bristol*, or *Liverpool*, upon his payment of the sum of forty shillings for the same, to such person or persons, as the committee for managing the affairs of the said company shall, and are hereby required, from time to time, to appoint to receive the same in *London*, *Bristol*, or *Liverpool*, respectively.

Persons admitted after 30 June, not to vote at any election for a year.

XIV. Provided always, That no persons so admitted, after the said thirtieth day of *June*, one thousand seven hundred and fifty, shall be intitled to vote for the election of any committee-man, until one year after such admission.

XV. And be it further enacted by the authority aforesaid, That the chamberlain of *London*, the clerk of the merchants hall in *Bristol*, the town clerk of *Liverpool*, and such other persons whom the committee for managing the affairs of the said company shall, at any time hereafter, appoint to receive the said sums of forty shillings for the admission of persons into the freedom of the said company, shall, upon their receiving the same, sign and deliver a certificate to the person paying the same, certifying his having paid the sum of forty shillings for his being admitted into the freedom of the said company; for which certificate there shall be paid to the person appointed to receive the said sums of forty shillings, the sum of two shillings and six pence, and no more, as a fee or reward for his trouble therein, and the names and places of abode of every person paying the said sum of forty shillings, shall be entered in any book or books which the person receiving the same is hereby required to keep for that purpose.

Certificates of persons admitted.

Fee of the certificate.

Names of the company to be entered.

XVI. And be it further enacted by the authority aforesaid, That the chamberlain of *London*, the clerk of the merchants hall at *Bristol*, and the town clerk of *Liverpool*, shall respectively pay over the several sums of forty shillings, which shall have been paid to them for freedoms of the said company, to such person or persons whom the committee of the said company shall authorize to receive the same; and shall, at the same time, deliver over the books, in which the names and places of abode of the persons who shall have respectively paid the said sums of forty shillings each for their freedoms in the said company, shall have been entered, to such person or persons as the said committee shall appoint to receive the same.

Sums received for freedoms, to be paid to the order of the committee, &c.

XVII. And be it further enacted by the authority aforesaid, That the person or persons who shall, from time to time, be appointed by the said committee at *London*, *Bristol*, and *Liverpool*, to receive the said sums of forty shillings, payable by persons on their being admitted into the freedom of the said company, shall annually, or oftener, if required by the said committee, pay and deliver over all such sums, which shall have been paid to them respectively for freedoms in the said company, together with lists of the names and places of abode of the persons from whom they shall have respectively received the same, to the said committee, or as they shall, from time to time, direct.

Receivers to pay the same annually, and to deliver lists of the names.

XVIII. And be it further enacted by the authority aforesaid, That a true and exact list shall, from time to time, be made and kept at the office or place where the said committee shall transact their business in *London*, of the names and places of abode of all persons admitted into the freedom of the said company, distinguishing the place where each person was admitted; which list shall annually, ten days at least before the annual elections, be printed and delivered, without fee or reward, to such of the persons admitted into the freedom of the said company, who shall desire the same.

List of the company to be kept at the office.

and to be printed annually before the elections.

XIX. And be it further enacted by the authority aforesaid,

None to be chosen into the committee above 3 years fucceffively, &c.

or to trade in partnership, &c.

Committee may veft the money in the purchafe of goods to be fent to Africa, for the ufe of the fettlements;

but not carry on a trade to and from Africa.

Books of the receipts and payments to be opened.

The commiffioners for trade may remove any of the committee-men, officers, &c.

On removal of a committee-man, notice to be given.

Commiffioners to fummon and hear any

That no perfon fhall be capable of being chofen, or acting as a committee-man, above three years fucceffively; and two or more perfons, who fhall be in copartnership in trade, fhall not be capable to be chofen or act as committee-men, during the fame time or year: and the faid nine perfons or any of them, fhall not, during fuch time as they fhall be of the faid committee, in any manner, directly or indirectly, trade jointly, or in copartnership to *Africa*, or lade, or caufe to be laden, any goods or merchandizes on board the fame fhip, in which any one of the faid nine committee-men fhall, for that voyage, have before laden goods to be carried to any place in *Africa*.

XX. And be it further enacted, That the faid committee fhall and may, from time to time, inveft fuch part of the moneey in their hands, as they fhall judge neceffary, in the purchafe of goods and ftores, which, after the fame are infured, which they are hereby impowered and required to procure to be done, are to be fent and exported to *Africa*, there to be fold, difpofed of, and applied for the fole ufe, prefervation, and improvement of the forts and fettlements there, and for the payment of the falaries and wages to the officers, and other perfons employed for keeping and preferving the faid forts and fettlements, and not otherwife: but it fhall not be lawful for the faid committee to carry, or caufe to be carried, or exported from *Africa*, any negroes, or other goods, in return for the faid goods they fhall fo export from *Great Britain*, or in any other manner to carry on any trade to or from *Africa*: and a juft and true account of the faid committee's receipts and payments fhall, from time to time, be kept in a book or books for that purpofe: which book or books fhall be open at the office or place where the faid committee fhall tranfact the affairs and bufinefs of the faid company in *London*, to be perufed at all feafonable times by any perfon admitted to the freedom of the faid company, without fee or reward.

XXI. And be it further enacted by the authority aforefaid, That the commiffioners for trade and plantations are hereby authorized and impowered from time to time, in cafe any of the faid committee-men, or any officer or fervant appointed by them, fhall be guilty of any mifbehaviour, contrary to the true intent and meaning of this act, to remove any of the faid committee-men, officers, or fervants, from their employments, giving notice of fuch removal, and fpecifying the caufes thereof, to the faid committee, and when a committee-man, fhall be fo removed, the faid committee fhall give notice forthwith to the mayor of the city or town by whom the faid committee-man was chofen, to elect another in the room or ftead of him fo removed; and if an officer or fervant fhall be fo removed, the faid committee are hereby impowered to appoint another in the room or ftead of him or them fo removed.

XXII. Provided neverthelefs, That whenever any committee-man fhall be charged with mifbehaviour in his employment, the commiffioners for trade and plantations fhall fummon fuch

committee-man to appear before them, and shall, in case he attends, hear such committee-man; and upon his attendance or default, examine into the truth of the said charge, before they shall remove him from his employment as aforesaid; any thing herein contained to the contrary notwithstanding.

XXIII. And be it further enacted by the authority aforesaid, That the said committee shall, and they are hereby required to render a just and perfect account of all their transactions once a year, to the commissioners for trade and plantations, or oftener, if thereunto required by the said commissioners, or any three or more of them; in which shall be contained an account of all the monies received and disbursed by the said committee, or their order; and also an account of all the orders and instructions given by the said committee, as well to their officers and servants in *Great Britain*, as on the coast of *Africa*; and all the answers given thereto by the said officers and servants employed by the said committee; and of all other matters or thing whatsoever which shall be transacted by the said committee.

XXIV. And be it further enacted by the authority aforesaid, That the said committee, out of the monies they shall receive, shall deduct annually a sum, not exceeding the sum of eight hundred pounds, for defraying, in the first place, the salaries of their clerks and agents at *London*, *Bristol*, and *Liverpool*, the house-rent of their office in *London*, and all other charges of management, commission or agency, in *England*; and the residue of the said eight hundred pounds shall be shared and divided amongst themselves, as they shall judge proper, as a compensation for their trouble and attendance in the said office of committee-men; and the rest of the monies which the said committee shall receive for the admission of persons into the freedom of the said company, or otherwise, shall be applied and appropriated wholly to the maintenance, support, and improvement of the forts and settlements already built, or which hereafter shall be built, on the coast of *Africa*, which shall be in the possession of the said company; and for keeping them in good repair; and for providing ammunition, and other stores, and officers and soldiers to defend the same; and for paying the said officers and soldiers; and to and for no other use or purpose whatsoever.

XXV. And be it further enacted by the authority aforesaid, That the said committee shall, within one month after the expiration of the year for or during which they shall have been chosen committee-men, lay before the curfitor baron of the court of *exchequer*, an account of all the money received by the committee during the preceding year, and of the application thereof, upon oath; and the said curfitor baron shall, within one month after the said account shall be laid before him, examine, pass, and audite the same; and for the better discovering of the truth of such account, the said curfitor baron is hereby empowered to examine any of the said committee-men, and such other person or persons as he shall judge necessary, upon oath,



oath, touching the articles or particulars in ſuch account expreſſed, or ſuch of them as the ſaid curſitor baron ſhall think fit; which account, ſo audited and paſſed by the curſitor baron, ſhall be final and concluſive, and ſhall be a full and abſolute diſcharge to the ſaid committee-men, without their being compelled to give or render any further or other account thereof; and the ſaid committee ſhall, every ſeſſion of parliament, lay before the parliament a copy of ſuch annual account, audited as aforeſaid, and of all orders and regulations made by them in the preceding year, relating to the ſaid forts and ſettlements, or the government of their officers or ſervants employed therein; and copies of every ſuch annual account, orders, and regulations, ſhall be annually laid before a general meeting of the members of the ſaid company, to be had in *London*, *Briſtol*, and *Liverpool* reſpectively; of which fourteen days notice ſhall be pre- viously given in the *London Gazette*.

and a copy thereof, and of their proceedings, before the parliament,

and before a general meeting.

Traders not to be obſtruded,

XXVI. And be it further enacted by the authority aforeſaid, That no officer, or any other perſon to be employed by the ſaid committee, at any of the forts or ſettlements built or to be built in *Africa*, ſhall at any time hereafter, in any manner, or on any pretence, obſtrudt or hinder any of his Majeſty's ſubjects in trading; and that the forts, warehouses, and buildings, already erected, or which ſhall hereafter be erected, by the ſaid company, ſhall and may at all times hereafter be free and open to all his Majeſty's ſubjects, to be uſed as warehouses for depoſiting gunpowder, gold, elephants teeth, wax, gums, and drugs, and no other goods.

The buildings to be free for warehouses;

and for ſafety of their perſons.

XXVII. Provided nevertheleſs, That the ſaid forts, warehouses, and buildings, may and ſhall, in caſe of neceſſity or danger, be free and open to all his Majeſty's ſubjects, for the ſafety of their perſons, and ſecurity of all their effects whatſoever.

Traders may build houſes under the protection of the forts.

XXVIII. And be it enacted by the authority aforeſaid, That it ſhall and may be lawful for any of his Majeſty's ſubjects trading to *Africa*, for the ſecurity of their goods or ſlaves, to erect houſes and warehouses, under the protection of the ſaid forts, or elſewhere in any other part of *Africa* within the limits aforeſaid, for the better carrying on of his or their trade there; which houſes and warehouses ſhall be the property of the perſon or perſons who ſhall build the ſame; but ſhall not be diſpoſed of, or lett, to any foreigner whatſoever.

Penalty on maſters of veſſels committing violence, &c. on the natives.

XXIX. And be it further enacted by the authority aforeſaid, That no commander or maſter of any ſhip trading to *Africa*, ſhall by fraud, force, or violence, or by any other indirecdt practice whatſoever, take on board, or carry away from the coaſt of *Africa*, any negro or native of the ſaid country, or commit, or ſuffer to be committed, any violence on the natives, to the prejudice of the ſaid trade; and that every perſon ſo offending, ſhall, for every ſuch offence, forfeit the ſum of one hundred pounds of lawful money of *Great Britain*; one moiety thereof to the uſe of the ſaid company hereby eſtabliſhed, and their ſucceſſors,

cessors, for and towards the maintaining the said forts and settlements, and the other moiety to and for the use of him or them who shall inform or sue for the same.

XXX. And be it further enacted by the authority aforesaid, That the lord high admiral of *Great Britain*, or the commissioners for executing the office of lord high admiral of *Great Britain* for the time being, shall, from time to time, give instructions to the captains of such of his Majesty's ships of war as shall be stationed or ordered to cruise within the limits aforesaid, from time to time, to inspect and report to them the state and condition in which the said forts and settlements shall be; and the officers of such forts are required to permit such captains to view and inspect the same; and copies of all such reports shall, every session of parliament, be laid before parliament.

Instructions to be given to captains of men of war, to inspect the condition of the forts. Reports to be laid before parliament.

XXXI. And be it further enacted by the authority aforesaid, That such commission officers of his Majesty's navy, as the lord high admiral of *Great Britain*, or the commissioners for executing the office of lord high admiral of *Great Britain*, for the time being, shall appoint for that purpose, shall inspect and examine the state and condition of the forts and settlements on the coast of *Africa*, in the possession of the said royal *African* company, and of the number of soldiers therein, and also the state and condition of the military stores, castles, slaves, canoes, and other vessels and things, belonging to the said company, and necessary for the use and defence of the said forts and settlements, and shall with all possible dispatch report how they find the same, to the said lord high admiral, or commissioners for executing the said office; and the said company, and their officers and servants, are hereby required to permit the said officers of the navy to make such inspection and examination, and to assist them therein; a copy of which report shall be laid before parliament at the beginning of the next session.

Officers of the navy to inquire into the condition of forts, &c.

XXXII. And be it further enacted by the authority aforesaid, That the accountant general of the high court of *Chancery* for the time being, and such two of the other masters of the said court, as the lord high chancellor of *Great Britain* for the time being, or lord keeper of the great seal of *Great Britain* for the time being, or the lords commissioners for the great seal of *Great Britain* for the time being, shall, from time to time, nominate for that purpose, shall be, and they are hereby constituted and appointed commissioners for examining into the claims of the creditors of the said royal *African* company: and such commissioners, or any two of them, are hereby empowered and required, by the examination of the parties interested, or the testimony of witnesses upon oath, or by the inspection and examination of the books, deeds, writings, and accounts of the said company, and their creditors respectively, or otherwise, according to their discretion, to examine into the said claims, and to enquire and state how and when the same were respectively incurred, and for what consideration the same were originally, really, and *bona fide*, contracted or became due; and upon what

Commissioners appointed to examine the claims of the creditors, &c.

confi-

consideration, and when the claimants became respectively intitled thereto, together with their opinion of the justness and reasonableness of such debts respectively; and for that purpose all and every the creditors of the said company are hereby required on or before the respective days and times hereafter limited and appointed for that purpose, to deliver or cause to be delivered in writing under their respective hands, or the hands of persons by them respectively authorized, unto such officer or officers, and at such place within the city of *London*, as the said commissioners, or any two of them shall appoint, of which notice shall be given in the *London Gazette*, a just and true account of their respective claims upon the said company, together with a true copy of the securities by which they respectively claim the same, and such of the said creditors as reside in *Great Britain* or *Ireland*, shall make their respective claims on or before the thirtieth day of *August*, one thousand seven hundred and fifty, and such of them as are resident on the coast of *Africa*, or elsewhere beyond the seas, shall make their respective claims on or before the thirtieth day of *December*, one thousand seven hundred and fifty; and the directors and officers of the said company, and all other persons whatsoever, whom the said commissioners, or any two of them shall think fit to examine, touching the matters aforesaid, are hereby strictly required and enjoined to attend the said commissioners, from time to time, and at all such times and places as the said commissioners, or any two of them, shall under their hands require or appoint, and to give the best and truest information they can, touching the said claims, and to produce all books, papers, deeds, or records relating thereto, in their respective custody or power, as the said commissioners, or any two of them shall direct; and the said commissioners, or any two of them are hereby authorized to administer an oath, for the better discovery of the truth of the facts, touching which such examination or inquiry shall be made; and they are hereby required to close and finish their examinations of all the claims that shall be made by such of the said creditors, who reside in *Great Britain* or *Ireland*, at the farthest, on or before the thirty first day of *January*, one thousand seven hundred and fifty, and of all the claims that shall be made by such of the said creditors who reside in *Africa*, or any other parts beyond the seas, on or before the twenty eighth day of *February*, one thousand seven hundred and fifty; and the said commissioners shall lay accounts of their proceedings before the parliament with all convenient speed.

Time for closing their examinations.

Accounts to be laid before parliament.

Persons summoned not appearing, &c. to be committed.

XXXIII. And be it further enacted by the authority aforesaid, That in case any person or persons summoned to appear before the said commissioners, shall wilfully neglect or refuse to appear and be examined touching the matters and things by this act directed to be inquired into, or shall refuse to answer, or shall not fully answer to the satisfaction of the commissioners present at the time of such examination, or any two of them, all questions put to him, her, or them, by the said commissioners, or any

two of them, as well by word of mouth as by interrogatories in writing; or shall refuse or wilfully neglect to produce, from time to time, to the said commissioners, or any two of them, all books of accounts, papers, and writings, in their custody or power, relating to the matters herein directed to be inquired in, to by the said commissioners, as the said commissioners, or any two of them, shall, from time to time direct, then and in every such case it shall and may be lawful to and for the said commissioners, or any two of them, by warrant under their hands and seals, to commit him, her, or them, to such prison, as the said commissioners, or any two of them, shall think fit, there to remain, without bail or mainprize, until such person or persons shall submit him, her, or themselves, to the said commissioners, and produce before them such books of accounts, papers, and writings, upon oath, and full answer make, to the satisfaction of the commissioners, to all such questions as shall be put to him, her, or them, as aforesaid, according to the true intent and meaning of this act; and the said commissioners, in every case where any person or persons shall be by them committed for refusing to answer, or for not fully answering any question or questions put to him, her, or them, by the said commissioners, by word of mouth, or upon interrogatories, shall in their warrants of commitment specify such question or questions.

XXXIV. And be it further enacted by the authority aforesaid, That the said royal African company, their directors, officers, and servants, and every of them, shall, for the space of one year, to be computed from the seventeenth day of *March*, one thousand seven hundred and forty nine, be, and they are hereby restrained and disabled from assigning, transferring, or disposing of all or any their military stores, ammunition, slaves, canoes, vessels, and things necessary for the use or defence of their forts and settlements; and all actions, suits, and process, depending, or which shall be hereafter commenced or prosecuted by any person or persons for recovery of any debt or sum of money due, or pretended to be due, from the said company, or from any person or persons, for or in respect of any debt or debts contracted for or on behalf of the said company, shall be, and the same are hereby stayed for the space of one year, to be computed from the said seventeenth day of *March*, one thousand seven hundred and forty nine.

The African company restrained from disposing of stores, &c.

Suits for money due by them, stayed for 1 year.

XXXV. And whereas David Crichton, late one of the chief agents of the said company at Cape Coast Castle, now a prisoner for debt in the custody of the sheriffs of the city of London, did, with two others of the said company's agents or servants there (to wit) Thomas Chalmer and James Craik, in the year one thousand seven hundred and forty five, contract a debt at Cape Coast Castle aforesaid, of fourteen hundred pounds, for and on the behalf of the said company, for the support and maintenance of their forts and servants: and whereas the said David Crichton now stands charged in the custody of the said sheriffs, in execution, on a judgment given in the court of King's Bench, at the suit of one William

liam

William Stead, for the debt aforesaid, which, together with costs of suit, and interest thereon, amounts in the whole to the sum of sixteen hundred and four pounds, sixteen shillings, and six pence, upon a judgment obtained against him in his Majesty's court of King's Bench, by the said William Stead; be it therefore enacted by the authority aforesaid, That the said David Crichton be forthwith discharged out of the custody of the said sheriffs upon the said David Crichton's giving a new judgment to the said William Stead, for the said sum of sixteen hundred and four pounds, sixteen shillings, and six pence, with stay of execution thereon, for one year, to be computed from the said seventeenth day of March, one thousand seven hundred and forty nine: and further, That the said David Crichton do enter into a bond to the said William Stead, with two sureties to be approved of by one of the judges of the court of King's Bench, in double the penalty of the said sum of sixteen hundred and four pounds, sixteen shillings, and six pence, with which the said David Crichton stands charged in custody, with condition that he the said David Crichton will not withdraw himself out of England, but will always be ready, either in London or Middlesex, at the expiration of the said year, to be subject to any process the said William Stead shall think proper to take out against him.

David Crichton in custody for a debt on behalf of the company, to be discharged.

Expences of this act,

XXXVI. And be it further enacted by the authority aforesaid, That the expences of obtaining and passing this act, shall be defrayed and paid by the said committee for managing the affairs of the said new company, out of the first monies they shall receive for the admissions of persons into the freedom thereof; and the expences of the said commissioners, their officers and servants, and of the inquiry to be made in pursuance of this act, shall be defrayed, in the first place, out of such compensation as shall be hereafter granted by parliament, on the said royal African company's being divested of their charter, lands, forts, castles, slaves, and other effects.

and of the commissioners.

Penalties how to be recovered.

XXXVII. And be it further enacted by the authority aforesaid, That the penalties inflicted by this act may be sued for and recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at Westminster, or in any of the courts of his Majesty's plantations or colonies in America, wherein no essoin, protection, privilege, or wager of law, or more than one imparlance, shall be allowed; and all and every offence and offences which any person or persons shall be guilty of on the high sea, or on shore, within the limits before mentioned, contrary to this act, shall be enquired of and determined in his Majesty's court of King's Bench at Westminster, or before such commissioners, and in such county of this realm, as shall be assigned by his Majesty's commission, and by good and lawful men of the same county.

Limitation of actions.

XXXVIII. And it is hereby further enacted by the authority aforesaid, That if any action or actions shall be commenced or brought against any person or persons for what he or they shall do,

do, or cauſe to be done, in purſuance of this act, then, and in every ſuch caſe, ſuch perſon or perſons ſhall and may plead the general iſſue, and give this act and the ſpecial matter in evidence; any law or uſage to the contrary thereof in any wiſe notwithstanding.

General iſſue.

XXXIX. And be it further enacted by the authority aforeſaid, That this act ſhall be deemed and taken to be a publick act, and ſhall be taken notice of as ſuch, by all judges, juſtices, and other perſons whatſoever, without ſpecially pleading the ſame.

Publick act.

## CAP. XXXII.

*An act for granting to his Maſteſty certain duties upon ſuch ſpecies of ſail cloth as are therein mentioned, which ſhall be imported from Ireland into Great Britain, during the time therein limited.*

WHEREAS large bounties have been granted and allowed by the parliament of Ireland on ſail cloth of the manufacture of ſoat kingdom, which hath encouraged the importation of conſiderable quantities of the ſaid manufacture into Great Britain, which may tend to the prejudice of the ſaid manufacture in this kingdom: we your Maſteſty's moſt dutiful and loyal ſubjects, the commons of Great Britain, in parliament aſſembled, do give and grant unto your Maſteſty, your heirs and ſucceſſors, ſuch duties on ſail cloth imported from Ireland as are herein after mentioned; and do moſt humbly beſeech your Maſteſty, that it may be enacted; and be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the twenty ninth day of September, one thouſand ſeven hundred and fifty, the ſeveral duties following ſhall be levied and paid to his Maſteſty, his heirs and ſucceſſors, upon all canvas or ſail cloth of the manufacture of Ireland, imported into Great Britain (on which the ſeveral bounties of four pence, and two pence a yard reſpectively, granted by an act of parliament made in Ireland in the nineteenth year of his preſent Maſteſty's reign, ſhall have been allowed) that is to ſay, For each yard of all ſuch canvas or ſail cloth imported as aforeſaid, of the value of fourteen pence a yard, and upwards, a duty of four pence; and for each yard of ſuch canvas or ſail cloth, imported as aforeſaid, of the value of ten pence a yard, and under fourteen pence a yard, a duty of two pence: which reſpective duties ſhall be levied, recovered, and paid, by ſuch means and methods, and under ſuch penalties and forfeitures, and ſhall be applied to the ſame uſes and purpoſes, as the duties now payable upon the importation of foreign ſail cloth are collected, levied, and applied.

Duties on the importation of Irith canvas, or ſail cloth.

Method of levying and applying the duties;

II. And be it enacted by the authority aforeſaid, in order to prevent frauds, and to aſcertain upon what canvas or ſail cloth the ſaid bounties of four pence and two pence ſhall have been paid,

and for aſcertaining upon what canvas or ſail cloth,

Jurisdiction of the county court, not extended by this act.

other than such person or persons as was or were liable to be summoned to the county court of *Middlesex*, before this act was made, and that this act shall not extend to give the said county court any jurisdiction to hold plea of, or to hear or determine any action, cause or suit, other than such action, cause, or suit; as the county court of *Middlesex* might have held plea of by plaint before the making of this act.

Parties not conforming, may be committed.

V. And be it enacted by the authority aforesaid, That from and after the said twenty fourth day of *June*, after any plaint shall have been entered as aforesaid, and the defendant or defendants shall have been duly summoned, and either the plaintiff or plaintiffs in the said plaint named, or the defendant or defendants shall neglect or refuse to abide by and perform such order or orders, as the said suitors and county clerk shall, from time to time, make, pronounce, and set down in writing; then it shall and may be lawful to and for the county clerk for the time being, by warrant in writing under his seal, to commit such plaintiff or plaintiffs, defendant or defendants, to the county gaol of the said county, or any other common gaol within the said county, there to remain for the space of three calendar months, or any shorter space of time, at the discretion of the said suitors and county clerk; provided nevertheless, that if the person or persons so committed shall, before the expiration of the time for which he, she, or they shall be committed, perform such order or orders, then he, she, or they shall forthwith be discharged.

Where an order for payment of money shall be made, the county clerk may issue a precept for levying.

VI. And be it enacted by the authority aforesaid, That in any case where the said suitors and county clerk shall have made any order or decree for the payment of money, it shall and may be lawful for the said county clerk, at the prayer of the party prosecuting such order or decree, to issue a precept under his seal in the nature of a writ of *Fieri Facias*, which precept shall be directed to one of the bailiffs attending the said court, who is hereby authorized to levy the sum or sums of money mentioned in such precept, in the same manner as any sheriff may levy money by virtue of any writ of *Fieri Facias* issuing out of any of his Majesty's courts of record at *Westminster*.

Under sheriff to deliver every month, three lists of 12 freeholders, to attend.

VII. And be it enacted by the authority aforesaid, That the under sheriff of *Middlesex* for the time being, after the said twenty fourth day of *June*, shall, six days before the end of every month, deliver to the county clerk of the said county three several lists, each list containing the names and places of abode of twelve persons, to be by the said sheriff taken from the freeholders book of the said county of *Middlesex*, as suitors to attend the said county court for the succeeding month for the several divisions hereafter named; that is to say, one list for the hundred of *Ossulston*, one for the hundred of *Iseworth* and *Elthorne*, and one for the hundred of *Edmonton*; and the county clerk of the said county shall cause the said persons in the said several lists named, to be summoned to attend the said court at the time and place to be mentioned in the said summons; for each

each of which lifts the faid county clerk shall pay the faid under sheriff the fum of four pence, and no more; and no other fuitor, except the persons fo summoned, shall have any voice in the faid county court, held under the authority of this act; and no person shall be liable to be put upon fuch lift to attend the faid court as a fuitor thereof, oftner than once in every year.

None to attend but once in a year.

VIII. And be it further enacted, That if any fuitor fo qualified as aforesaid, after having been duly summoned to attend the faid court, shall neglect or refuse to attend according to fuch summons, and there shall not be a sufficient number of fuitors to proceed in the business of the faid court, then it shall and may be lawful for the faid county clerk to amerce fuch fuitor as shall not attend in any fum not exceeding twenty shillings, to the use of the poor of the parish where the faid court shall fit, to be recovered by the overseers of the poor of the faid parish for the time being, or any one of them; by plaint in the faid county court, in the same manner as any other debt or demand may be recovered in the faid court under the authority of this act.

Suitors not attending, to be amerced 20 s.

IX. Provided always, and be it enacted by the authority aforesaid, That no person or persons residing or dwelling within the hundreds of *Goars, Elthorne, Spelthorne, or Ifleworth*, shall be liable or obliged to attend the faid county court, either as a fuitor or defendant, in any other place than within the faid hundreds of *Ifleworth or Elthorne*; and no person or persons residing or dwelling within the hundred at *Edmonton*, shall be liable or obliged to attend the faid court in any other place than within the faid hundred of *Edmonton*.

Where the inhabitants of particular places shall be liable to attend.

X. And be it further enacted, That every fuitor attending the faid court, before he enters on the hearing or determining any matter in controversy, shall take the following oath to be administered by the faid county clerk or his deputy, who is hereby authorized to administer the same, that is to say,

Suitors to be sworn.

**I** Swear, That I will impartially and truly bear and determine the several matters in controversy which shall be brought before me, as a fuitor of this court, according to the evidence, and the best of my skill and judgement.

The oath.

So help me God.

XI. And be it enacted by the authority aforesaid, That if any person or persons shall be guilty of any contempt or disturbance of the faid court, sitting the court, then it shall and may be lawful for the faid fuitors and county clerk to order fuch person or persons to be taken into the custody of any officer or officers attending the faid court, which officer or officers is and are hereby required and authorized to detain fuch person or persons in his or their custody during the sitting of the faid court, and the faid fuitors and county clerk may, if they think fit, amerce fuch person or persons, in any fum, not exceeding forty shillings, to the use of the poor of the parish where the faid court

Penalty on contempt or disturbance of the court.



shall fit, to be recovered by the overseers of the poor of the said parish for the time being, or any one of them, by plaint, in the said county court, in the same manner as any other debt or demand may be recovered in the said court under the authority of this act.

County clerks,  
and officers  
fees.

XII. And be it further enacted, That the county clerk for the time being, and the other officers of the said court, shall receive and take the fees under-written, and no other or greater fees, that is to say,

The county clerk for entering the plaint, four pence.

For every warrant, four pence.

For every summons, four pence.

For every order, eight pence.

For entering every order, four pence.

For hearing, six pence.

For execution, four pence.

For entering the appearance of the defendant or defendants, six pence.

The crier for every call, one penny.

The officer for summoning, four pence.

The officer for execution on the goods, two shillings.

On the person, three shillings.

Table of fees to be hung up. A table of which fees shall be publickly hung up in every place where the said county court shall be held.

William  
Whittaker  
esquire, con-  
tinued county  
clerk.

XIII. And be it enacted by the authority aforesaid, That *William Whitaker* of the *Middle Temple, London*, esquire, the present county clerk of the said county of *Middlesex*, shall continue county clerk of the said county, so long as he shall behave himself well in the said office; and from and after the resignation, removal, or death of the said *William Whitaker*, and so often as the said office shall become vacant, the sheriff of the county of *Middlesex* for the time being, shall appoint a sufficient person to be county clerk of the said county, who at the time of such appointment shall be of the degree of an utter barrister of three years standing at the bar, and be approved by the lord high chancellor, lord keeper or commissioners of the great seal, the lord chief justice of the court of *King's Bench*, and the lord chief justice of the court of *Common Pleas* for the time being, or any two of them, which person so appointed and approved shall continue county clerk so long as he shall behave himself well.

Sheriff to ap-  
point future  
county clerks.

County clerk  
to be sworn.

XIV. And be it enacted by the authority aforesaid, That the said *William Whitaker* shall, within one month after the said twenty fourth day of *June*, and every succeeding county clerk of the said county, within one month after his appointment and approbation as aforesaid, take the following oath in the county court aforesaid, that is to say,

The oath.

**I** A. B. do swear, That I will well and truly execute the office of county clerk of the county of *Middlesex*, according to the best of my

my skill and knowledge, and that I will not deny or delay justice, and will not by myself, or knowingly by any deputies, clerks, or servants under me, or by any other person or persons, receive or take, or cause, or permit, or suffer to be received or taken, any greater or other fees in my said office of county clerk, than such as are directed to be taken in and by an act made in the twenty third year of the reign of his majesty King George the Second, intituled, An act for preventing delays and expences in the proceedings in the county court of *Middlesex*, and for the more easy and speedy recovery of small debts within the said county court.

So help me God.

Which oath shall and may be administered by any two suitors Oath to be present, and shall be entered in the county court book, and gistered. signed by the said county clerk, and attested by the suitors present at the administration thereof.

XV. And be it enacted by the authority aforesaid, That if County clerk shall and may be lawful to and for the county clerk of the said county for the time being, to appoint his sufficient deputy to act for him in the said office of county clerk, which deputy in the absence of the said county clerk, shall have the same authority as if himself was present, provided nevertheless that such deputy be of the degree of an utter barrister of three years standing at the bar, and provided such deputy be nominated by the said county clerk in open court, three weeks at the least before his appointment, and the majority of the suitors present at the said appointment assent thereto; and the said deputy shall at every court before he proceeds to the hearing or determining any matter in controversy, take the oath herein before directed to be taken by the suitors of the said court, except the words, *As a suitor of this court*, which oath shall and may be administered by any two of the suitors present. Deputy to be sworn.

XVI. And be it enacted by the authority aforesaid, That if Method of proceeding against the county clerk, for misbehaviour. the said county clerk, or any other county clerk of the said county, shall not behave himself well in his said office, it shall and may be lawful for any twenty four or more freeholders of the said county, to apply by petition to the lord high chancellor, lord keeper or commissioners of the great seal for the time being, thereby complaining of the misbehaviour of the said county clerk, and upon such petition it shall and may be lawful for the said lord high chancellor, lord keeper or commissioners of the great seal, the lord chief justice of the court of *King's Bench*, and the lord chief justice of the court of *Common Pleas* for the time being, or any two of them, to meet together, and to hear and determine the said complaint in a summary way; and in case the said county clerk shall be found, upon due examination and proof before them, to have been guilty of any such misbehaviour in the said office, then and in such case, it shall and may be lawful for the said lord high chancellor, lord keeper or commissioners, and the said chief justices, or any two of them, to amove the said county clerk from his said office.

Penalty of perjury.

XVII. And be it enacted by the authority aforesaid, That if any person or persons shall make oath, or give evidence in any cause depending in the said county court, whereby he, she, or they shall commit wilful and corrupt perjury, and thereof be duly convicted, then every such person or persons shall incur and suffer the like pains and penalties, as any other person or persons convicted of wilful and corrupt perjury is or are liable to by the laws and statutes now in being.

Officers, &c. sued for acting,

XVIII. And be it enacted by the authority aforesaid, That in case any action or suit shall at any time hereafter be commenced or brought against any member, officer, or minister of the said county court, or against any other person or persons, for or in respect of his or their acting in pursuance of or under the authority of this act, That it shall and may be lawful for such person in every such action or suit to plead the general issue, and give this act and the special matter in evidence, and the warrant or precept under the seal of the said county clerk, being duly proved in any such action or suit, shall be deemed a sufficient proof of the authority of the said county court, and of all other proceedings in the said court, previous to the issuing of such warrant or precept; and in case the plaintiff or plaintiffs in such action or suit shall have a verdict pass against him or them, be nonsuit, or discontinue his, her, or their action or suit the defendant or defendants shall, in any of the said cases, be allowed double costs.

may plead the general issue.

Double costs.

In suits prosecuted at Westminster, which are liable to be sued in the county court,

XIX. And be it further enacted, That in case any action of debt, or action upon *Assumpsit*, shall be commenced and prosecuted after the said twenty fourth day of *June*, in any of his Majesty's courts of record at *Westminster*, and the defendant or defendants, at the time of such action brought, shall live or reside in the said county of *Middlesex*, and be liable to be summoned to the said county court, and the jury upon the trial of such cause shall find the damages for the plaintiff under the value of forty shillings, unless the judge shall in open court certify on the back of the record, that the freehold, or title to the plaintiff's land, principally came in question, or that an act of bankruptcy principally came in question at such trial, then, and in such case, no costs shall be awarded to the plaintiff in such action, but the defendant or defendants shall be intitled to, and recover double costs of suit.

the defendant to have double costs.

This act not to extend to the Tower, or the Tower Hamlets,

XX. Provided always, and be it enacted by the authority aforesaid, That nothing in this act contained shall extend, or be construed to extend, to his Majesty's *Tower of London*, or the several parishes, liberties, precincts, hamlets, and places, within the *Tower Hamlets*.

or to the city and liberty of Westminster.

XXI. Provided always, and be it enacted by the authority aforesaid, That nothing in this act contained, shall extend, or be construed to extend, to the city and liberty of *Westminster*, and the precincts of the same, and so much of the several parishes of *Saint Clement Danes*, and *Saint Mary le Strand*, in the county of *Middlesex*, as lies without the city and liberty of *Westminster*; and also in the precincts of the *Savoy*, adjoining thereto.

XXII. And

XXII. And be it further enacted, That this act shall be deemed a publick act.

## C A P. XXXIV.

*An act for permitting raw silk of the growth or produce of Persia, purchas'd in Russia, to be imported into this kingdom from any port or place belonging to the empire of Russia.*

WHEREAS by an act made in the fourteenth year of his present Majesty's reign (intituled, An act for opening a trade to and from Persia through Russia) it is (amongst other things) enacted, That from and after the twenty fourth day of June, one thousand seven hundred and forty one, it shall and may be lawful to and for any person or persons, free, or to be free, of the fellowship of English merchants for discovery of new trades, commonly called The Russia Company, exclusive of all others, to bring and import into this kingdom, in British built shipping, navigated according to law, from any port or place of or belonging to the Czar or Emperor of Russia, raw silk, or any other goods or commodities of the growth, produce or manufacture of Persia (provided such manufacture be made of the growth or produce of Persia) being purchas'd by barter with woollen, or other manufactures, goods, or commodities, exported from Great Britain to Russia, and from thence carried into Persia (gold and silver in coin or bullion excepted) or with the produce arising from the sales of such manufactures, goods, or commodities, so exported to Russia, and carried into Persia, as aforesaid, and not otherwise: and it is by the said act also further enacted, That no silk, or other produce, commodities, or manufactures of Persia, shall be imported into Great Britain through Russia, by virtue of the said act, unless the importer or importers thereof do take an oath, or (being of the people called Quakers) a solemn affirmation, before the collector, customer, or comptroller of his Majesty's customs (who are by the said act impow'ed to administer the same) at the port or place of importation, that, to the best of his or their knowledge and belief, the silk, and other the produce, commodities, or manufactures of Persia, contained in his or their entry or entries, was or were really and truly purchas'd by barter with woollen, or other manufactures, goods, or commodities, exported from Great Britain to Russia, and from thence carried into Persia (not being gold or silver in coin or bullion) or with the produce arising from the sales of such woollen, or other manufactures, goods, or commodities, so exported as aforesaid, and not otherwise; and that in default of taking such oath or affirmation, all such silk, or other the produce, commodities, or manufactures of Persia, so imported from Russia, shall be liable to be seized and forfeited, in like manner, as if the same had been imported contrary to the act made in the twelfth year of the reign of King Charles the Second, intituled, An act for encouraging and increasing of shipping and navigation: and whereas, soon after the commencement of the said act made in the fourteenth year of his present Majesty's reign, a very beneficial trade between Great Britain and Persia, through Russia, was opened, by

means whereof great quantities of raw silk, and other the goods and commodities, of the growth, produce, or manufacture of Persia, were imported into this kingdom, in return for the woollen and other manufactures, goods, and commodities of Great Britain, upon much easier and more advantageous terms than such silk, and other goods and commodities of the growth, produce, or manufacture of Persia could have been otherwise procured: but whereas the said trade between Great Britain and Persia, through Russia, hath been, for some time past, interrupted, the subjects of Great Britain not having been of late permitted to transport British manufactures, goods, and commodities into Persia, through the dominions or territories of or belonging to the empire of Russia, in consequence whereof the importation of raw silk, and other commodities of the growth, produce, or manufacture of Persia, from Russia, hath been discontinued: and whereas it would be of great advantage to the trade of this kingdom in general, as well as contribute to the increase and improvement of the silk manufactures in particular, if raw silk of the growth or produce of Persia, purchased in Russia, were permitted to be imported from any of the countries, dominions, or territories of the empire of Russia, in return for woollen and other manufactures exported from Great Britain to Russia, although the same be not carried from thence into Persia; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the twenty fifth day of December, one thousand seven hundred and fifty, it shall and may be lawful to and for any person or persons, free or to be free, of the said fellowship of *English* merchants for discovery of new trades, commonly called, *The Russia Company*, exclusive of all others, to bring and import into this kingdom, in *British* built shipping, navigated according to law, from any port or place within the countries, territories, or dominions of or belonging to the empire of *Russia*, raw silk of the growth or produce of *Persia*, which shall be purchased by barter with woollen or other manufactures, goods, or commodities exported from *Great Britain* to *Russia*, although the same be not carried from thence into *Persia*, (gold and silver in coin or bullion excepted) or with the produce arising from the sale of such manufactures, goods, or commodities, exported from *Great Britain* to *Russia* as aforesaid, and not otherwise, upon paying, or securing to be paid, the customs and other duties now payable for the same, by any law now in force, according to such rules, methods, and directions, and in the same manner and form, and with such allowances, abatements, discounts, and drawbacks, and under such penalties, forfeitures, and disabilities, as are by law prescribed and practised, on the importation of raw silk of the growth or produce of *Persia*, imported into this kingdom from any port or place in the *Levant* seas, by any person or persons free of the *Levant* or *Turkey* company; any thing in the said act made in the fourteenth year of his present Majesty's reign, or

An exclusive right granted to the Russia company, to import from Russia, raw silk of the produce of Persia.

in the faid act made in the twelfth year of the reign of King Charles the fecond, intituled, *An act for encouraging and increafing of fhipping and navigation*, to the contrary notwithstanding.

II: Provided always, and be it further enacted by the authority aforefaid, That no filk of the growth or produce of *Perfia*, shall be imported into *Great Britain*, from any of the countries, dominions, or territories of or belonging to the empire of *Ruffia*, by virtue of this act, unlefs the importer or importers thereof do make oath before the collector, customer, or comptroller of his Majesty's customs (who are hereby impowered and required to adminifter fuch oath) at the port or place of importation, that to the beft of his or their knowledge and belief the filk contained in his or their entry or entries was really and truly purchafed by barter with woollen or other manufactures, goods, or commodities, exported from *Great Britain* to *Ruffia* (not being gold or filver in coin or bullion) or with the produce arifing from the fale of fuch woollen, or other manufactures, goods, or commodities, fo exported as aforefaid, and not otherwife; and in default of making fuch oath, all fuch filk fo imported from any of the countries, dominions, or territories of or belonging to the empire of *Ruffia*, shall be liable to be feized and forfeited, in like manner as if the fame had been imported contrary to the faid act made in the twelfth year of the reign of King Charles the Second, intituled, *An act for encouraging and increafing of fhipping and navigation*.

Importers to make oath of the filk being purchafed by barter with goods exported from Great Britain to *Ruffia*.

III. Provided alfo, That nothing herein contained shall extend, or be conftrued to extend, to deprive the corporation of the united company of merchants of *England* trading to the *East Indies*, of any of the powers, privileges, franchifes, and benefits which do or shall belong to them, or which they could or might have had and enjoyed in any manner whatsoever, if this act had not been made; any thing herein contained to the contrary notwithstanding.

Rights of the East India company reserved.

IV. And be it further enacted by the authority aforefaid, That this act shall be deemed a publick act, and shall be judicially taken notice of as fuch by all judges, justices, and other persons whatsoever, without fpecially pleading the fame.

Publick act.

#### CAP. XXXV.

An act for making a better and more effectual provision for the relief of the poor, for the cleansing the ftreets, and for keeping a nightly watch, within the parifh of Saint Martin in the Fields, within the liberties of the city of Westminster.

#### CAP. XXXVI.

An act for fettling a fpend or maintenance upon the rector of the parifh of Saint George the Martyr, in the borough of Southwark, in the county of Surry, and his fucceffors, in lieu of tythes.

## C A P. XXXVII.

*An Act for building a bridge croſs the river of Thames, from Hampton Court in the county of Middleſex, to Eaſt Moulſey in the county of Surry.*

**W**HEREAS many miſchiefs and inconveniencies would be prevented, and great benefit would ariſe to the inhabitants of the counties of Middleſex and Surry, and to the publick in general, if a bridge were built croſs the river of Thames, from Hampton Court in the county of Middleſex, to the oppoſite ſhore at Eaſt Moulſey in the county of Surry: and whereas by virtue of letters patent, under the great ſeal, bearing date the twelfth day of March, in the twenty ninth year of the reign of King Charles the Second, James Clarke eſquire is become poſſeſſed of the manor of Eaſt Moulſey, with the appurtenances, in the county of Surry; and alſo all that paſſage of water upon the river of Thames, called Hampton Court Ferry, between Eaſt Moulſey and Hampton Court, and is intituled to the premiſſes for the term of twenty ſix years, or thereabouts, now remaining unexpired, and yet to come, of the term of years granted by the ſaid letters patent: and forasmuch as the ſaid James Clarke hath made his moſt humble ſuit to your Maſteſty, that your Maſteſty would be graciouſly pleaſed to give leave, that he the ſaid James Clarke may build a bridge croſs the ſaid river, from Eaſt Moulſey to Hampton Court; and your Maſteſty hath been graciouſly pleaſed to ſignify your conſent thereto; may it therefore pleaſe your Maſteſty, that it may be enacted, &c.

James Clarke eſquire impowered to build a bridge croſs the Thames from Hampton Court to Eaſt Moulſey; and to turn and make a highway or bridge leading to the ſame; making ſatisfaction for the damage. Five commiſſioners of the land tax for Middleſex and Surry, to ſettle the damage in caſe of diſpute. If the parties ſhall be diſſatisfied, or reſuſe to treat, the commiſſioners are to iſſue their precept to the ſheriff, to return a jury, to inquire and aſſeſs the recompence; their verdicts, and the judgements of the commiſſioners thereon, to be binding. Upon payment, or tender of the money, the premiſſes may be uſed. Commiſſioners may fine the ſheriff, and others, making default 40s. If in building the bridge any damage ſhall be done, for which no recompence has been made, the commiſſioners are to aſcertain the ſame by a jury. Care to be taken that there be no overflowing occaſioned by the bridge. Meeting of the commiſſioners not to be above 6 miles diſtant from the place in queſtion. The bridge veſted in James Clarke, eſquire, and his heirs. Tolls: for every coach, &c. drawn by 6 horſes, 2s. 6d. by 4 horſes, 1s. 6d. by leſs than 4 horſes, 1s. For every waggon, &c. drawn by 4 horſes, 1s. 6d. and by leſs than 4 horſes, 1s. For every horſe, &c. not drawing, 7d. For every foot paſſenger on Sundays, 1d. and on other days one halfpenny. For every drove of neat cattle, 12d. per ſcore. For every drove of calves, hogs, ſheep, or lambs, 6d. per ſcore. If after expiration of the term granted by letters patent to James Clarke, eſquire, the King ſhall pay the expences of building the bridge, the right of the ſaid Clarke and the tolls are to ceaſe, and the bridge is to veſt in his Maſteſty. A paſſage of 260 feet to be left for the water. Wilful damaging the bridge, felony. When the bridge ſhall be dangerous, a ferry may be provided; and to continue no longer than the bridge be repaired. Maſters to make good the damage which their boatmen ſhall do to the bridge. Bridge not rateable, &c.

## CAP. XXXVIII.

An act for repairing the road from the city of York over Skipbridge to Boroughbridge in the county of York.

*Certain tolls granted for 21 years.*

## CAP. XXXIX.

An act for the more effectual repairing and preserving the piers and harbour of Whitby in the county of York.

WHEREAS by an act of parliament made and passed in the first year of the reign of her late majesty Queen Anne, intituled, An act for the rebuilding and repairing the piers of the town and port of *Whitby* in the county of *York*, several duties were granted and laid upon all ships and vessels entering within the piers of the said port, and upon certain goods and merchandizes therein particularly mentioned, landed within the haven or piers of the said port of *Whitby*, and shipped off from *Whitby* aforesaid; and also a duty of one farthing per chalders on all coals loaded at *Newcastle upon Tyne*, or at *Sunderland*, *Blythe*, *Seaton-sluiice*, *Cullercoates*, or any other harbour, colliery, or place that was, or was reputed to be, a member of the said port of *Newcastle upon Tyne*, for the term of nine years, to commence from the first day of *May*, one thousand seven hundred and two; with such provisions for the due collecting, accounting for, and applying of the said duties, and other powers, matters and things relating thereto, and for keeping clear the said harbour, as in the same act is particularly mentioned and contained: and whereas by another act of parliament, made and passed in the seventh year of her said late Majesty's reign, the said act made in the first year of her reign, and all the powers, matters, and clauses contained therein, and all the duties and sums of money thereby granted, and made payable, were continued and made payable, and to be in full force and virtue, until the first day of *May*, which should be in the year of our Lord one thousand seven hundred and twenty three: and whereas by another act of parliament made and passed in the seventh year of the reign of his late majesty King *George the First*, (intituled, An act for the better preserving and keeping in repair the piers of the town and port of *Whitby* in the county of *York*; and for lengthening and repairing the piers of *Bridlington* alias *Burlington* in the said county;) all and every the said duties and sums of money granted and imposed by the said act of the first year of her said late Majesty, and continued by the said act of the seventh year of her reign as aforesaid, (save and except the said duty of one farthing per chalders) were made perpetual, and enacted to be paid to the trustees therein named and their successors for ever, to the end that the piers and harbour of *Whitby* aforesaid might be preserved, kept, and continued in good repair: and whereas by another act of parliament made and passed in the eighth year of his present Majesty's reign, (intituled, An act for lengthening the west pier of the harbour of *Whitby* in the county of *York*; and for improving the said harbour) reciting the said former acts; and also reciting, that by and

1 Annæ, st. 1. c. 19.

7 Annæ, private.

7 Geo. 1. c. 16.

8 Geo. 2. c. 20.

with



with the ſaid ſeveral duties and ſums of money collected and received by virtue thereof, the ſaid piers had been rebuilt, finiſhed, and completed, and had been preſerved, kept, and continued in good repair; but that nevertheleſs, for ſome years then paſt, the entrance into the ſaid port of Whitby had been rendered very narrow and difficult, by reaſon of a bank of ſand which was then, and for ſome time paſt had been gathering about the head of the weſt pier of the ſaid harbour of Whitby, and would in time, if not prevented, intirely ſtop and choak up the ſame; and inasmuch as the ſaid ſand-bed, and the further increaſe thereof, in the judgement and underſtanding of experienced perſons might and could only be remedied and prevented by lengthening and extending the ſaid weſt pier one hundred yards further into the ſea; therefore that the ſaid piers and harbour might be improved, and made as ſecure for colliers and coaſting veſſels as might be, and for lengthening and extending the ſaid weſt pier, it was enacted, That from and after the firſt day of June; one thouſand ſeven hundred and thirty five, the ſaid duty of one ſarthing per chalder, granted by the ſaid act of the firſt year of the reign of her ſaid late majeſty Queen Anne, and continued by the ſaid act of the ſeventh year of her reign (but which had ceaſed from the firſt day of May, one thouſand ſeven hundred and twenty three) ſhould be paid to the truſtees nominated and appointed in or by virtue of the ſaid act of the ſeventh year of his late Majeſty's reign for the term of thirty one years, to commence and be computed from the ſaid firſt day of June, one thouſand ſeven hundred and thirty five, for the purpoſes aforeſaid; and the ſaid act of the firſt year of her ſaid late Majeſty's reign, and all and every the claules, provisions, penalties, matters, and things therein contained, touching the ſaid duty of one ſarthing per chalder thereby granted (ſave and except as to the powers and authorities thereby veſted in the truſtees therein named, and to be named purſuant thereto, and a claule therein contained touching the ceaſing of the ſaid duty on raiſing ſix thouſand pounds, as therein mentioned) were revived and continued for the ſame term of thirty one years, with ſeveral other powers and claules relating to the ſaid duty, and work propoſed to be done, and the regulating the ſaid harbour, as by the ſaid ſeveral acts, relation thereunto reſpectively being had, may more at large appear: and whereas purſuant to the ſaid laſt-mentioned act of the eighth year of the reign of his preſent Majeſty, and by and with the ſeveral duties and ſums of money collected and received by virtue thereof, and of the other acts aforeſaid, the ſaid weſt pier of the ſaid harbour of Whitby hath been lengthened one hundred yards, and terminated with a ſtrong circular head, whereon is erected a commodious battery, with a ſtrong parapet, and embrazures for five pieces of cannon, which protects the entrance of the ſaid harbour, as alſo ſuch ſhips as may be obliged to take ſhelter in the road from an enemy; but for carrying on the ſaid work, the truſtees nominated and appointed in and by virtue of the ſaid ſeveral acts of the ſeventh year of his late Majeſty, and eighth year of his preſent Majeſty, have been neceſſitated to borrow at times, ſeveral ſums of money on the ſaid fund of one ſarthing per chalder, amounting to ſix thouſand two hundred pounds, which now remains charged thereon; and the ſaid truſtees have employed the reſt of the duties granted as aforeſaid,

*said, as they arose, in rebuilding and repairing other parts of the said piers, and in getting up quarries at the mouth of the said harbour, in order to deepen the channel; which has had so good an effect, that it has encouraged the inhabitants of Whitby aforesaid, and others, to build in the said harbour much larger ships than were formerly used: and whereas the west and east piers have been greatly shaken with the seas; and the marle, or soft rock, on which they were built, is worn away in several places, by the great quantity of sand scoured out of the said harbour, which has occasioned their sinking, and the walls thereof to bulge out; and the communication between the town and the west pier is in a great measure interrupted; and it is absolutely necessary for the security of the said harbour, that the said parts of the said east and west piers should be rebuilt, or repaired and raised; and it would be a great improvement of the said harbour, and tend very much to the advantage and safety of all colliers and coasting vessels, if the remaining part of the stone rock at the entrance of the said harbour was taken away, and the way repaired and made sufficient, from the said town of Whitby to the said west pier, with proper moorings for ships along the same; but as the expence of the said works cannot be provided for without some additional duty, the said perpetual fund granted by the said act of the seventh year of his late Majesty's reign, producing yearly one hundred and forty pounds, or thereabouts; and the said duty of one farthing per chaldre will raise little if any thing more than will pay the principal monies borrowed thereon, and the interest thereof now due, and which may incur during the remainder of the said term of thirty one years: to the end therefore that the said west and east piers may be rebuilt or repaired and raised where needful, and the remaining part of the stone rock at the entrance of the said harbour may be taken away, and the way from the west pier to the said town of Whitby may be repaired and made sufficient, and proper moorings for ships may be placed thereon, as shall be judged expedient, and the said harbour may be further improved; may it please your Majesty, that it may be enacted, &c.*

An additional duty of one farthing a chaldre laid on coals for 31 years. Powers given by the recited act, to be exercised by the trustees with regard to the present duty. Trustees may borrow money on the credit of the duties; and contract for the work and materials; and for the purchase of houses and grounds, for making the way from the west pier to the town more convenient. Owners refusing to treat, justices to impanel a jury, who are to assess the recompence. Upon payment of the money, the lands, &c. to vest in the trustees. The west and east piers, &c. vested in the trustees. Person to be appointed, who is to direct the moorings, &c. of ships. Vessels belonging to Great Yarmouth exempted from the duties.

#### CAP. XL.

An act for repairing and widening the roads leading from Egremont to Dudden Bridge, Saaton Bridge, and Sakhouse, in the county of Cumberland.

*Certain tolls granted for 21 years.*

*Anno Regni GEORGII II. Regis Magnæ  
Britanniæ, Franciæ, & Hiberniæ, vice-  
simo quarto.*

**A**T the parliament begun and bolden at Westminster, the tenth day of November, Anno Dom. 1747, in the twenty first year of the reign of our sovereign lord George the Second, by the grace of God, of Great Britain, France, and Ireland, King, defender of the faith, &c. And from thence continued by several prorogations to the seventeenth day of January, 1750. being the fourth session of this present parliament.

CAP. I.

An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and fifty one. E X P.

CAP. II.

*An act for granting to his Majesty the sum of two millions one hundred thousand pounds, to be raised by annuities and a lottery, and charged on the sinking fund, redeemable by parliament.*

*Most gracious Sovereign,*

**W**E your Majesty's most dutiful and loyal subjects, the commons of *Great Britain* in parliament assembled, being desirous to raise the necessary supplies which we have cheerfully granted to your Majesty in the easiest manner we are able for the benefit of your subjects, have freely and voluntarily given and granted, and by this act do give and grant unto your Majesty the sum of two millions one hundred thousand pounds, to be raised in such manner and form as is herein after directed; and to that end and purpose do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That the annuities which by this act shall be granted and made payable in respect of the said principal sum of two millions one hundred thousand pounds, until redemption thereof by parliament, in manner herein after mentioned, shall be charged and chargeable upon, and payable out of the monies which shall from time to time arise and be remaining in the receipt of his Majesty's exchequer of or for the surplusses, excesses or overplus monies, commonly called the *Sinking Fund*; and the said surplusses, excesses or overplus monies are hereby appropriated for that purpose accordingly,

Annuities on the sum of 2,100,000 l. to be raised by this act, charged on the sinking fund.

II. And for or towards raising the faid fum or fums of money not exceeding in the whole the faid fum of two millions one hundred thoufand pounds for the purposes aforefaid, it is hereby further enacted by the authority aforefaid, That it fhall and may be lawful to and for any perfon or perfons, natives or foreigners, bodies politick or corporate, to contribute, advance and pay unto the firft or chief cashier or cashiers of the governor and company of merchants of *Great Britain* trading to the *South-Seas*, and other parts of *America*, and for encouraging the fishery, commonly called the *South-Sea Company*, at or before the refpective days and times by this act limited in that behalf, any fum or fums of money not exceeding one million four hundred thoufand pounds, in part of the faid whole fum of two millions one hundred thoufand pounds, for the absolute purchase of any certain annuity or annuities, to commence from the feveral and refpective times herein after appointed for the payment of the feveral and refpective fums by them fubfcribed or contributed, and to be paid and payable to fuch contributor or contributors, or fuch as he, ſhe or they fhall nominate, his, her or their executors, administrators, fucceffors and affigns refpectively, in manner herein after mentioned, fo as fuch cashier or cashiers do firft give fecurity to the good liking of any three or more of the commissioners of the treasury now being, or the high treasurer, or commissioners of the treasury for the time being, for duly answering and paying into the receipt of his Majesty's exchequer, for the publick ufe, the monies fo to be advanced and contributed, and to account duly for the fame; which annuities before mentioned fhall be computed at the rate of three pounds *per annum* for every one hundred pounds, and proportionably for any greater or lefs fum fo to be advanced and paid; and the purchase-money for every fuch annuity at the rate aforefaid, is hereby appointed to be paid unto the faid cashier or cashiers as aforefaid, at or before the refpective days and times herein after limited; that is to fay, ten pounds *per centum* part thereof by way of deposit, on or before the fifteenth day of *March*, in the year of our Lord one thoufand feven hundred and fifty, fifteen pounds *per centum*, other part thereof, on or before the fifteenth day of *May* one thoufand feven hundred and fifty-one then next enfuing; fifteen pounds *per centum*, other part thereof, on or before the feventeenth day of *June* then next enfuing; twenty-five pounds *per centum*, other part thereof, on or before the twelfth day of *Auguft* then next enfuing; ten pounds *per centum*, other part thereof, on or before the twenty-eighth day of *October* then next enfuing; ten pounds *per centum*, other part thereof, on or before the twentieth day of *November* then next enfuing; and the remaining fifteen pounds *per centum*, on or before the twentieth day of *December* then next following; all which annuities fo to be purchafed fhall be paid and payable at two of the moft ufual feafts or days of payment in the year; that is to fay, the feaft of the nativity of Saint *John the Baptift*, and of the birth of our Lord Chrift, or within fix days after every of the

Natives or foreigners may pay to the chief cashier of the South-Sea company.

1,400,000 L. for the purchase of annuities.

at the rate of 3 l. per cent. per ann.

Times for payment.

faid

faid feaft days; the firft payment thereof to be computed and paid at the rate of three pounds *per centum per annum*, on the whole fum to be paid by fuch contributors for the purchafe of any part of the faid annuities, from the faid feveral and refpective times of paying and advancing the fame as aforefaid, unto the feaft of the birth of our Lord Chrif, which fhall be in the year of our Lord one thoufand feven hundred and fifty one, or within fix days after the faid feaft day: neverthelefs the faid annuities fhall be redeemable according to the purport and true meaning of a proviso or condition herein after contained in that behalf, and not otherwife; and the faid cafhier or cafhiers of the faid governor and company for the time being is or are hereby authorized and required upon the advancing and paying to him or them any fuch fum or fums of money as aforefaid, forthwith to give a receipt in writing figned by himfelf or themfelves for each payment to the contributor or payer thereof (which receipts fhall be assignable by indorfement thereupon, made at any time before the faid twentieth day of *December* one thoufand feven hundred and fifty one, and no longer) and, from time to time, to pay into the receipt of his Majesty's exchequer, all the monies which he or they fhall receive of or for the faid fum not exceeding one million four hundred thoufand pounds, as faft as he or they fhall receive the fame, or any part thereof, or within five days afterwards at the fartheft; and to account for all the monies fo to be advanced and paid to him or them in his Majesty's court of exchequer, according to the due courfe thereof.

Cafhier to give receipt for each payment,

which fhall be assignable by indorfement,

Contributors names to be entered in a book,

and a copy tranfmitted to the exchequer.

Contributors paying the confideration-money,

III. And it is hereby enacted, That in the office of the accomptant general of the faid governor and company for the time being, there fhall be provided and kept a book or books, in which there fhall be fairly entered the names of all who fhall be contributors for fuch annuities, after the rate of three pounds *per centum per annum* as aforefaid, and of all perfons by whose hands the faid contributors fhall pay in any of the faid fums upon this act, and alfo the fum fo paid; to which book or books it fhall be lawful for the faid refpective contributors, their executors, administrators, fucceffors and affigns, from time to time at all feafonable times to have refort, and to infpect the fame without any fee or charge; and the faid accomptant general for the time being, fhall on or before the twenty fifth day of *March* one thoufand feven hundred and fifty three, tranfmit an attested duplicate, fairly written on paper, of the faid book or books into the office of the auditor of the receipt of his Majesty's exchequer, there to remain for ever.

IV. And it is hereby enacted by the authority aforefaid, That all and every contributor and contributors upon this act, duly paying the whole confideration or purchafe-money, at the rate aforefaid, at or before the refpective days and times in this act before limited in that behalf, for fuch annuity or annuities as aforefaid, or fuch as he, fhe or they fhall appoint, his, her or their refpective executors, administrators, fucceffors and affigns fhall

shall have, receive and enjoy, and be intitled, by virtue of this to have estates  
act, to have, receive and enjoy the respective annuity and annuities, in the annuities,  
annuities so to be purchas'd out of the monies by this act appropriated or appointed for payment thereof as aforesaid, and shall have good and sure estates and interests therein for ever, subject only to the proviso or condition of redemption in this act herein after contained concerning the same; and that the several and respective annuities payable in pursuance of this act, after the rate of three pounds *per centum per annum*, and all and every the principal sums for which the same are to be payable, shall be free from taxes.  
free from taxes.

V. Provided also, That in case any such contributor as aforesaid, who shall, on or before the said fifteenth day of *March* one thousand seven hundred and fifty, have advanced to the said cashier or cashiers ten pounds *per centum*, by way of deposit as aforesaid, in part of his, her or their purchase-money; and such contributor, his, her or their executors, administrators, successors or assigns, shall not advance and pay to the said cashier or cashiers fifteen pounds *per centum*, other part thereof, on or before the fifteenth day of *May* then next ensuing; and fifteen pounds *per centum*, other part thereof, on or before the seventeenth day of *June* then next ensuing; and twenty five pounds *per centum*, other part thereof, on or before the twelfth day of *August* then next ensuing; and ten pounds *per centum*, other part thereof, on or before the twenty eighth day of *October* then next ensuing; and ten pounds *per centum*, other part thereof, on or before the twentieth day of *November* then next ensuing; and the remaining fifteen pounds *per centum*, on or before the twentieth day of *December* then next following; then, and in every such case respectively, so much of the consideration-money as shall have been actually paid in part thereof only, to the said cashier or cashiers for such respective annuity, shall be forfeit all they have paid in part.  
Contributors not making good their payments within the times,

VI. Provided also, That in case any contributor or contributors for the purchase of any of the said annuities shall, after payment of ten pounds *per centum*, in part of his, her or their purchase-money, desire that the subsequent payments to be made by him, her or them, at the respective times limited in that behalf, may immediately be made stock in the book or books directed to be kept for that purpose in the office of the said accountant general; and that the principal money, and the annuity attending the same, be immediately transferrable (except the ten pounds *per centum*, which is to remain as a deposit till payment of the whole sum by him, her or them subscribed for, is fully compleated) it shall be lawful for the said accountant general, and he is hereby required, upon such request made by any such contributor or contributors, to give credit in the said book or books for each respective principal sum by him, her or them subscribed and paid as aforesaid; any thing herein contained to the contrary notwithstanding.  
Accountant general to give credit in the books for the sums paid.

VII. And

Purchasers to  
pay 10l. per  
cent. by 15  
March 1750.

VII. And it is hereby enacted and declared, That no person or persons whatsoever shall or may purchase or obtain, or be admitted to purchase or obtain, any of the annuities at the rate aforesaid upon this act, unless the whole, or ten pounds *per centum*, part at least of the consideration-money for the same, be advanced and paid to the said cashier or cashiers, on or before the said fifteenth day of *March* one thousand seven hundred and fifty.

700,000 l. to  
be raised by a  
lottery,

VIII. *And whereas it is intended that the sum of seven hundred thousand pounds, being the residue of the said sum of two millions one hundred thousand pounds, already charged by this act upon the monies to arise of or for the said surplusses, excesses and overplus monies, commonly called the Sinking Fund, appropriated for payment thereof, in manner before directed and appointed, shall be raised by way of a lottery, for the purchase of annuities, after the rate of three pounds per centum per annum, in manner herein after mentioned;* be it therefore enacted by the authority aforesaid, That the annuities becoming due and payable to the contributors to the lottery herein after-mentioned, their executors, administrators

at 3l. percent.

and assigns, at the said rate of three pounds *per centum per annum*, in respect of the said principal sum of seven hundred thousand pounds, in manner hereafter in this act expressed, until redemption thereof by parliament, according to the proviso herein after contained in that behalf, shall be charged upon the said *Sinking fund*, and shall commence and be computed from the respective times of paying or advancing the same, or any part thereof, as herein after mentioned, and be paid unto the feast day of the birth of our Lord Christ, one thousand seven hundred and fifty-one; and shall from thenceforth be paid half-yearly at the feasts of the nativity of Saint *John the Baptist*, and the birth of our Lord Christ, by even and equal portions; the first payment thereof to be due and payable for the half year ending at the feast of the nativity of Saint *John the Baptist* one thousand seven hundred and fifty two.

chargeable on  
the sinking  
fund.

Annuities  
payable half-  
yearly.

Any person  
may contri-  
bute 10l. or  
more;

IX. And be it further enacted by the authority aforesaid, That for or towards raising the said sum of seven hundred thousand pounds, it shall and may be lawful for any person or persons, natives or foreigners, bodies politick or corporate, to contribute, by paying at or before the respective times by this act limited in that behalf, to any receiver or receivers to be appointed for that purpose, as is herein after-mentioned, the sum of ten pounds, or divers entire sums of ten pounds, upon this act; and that every such contributor or adventurer, for every such sum of ten pounds, which he, she or they shall so advance, shall be interested in such lot or share of and in the joint stock of annuities established by this act, as is herein after-mentioned and appointed in that behalf; and the same entire sums of ten pounds each are hereby appointed to be paid unto such receiver or receivers at such time or times, and in such proportions at a time as are herein after-mentioned in that behalf; that is to say, ten pounds *per centum*, part thereof, by way of deposit, on or before

and thereby  
be interested  
in the an-  
nuities,

before the fifteenth day of *March* in the year of our Lord one thousand seven hundred and fifty; fifteen pounds *per centum*, other part thereof, on or before the fifteenth day of *May* then next ensuing; twenty five pounds *per centum*, other part thereof, on or before the twelfth day of *July* then next ensuing; twenty five pounds *per centum*, other part thereof, on or before the seventh day of *September* then next ensuing; and the remaining twenty five pounds *per centum*, on or before the seventh day of *October* then next following.

Times of advancing the sums.

Commissioners of the treasury to appoint managers of the lottery, and receivers; and to take security. Receivers shall deliver tickets to the contributors. There shall be printed 70,000 tickets; and 10,000 tickets shall be the fortunate tickets, and shall be written upon in manner following, viz. upon two severally, 10,000 l. principal money; upon four 5000 l. upon five 3000 l. upon eight 2000 l. upon twenty 1000 l. upon forty one 500 l. upon two hundred 100 l. upon four hundred and twenty 50 l. upon nine thousand three hundred 20 l. Which sums, with 500 l. to the first drawn ticket, and 1000 l. to the last drawn, will amount to 340,000 l. which being added to 360,000 l. payable on the remaining 60,000 blank tickets, at 6 l. each blank, do amount to 700,000 l. being the total principal in respect of the lottery. Manner of drawing the lottery. Prizes to be entered in a book. When the lottery is drawn, a list of the prizes to be printed. Disputes to be determined by the managers. Counterfeiting of tickets or certificates, shall be adjudged felony. Tickets to be disposed of shall be delivered into the exchequer. Guardians may adventure infants money, so as such infants names be in the receipts and tickets. Limitation of sale of chances, &c. Persons selling shares in tickets of which they are not possessed, &c. to forfeit 500 l. After the drawing of the lottery, the tickets to be exchanged for certificates. EXP.

XXVII. And be it further enacted by the authority aforesaid, That the said accomptant general of the *South Sea* company for the time being, to whom the said certificates are to be directed as aforesaid, shall, upon receiving and taking in the said certificates, or any of them, give credit to the persons named therein, in the same book or books with the contributors for the purchase of the annuities not exceeding one million four hundred thousand pounds, herein before directed to be inserted in a book or books, or in any other book or books to be by him provided and kept for that purpose, for the principal sums contained in every such certificate; and the persons to whose credit such principal sums shall be entered in the said book or books, his, her or their executors and administrators, shall and may have power to assign and transfer the same, or any part, share, or proportion thereof, to any other person or persons, bodies politick or corporate whatsoever, in other books, to be prepared and kept by the said accomptant general for that purpose; and the principal sums so assigned or transferred, shall carry the said annuity of three pounds *per centum per annum*, and shall be taken and deemed to be stock transferrable by this act, according to the powers and authority herein after mentioned, until the redemption thereof as aforesaid; and the said accomptant general of the *South Sea* company for the time being, is hereby authorized and directed to cancel and file the certificates as they shall from time to time

Accomptant general to give credit for the sums named in the certificates;

which may be transferred,

and carry 3 per cent. interest.

Certificates to be cancelled, and notes



given in lieu thereof.

to time be received and taken in by him, and to give the persons bringing in the same a note under his hand, testifying the principal money for which they have credit in the said book or books, by reason or means of the certificates so received, taken in, and cancelled as aforesaid, and of the annuities attending the same.

Chief cashier and accomptant general to be appointed.

XXVIII. And for the more easy and sure payment of the several and respective annuities, amounting in the whole to two millions one hundred thousand pounds, by this act authorized to be purchased as aforesaid; it is hereby further enacted by the authority aforesaid, That the said governor and company, and their successors, shall, from time to time, until the said several and respective annuities, after the rate of three pounds *per centum per annum* shall be redeemed according to this act, appoint and employ one sufficient person, within their office in the city of London, to be their chief cashier or cashiers, and one other sufficient person within the same office, to be their accomptant general; and that so much of the monies arising from time to time into the receipt of the exchequer, of or for the said *Sinking fund*, by this act appropriated for this purpose as aforesaid, as shall be sufficient from time to time to answer the said several and respective annuities, and other payments directed to be paid or discharged out of the same, shall, by order of the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or commissioners of the treasury of his Majesty, his heirs or successors for the time being, without any further or other warrant to be sued for, had or obtained in that behalf, from time to time, at the respective half-yearly feast days or days of payment, in this act before appointed for payment thereof, be issued and paid at the said receipt of exchequer, to the said chief cashier or cashiers of the said governor and company, and their successors for the time being, by way of impress, and upon account for the payment of the said several and respective annuities to be purchased upon this act, at such times, and in such manner and form, as are by this act prescribed in that behalf; and that all and every 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 account thereof according to the due course of the exchequer; any thing herein contained to the contrary notwithstanding.

Monies for payment of the annuities to be issued from the exchequer by way of impress, &c.

Accomptant general to inspect the cashiers receipts.

XXIX. And it is hereby also enacted, That the said accomptant 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; and that all and every person and persons whatsoever, who shall be entitled to any of the said several and respective annuities, after the rate of three pounds *per centum per annum*, and all persons lawfully claiming under them, shall be possessed thereof as of a personal estate, and the same shall not be descendible to the heir, and shall not be

Annuities to be a personal estate, &c.

be liable to any foreign attachment by the custom of London, or otherwise; any law, statute or custom to the contrary notwithstanding.

XXX. And be it further enacted by the authority aforesaid, That all the monies to be advanced or contributed, or to which any person or persons shall become entitled upon this act, for or towards the said sum not exceeding two millions one hundred thousand pounds, shall be deemed, reputed and taken to be one capital or joint stock, on which the said several and respective annuities, after the rate of three pounds *per centum per annu*, shall be attending; and that all and every person and persons, and corporations whatsoever, in proportion to the money by him, her or them advanced, or to which they shall become entitled as aforesaid upon this act, 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 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 constantly be kept at all reasonable times, 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 whole 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 such parties be absent, by his, her or their attorney or attorneys thereto 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 shall be made, do 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 or available in law; and that no stamp duties whatsoever shall be charged on the said transfers or any of them; any other law or statute to the contrary notwithstanding.

The monies contributed to be deemed a joint stock, &c.

and transferable.

Books to be kept for transfers.

Entries to be signed by the parties transferring and accepting.

XXXI. Provided always, and it is hereby enacted by the authority aforesaid, That the said governor and company and their successors, (notwithstanding the redemption of all or any their own funds, in pursuance of the acts for establishing the same, or any of them,) shall continue a corporation, with all the powers, privileges and advantages thereto belonging; for the purposes in this act expressed, till all the annuities to be purchased on this act shall be redeemed by parliament, according to the proviso herein after contained in that behalf; and that the said governor and company, or any members thereof, shall not incur any disability for or by reason of their doing any matter or thing in pursuance of this act.

The company to continue a company till redemption of the annuities.

XXXII. Provided always, and be it enacted by the authority

Commissioners of the treasury to pay the charges of executing this act, out of the duties,

and appoint salaries for the cashiers, &c.

rity aforesaid, That the commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall have power, and they are hereby authorized, out of the said surplusses, excesses, or overplus monies, commonly called *The sinking fund*, by this granted act and appropriated as aforesaid, to discharge all such incident charges as shall necessarily attend the execution of this act, in such manner as to them shall seem just and reasonable; and also to settle and appoint such allowances (out of the contributions to the lottery aforesaid) as they shall think just and reasonable, for the service, pains and labour of the receiver or receivers of the contributions to the said lottery, for receiving and accounting for the same; as also for the service, pains and labour of the cashier or cashiers of the the said governor and company, for receiving and accounting for the contributions to the annuities granted by this act; and also such further allowances (out of the said *Sinking fund*, by this act appropriated as aforesaid) as they shall think just and reasonable, for receiving, paying and accounting for the several and respective annuities payable in respect thereof; and also for the service, pains and trouble of the accountant general of the said governor and company, for performing the duty and trust incumbent on him by this act; all which allowances hereby empowered to be made as aforesaid, in respect to the service, pains and labour of any officer or officers of the said governor and company, shall be for the use and benefit of the said governor and company, and at their disposal only; any thing herein contained to the contrary notwithstanding.

No fee for payment of contribution-money.

Transfers to be made gratis.

Penalty.

Clause of redemption.

XXXIII. And it is hereby enacted by the authority aforesaid, That no fee or gratuity shall be demanded or taken of any of his Majesty's subjects, for receiving or paying the said contribution-monies, or any of them, or for any tallies or receipts concerning the same, or for issuing the monies for paying the said several annuities, or any of them, or for paying the said annuities or any of them; and that no fee or gratuity shall be demanded or taken for any transfer, great or small, to be made in pursuance of this act; upon pain that the officer or person offending, by taking or demanding any such fee or gratuity contrary to this act, shall forfeit the sum of twenty pounds to the party grieved, to be recovered with full costs of suit, in any of his Majesty's courts of record at *Westminster*.

XXXIV. Provided also, and it is hereby enacted by the authority aforesaid, That any time upon one year's notice, to be printed in the *London Gazette*, and affixed upon the *Royal Exchange* in *London*, by authority of parliament, at any of the half-yearly feast days for payment of the said respective annuities, or either of them, and upon repayment by parliament of the respective principal sums for which the said respective annuities or either of them shall be payable to such respective persons or corporations as shall be entitled to the same annuities, by payments not less than five hundred thousand pounds at a time; then, and

and not till then, the faid refpective annuities fhall ceafe and determine, and be underftood to be redeemed; and from and after fuch redemption, the monies arifing from the faid *Sinking fund*, fhall not be iffued or applied to any ufe or purpofe, but as fhall be directed by future act or acts of parliament; any thing in this or any former act or acts of parliament to the contrary notwithstanding; and that any vote or refolution of the houfe of commons, fignified by the fpeaker in writing, to be inferted in the *London Gazette*, and affixed on the *Royal Exchange* in *London* as aforefaid, fhall be deemed and adjudged to be fufficient notice within the words and meaning of this act.

XXXV. And it is hereby enacted by the authority aforefaid, That if any perfon or perfons fhall at any time or times be fued or profecuted for any thing by him or them done or executed in purfuance of this act, or of any matter or thing in this act contained, fuch perfon or perfons fhall and may plead the general iffue, and give the fpecial matter in evidence for his or their defence; and if upon the trial a verdict fhall pafs for the defendant or defendants, or the plaintiff or plaintiffs fhall become nonfuit, then fuch defendant or defendants fhall have treble cofts to him or them awarded againft fuch plaintiff or plaintiffs.

## CAP. III.

An act for enlarging the term and powers granted by an act paffed in the twelfth year of the reign of his prefent Majesty, for repairing the road between Stamford and Grantham in the county of Lincoln; and for making the fame more effectual. *The act 12 Geo. 2. c. 8. continued for 21 years.*

## CAP. IV.

An act for enabling his Majesty to raife the feveral fums of money therein mentioned, by exchequer bills, to be charged on the *Sinking fund*; and for impowering the commissioners of the treasury to pay off the old and new unſubſcribed South Sea annuities out of the fupply granted to his Majesty for the ſervice of the year one thouſand ſeven hundred and fifty one; and for enabling the bank of England to hold general courts, and courts of directors, in the manner therein directed; and for giving certain perfons liberty to ſubſcribe bank and South Sea annuities omitted to be ſubſcribed purſuant to two acts of the laſt ſeſſion of parliament.

Moſt gracious Sovereign,

WHEREAS by an act of parliament made and paſſed in the twenty third year of his Majesty's reign, intituled, An act for giving further time to the proprietors of annuities after the rate of four pounds per centum per annum to ſubſcribe the ſame in the manner and upon the terms therein mentioned; and for redeeming ſuch of the ſaid annuities as ſhall not be ſo ſubſcribed;

scribed; and for empowering the *East India* company to raise certain sums by transferrable annuities, it is amongst other things enacted, That any person or persons, bodies politick or corporate, who are interested in, or intited unto, any part of the national debt incurred before Michaelmas, one thousand seven hundred and forty nine, redeemable by parliament, which carried an interest after the rate of four pounds per centum per annum; and which was not subscribed in pursuance of a former act of the same session of parliament, and who should, on or before the thirtieth day of May one thousand seven hundred and fifty subscribe their names, and signify their consent, to accept of an interest of three pounds per centum per annum, to commence from the twenty fifth day of December, one thousand seven hundred and fifty five, subject to the same provisos, notices and clauses of redemption, which their respective four per cents were liable to, should, in lieu of their present interest, be intited unto, and receive an interest of four pounds per centum per annum, until the twenty fifth day of December, one thousand seven hundred and fifty; and from and after the said twenty fifth day of December, one thousand seven hundred and fifty, an interest of three pounds ten shillings per centum per annum, until the twenty fifth day of December, one thousand seven hundred and fifty five; and that no part of the same should be liable to be redeemed until the said twenty fifth day of December, one thousand seven hundred and fifty five; and that such part of the national debt incurred before Michaelmas one thousand seven hundred and forty nine, redeemable by law, which carried an interest of four pounds per centum per annum, and which should not be subscribed before the said thirtieth day of May, one thousand seven hundred and fifty, should be redeemed and paid off; and that it should be lawful for the King's most excellent majesty, by warrant under his royal sign manual, to authorize and empower the commissioners of the treasury, or the high treasurer for the time being, to raise by loans or exchequer bills, or by way of subscription, or in such other manner as his Majesty in his great wisdom should think most for the advantage of the publick, from any person or persons, bodies politick or corporate, any sum or sums of money, not exceeding such part of the national debt, carrying an interest of four pounds per centum per annum, redeemable by law, as should not be subscribed in pursuance of the said recited act, or the said former act, to be charged on the Sinking fund, and to be applied to pay off and redeem such part of the national debt so unsubscribed as aforesaid, upon any terms not exceeding the rate of interest in the said recited act mentioned: and whereas, since the passing of the said act, a great part of the annuities, after the rate of four pounds per centum per annum, which remained unsubscribed upon the former act, have been since subscribed, so that the principal sums remaining unsubscribed on the said thirtieth day of May one thousand seven hundred and fifty, upon the annuities payable at the exchequer and bank of England, do amount in the whole to the sum of one million twenty six thousand four hundred seventy six pounds four shillings and six pence; which said sum of one million twenty six thousand four hundred seventy six pounds four shillings and six pence, is directed by the said recited act to be paid off

off and redeemed, at the stated times, and in the proportions herein after-mentioned, according to the several notices given by the speaker of the house of commons the last session of parliament in that behalf; that is to say, the principal sum of one hundred eighty two thousand two hundred and fifty pounds, the amount of the unsubscribed exchequer order payable thereout of the duties upon wrought plate, on the twenty fifth day of March one thousand seven hundred and fifty one; and the principal sum of one hundred seventy five thousand five hundred seventy one pounds six shillings and one penny, the amount of the unsubscribed annuities of the year one thousand seven hundred and forty six; and also the principal sum of seventy one thousand seven hundred twenty three pounds nine shillings and six pence, the amount of the unsubscribed lottery annuities one thousand seven hundred and forty seven, both transferrable at the bank of England, on the twenty fourth day of June one thousand seven hundred and fifty one; and the principal sum of two hundred and eleven thousand six hundred thirty four pounds fifteen shillings, the amount of the unsubscribed annuities of the year one thousand seven hundred and forty seven, transferrable as aforesaid, on the twenty ninth day of September one thousand seven hundred and fifty one; and the principal sum of two hundred eighty one thousand three hundred twenty one pounds one shilling and nine pence, the amount of the unsubscribed annuities of the year one thousand seven hundred and forty eight, transferrable as aforesaid, on the twenty fifth day of March one thousand seven hundred and fifty one; and also the principal sum of one hundred and three thousand nine hundred seventy five pounds twelve shillings and two pence, the amount of the unsubscribed annuities of the year one thousand seven hundred and forty nine, transferrable as aforesaid, on the twenty ninth day of September one thousand seven hundred and fifty one: and whereas the governor and company of the bank of England have proposed to advance and pay into the receipt of his Majesty's exchequer the sum of one million twenty six thousand four hundred seventy six pounds four shillings and six pence, at the stated times and in the proportions before mentioned, upon condition that exchequer bills be issued to them on or before the times the said several sums are proposed to be advanced; which bills are to be made forth at the said receipt, and charged on the surplusses, excesses or overplus monies, commonly called the Sinking Fund, at an interest not exceeding the rate of three pounds per centum per annum, to be paid out of the said Sinking fund, and to commence from the stated times on which the several sums are proposed to be advanced; and that the principal sums contained in such exchequer bills shall be repaid to them out of the first excesses or surplusses of the said Sinking fund that shall be applied to the payment of the principal of the national debt: and whereas, since the making of the said proposal, the sum of thirteen thousand three hundred twenty eight pounds, in bank annuities, is by this act directed and allowed to be subscribed by the proprietors thereof, so that the principal sum to be advanced by the said governor and company, to pay off the remaining unsubscribed annuities before mentioned, will amount to the sum of one million thirteen thousand one hundred forty eight pounds four shillings and six pence only: now we, your Majesty's most

dutiful and loyal fubjects, the commons of *Great Britain* in parliament affembled, being of opinion that it will be of advantage to the publick to accept of the faid propofal, and being alfo defirous to leffen the intereft of the national debt, as far as may be confiftent with juftice and publick faith, do moft humbly befeech your Majefty that it may be enacted; and be it enacted by the King's moft excellent majefty, by and with the advice and confent of the lords fpiritual and temporal, and commons, in this prefent parliament affembled, and by the authority of the fame, That it fhall and may be lawful to and for the commiffioners of his Majefty's treasury, or any three or more of them now being, or the high treafurer, or any three or more of the commiffioners of the treasury for the time being, on his Majefty's behalf, to contract and agree with the faid governor and company of the bank *England* to advance and pay into the faid receipt of exchequer, any fum or fums of money not exceeding in the whole the faid reduced fum of one million thirteen thoufand one hundred forty eight pounds four fhillings and fix pence, for exchequer bills to be made forth at the faid receipt, in manner hereafter mentioned, in fuch proportions and at fuch ftated times as are herein before directed, towards paying off and redeeming the faid feveral unfubfcribed annuities, amounting to the faid fum of one million thirteen thoufand one hundred forty eight pounds four fhillings and fix pence, according to the feveral notices given by the fpeaker of the houfe of commons in that behalf as aforefaid.

Treafury im-  
powered to  
agree with the  
bank,

for raifing  
2,013,148 l.  
4 s. 6 d. by  
exchequer  
bills,

at 3 $\frac{1}{2}$  per cent.

II. And be it further enacted by the authority aforefaid, That the faid governor and company of the bank of *England*, and their fucceffors, fhall have, receive and enjoy, and fhall be intituled by virtue of this act, to have, receive and enjoy an intereft or premium, after the rate of three pounds *per centum per annum*, for the faid principal fum of one million thirteen thoufand one hundred forty eight pounds four fhillings and fix pence, to be advanced by them into the faid receipt of exchequer, in the manner following; that is fay, on the fum of four hundred fifty two thoufand two hundred forty three pounds one fhilling and nine pence, from the twenty fifth day of *March* one thoufand feven hundred and fifty one; on the fum of two hundred forty fix thoufand two hundred ninety four pounds fifteen fhillings and feven pence, from the twenty fourth day of *June* one thoufand feven hundred and fifty one; and on the fum of three hundred fourteen thoufand fix hundred ten pounds feven fhillings and two pence, from the twenty ninth day of *September* one thoufand feven hundred and fifty one; which faid intereft or premium fhall from time to time be paid to the faid governor and company, and their fucceffors, by quarterly payments out of the monies arifing at the faid receipt of exchequer, of or for the faid furplufes, exceffes or overplus monies, commonly called the *Sinking fund*, until fuch times as the faid exchequer bills fo to be iffued, or any part thereof fhall be difcharged and cancelled, in the manner and form by this act hereafter provided.

payable quar-  
terly out of  
the finking  
fund;

III. And

III. And be it further enacted by the authority aforefaid, and to prepar<sup>e</sup>  
That the faid commissioners of the treasury, or any three or <sup>new exche-</sup>  
more of them now being, or the high treasurer, or any three <sup>quer bills,</sup>  
or more of the commissioners of the treasury for the time being,  
are hereby authorized and impowered to prepare and make, or  
caufe to be prepared and made, at the exchequer at once, or at  
the ftated times, and in the proportions herein before directed,  
in fuch method and form as they or he fhall think moft fafe and  
convenient, any number of new exchequer bills, containing  
one common fum or different fums in the principal monies, fo  
as fuch bills do not exceed in the whole, the faid principal fum  
of one million thirteen thoufand one hundred forty eight pounds  
four fhillings and fix pence.

IV. And be it further enacted by the authority aforefaid, to bear inte-  
That the faid bills to be made and prepared in purfuance of reft at 3 l. per  
this act, fhall and may bear an intereft not exceeding the faid <sup>cent.</sup>  
rate or premium of three pounds *per centum per annum*, and pro-  
portionably for any greater or lefs fum to be contained therein,  
and to be payable to the bearers thereof refpectively; neverthe-  
lefs the faid intereft fhall be abated and faved upon fuch of the  
faid bills to be made forth by this act, as fhall at any time or  
times be in the receipt of the exchequer, or in the hands or  
power of any receivers or collectors of any taxes, aids or re-  
venues whatfoever, payable to his Majefty, his heirs or fuccef-  
fors, during fuch time and times refpectively as fuch bills fhall  
be or remain in the faid receipt, or in fuch hands or power as  
aforefaid.

V. And it is hereby enacted, That all the faid bills fhall be <sup>and to be</sup>  
numbered arithmetically, beginning with N<sup>o</sup> I. and fo proceed- <sup>numbered,</sup>  
ing in an arithmetical progreflion afcending, wherein the com-  
mon excefs or difference fhall always be one, and fhall be regi-  
ftered accordingly, fo that the principal fum to be contained in  
every fuch bill, may regularly be paid off and difcharged in  
courfe, according to the number of every fuch bill, as it fhall  
ftand in the faid register, and that the intereft upon all and every  
the fame bills fhall be payable every three months, according to  
the purport and true meaning of this act; and that upon every  
fuch bill there fhall be indorfed, printed or written in words at  
length, or in figures, the fum, after which the principal to be  
contained therein fhall be payable in fuch courfe as aforefaid,  
according to the purport and true meaning of this act.

VI. And it is hereby further enacted, That all the faid bills <sup>and made with</sup>  
fhall be prepared and made with fuch cheques, indents or coun- <sup>cheques, &c.</sup>  
terfoils as fhall be directed by the commissioners of the treasury,  
or any three or more of them now being, or by the high trea-  
furer, or any three or more of the commissioners of the trea-  
fury for the time being; and that the perfon or perfons who  
fhall be appointed to pay off the faid bills in courfe, fhall from  
time to time have the ufe and cuftody of one part of all the  
cheques, indents or counterfoils of the faid exchequer bills, to  
be prepared and made by virtue of this act, from which the  
fame



same shall have been cut, to prevent his or their being imposed upon by counterfeit or forged bills; and that the undertakers or contractors for exchanging and circulating the said bills or such of them as shall be current, shall from time to time have the use and custody of one other part of all the said cheques, indents or counterfoils of the said exchequer bills, from which the same shall have been cut off as aforesaid, in order to prevent their being imposed upon by any counterfeit or forged bills; and that all the said parts of the said cheques, indents or counterfoils shall be delivered back into the exchequer, when the said bills to be made forth by virtue of this act, shall be paid off, cancelled and discharged.

and to be placed as cash in the exchequer,

VII. And it is hereby enacted, That the said commissioners of the treasury, or any three or more of them now being, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being, shall, and they are hereby respectively authorized and empowered, to cause such bills as shall be prepared by virtue of this act, to be placed as so much cash in the respective offices of the tellers of the said receipt of the exchequer, each and every of which tellers shall be severally charged with the proportion of the said bills, which shall be so placed in his office respectively; any law or usage to the contrary notwithstanding.

to be current, and subject to such rules, &c. as in the malt act.

VIII. And be it further enacted by the authority aforesaid, That all the said bills to be issued as aforesaid, shall be current in like manner, and with such privileges and advantages, and subject to such rules and directions as are prescribed and enacted by an act of this present session of parliament, (intituled, *An act for continuing and granting to his Majesty, certain duties upon malt, munn, cyder, and perry, for the service of the year one thousand seven hundred and fifty one,*) for or concerning the exchequer bills thereby authorized to be made forth; and that all and every the clauses and provisions in the said last mentioned act, relating to the currency, exchanging or receiving the same last-mentioned exchequer bills, by any publick receivers of aids, taxes or supplies, or in his Majesty's receipt of the exchequer, or for forging, counterfeiting or altering the same bills, or making out new bills in the room of such as shall be filled up with indorsements, lost, burnt, defaced or otherwise destroyed, or for making out exchequer bills of five thousand pounds each, or for making out exchequer bills, without bearing interest, or for making them afterwards to bear an interest, or a higher or lower rate of interest, from time to time, as the contractors shall agree to, or for preventing any misapplication of the fund on which the same are charged, or any other misbehaviour of any officers concerned in the receiving, issuing, exchanging, paying off or cancelling the same last mentioned exchequer bills, or for obliging the contractors to pay the interest of, or exchange for ready money on demand, the exchequer bills thereby authorized to be issued, at a rate or premium not exceeding three pounds *per centum per annum*, or for preventing any

any disabilities in any such contractors, or for making them not liable to be bankrupts on account of such contracts, or for appointing a paymaster or paymasters, for paying off and cancelling the same exchequer bills in due course and order, (not otherwise altered by this act) shall extend, and be construed to extend, as well to the exchequer bills by this act authorized to be made forth, as to the exchequer bills to be made forth in pursuance of the said act, for continuing and granting the duties upon malt, malm, cyder and perry (except such clauses as do charge the same on the rates or duties continued and granted by the same act) as amply, fully and effectually, to all intents and purposes, as if the same clauses or provisos had been particularly repeated and re-enacted *verbatim* in this act.

**IX.** And be it further enacted by the authority aforesaid, That the said commissioners of the treasury, or any three or more of them now being, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being, shall or may issue, or cause to be issued, to such paymaster or paymasters to be constituted as aforesaid, by way of imprest and upon account, so much monies out of the growing produce of the said surplusses, excesses or overplus monies, called the *Sinking Fund*, as shall from time to time incur and grow due to the said contractors, for the interest or premium upon the said exchequer bills to be made forth by this act, during the continuance thereof, and such other payments as are by this act directed or allowed to be paid or discharged out of the same; any thing in this or any former act or acts of parliament to the contrary notwithstanding.

Treasury to issue the monies due for interest, by way of imprest to the paymaster.

**X.** Provided always, and it is hereby enacted by the authority aforesaid, That the said commissioners of the treasury, or any three or more of them now being, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being, shall have power, and they are hereby enabled, to pay and allow, or cause to be paid and allowed, out of the growing produce of the said *Sinking Fund*, from time to time, the necessary charges of making forth the new exchequer bills hereby authorized to be made forth, and such other charges as shall be necessarily incident in or for the execution of this act, in relation to the said bills; any thing herein contained to the contrary notwithstanding.

Charges of making forth the bills, &c. to be paid out of the sinking fund.

**XI.** Provided also, and it is hereby further enacted by the authority aforesaid, That it is the true intent and meaning of this act, that the exchequer bills hereby authorized to be made forth, not exceeding the sum of one million thirteen thousand one hundred forty-eight pounds four shillings and six pence, as aforesaid; shall be, and they are hereby charged upon the said surplusses, excesses or overplus monies, commonly called the *Sinking Fund*; and that the same exchequer bills shall from time to time be paid off to the said governor and company out of the first monies that shall from time to time arise into the said receipt of the exchequer, or for the said *Sinking Fund*, and which shall be applied to the payment of the principal of the

The bills charged upon the sinking fund.

national

national debt, and not otherwise: and the said commissioners of the treasury, or any three or more of them now being, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being, shall and may, and they are hereby authorized and enabled, to cause such monies which shall from time to time arise at the said receipt of the exchequer, or for the said *Sinking Fund* (except such monies of the said *Sinking Fund* as are or shall be appropriated to any particular use or uses by any act or acts of parliament in that behalf) to be issued from time to time to such paymaster to be constituted as aforesaid, by way of imprest and upon account, to be by him applied towards the paying off and discharging the exchequer bills hereby authorized to be made forth as aforesaid, or any part thereof, in such course as aforesaid, at such times, and in such proportions, as the said commissioners of the treasury, or any three or more of them, or the said high treasurer for the time being, shall judge to be most for the advantage of the publick; from which respective time or times of paying off and discharging the said exchequer bills, or any part thereof, by such paymaster as aforesaid, a proportional part of the interest or premium payable for such exchequer bills so paid off or discharged, at the rate aforesaid, shall cease and determine; any thing in this or any other act or acts of parliament to the contrary in any wise notwithstanding.

XII. *And whereas your Majesty's said dutiful commons did resolve, towards raising the supply granted to your Majesty, to enable your Majesty to borrow a further sum not exceeding two hundred twenty-five thousand twenty-three pounds seven shillings and eleven pence, at an interest of three pounds per centum per annum, to be charged on the said Sinking Fund: and whereas, since the making of the said resolution, the sum of forty-eight thousand one hundred twenty-nine pounds sixteen shillings and four pence, in old and new South-Sea annuities, is by this act directed and allowed to be subscribed by the proprietors thereof, so that the principal sum now necessary to be advanced by the said governor and company of the bank of England, will be reduced to the sum of one hundred seventy-six thousand eight hundred ninety-three pounds eleven shillings and seven pence only; be it therefore further enacted by the authority aforesaid, That it shall and may also be lawful to and for the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, on his Majesty's behalf, to contract and agree with any person or persons, bodies politick or corporate, to advance and pay into the said receipt of exchequer, any further sum or sums of money, not exceeding in the whole the said sum of one hundred seventy-six thousand eight hundred ninety-three pounds eleven shillings and seven pence, for exchequer bills to be made forth at the said receipt, and issued to them at such time or times as the said commissioners of the treasury, or any three or more of them now being, or the said high treasurer, or any three or more of the commissioners*

Treasury to contract for a further sum of 176,893l. 11s. 7d. by exchequer bills,

of the treasury for the time being, shall think most convenient for the advantage of the publick; which said exchequer bills shall be and are hereby also charged on the said surplusses, excesses, or overplus monies, commonly called the *Sinking Fund*, at an interest not exceeding three pounds *per centum per annum*, to be paid out of the said *Sinking Fund*, and commence from the time or respective times on which the said sum not exceeding one hundred seventy-six thousand eight hundred ninety-three pounds eleven shillings and seven pence, is or shall be advanced into the said receipt; and that the principal sum contained in such exchequer bills shall be repaid out of the said excesses or surplusses of the said *Sinking Fund* that shall be applied to the payment of the principal of the national debt, in manner herein after-mentioned and directed.

chargeable on the sinking fund,

XIII. And be it further enacted by the authority aforesaid, That all and every such person or persons, bodies politick or corporate, shall have and receive, and shall be intitled, by virtue of this act, to have and receive, an interest or premium, after the rate of three pounds *per centum per annum*, for the said principal sum not exceeding one hundred seventy-six thousand eight hundred ninety-three pounds eleven shillings and seven pence, so to be advanced by them into the said receipt of exchequer, to commence from the respective time or times of advancing the same as aforesaid; which said interest or premium shall from time to time be paid to them by quarterly payments, out of the monies arising at the said receipt, of or for the said surplusses, excesses or overplus monies of the said *Sinking Fund* as aforesaid, until such times as the said exchequer bills so to be issued, or any part thereof, shall be discharged and cancelled in the manner and form by this act hereafter provided.

payable quarterly,

at the rate of 3l. per centum,

XIV. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners of the treasury, or any three or more of them now being, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being, to cause exchequer bills to be made forth at the said receipt, for any sum or sums of money, not exceeding the said sum of one hundred seventy-six thousand eight hundred ninety-three pounds eleven shillings and seven pence, in the same or like manner, form and order, and according to the same or like rules and directions, as are herein before enacted and prescribed concerning the exchequer bills herein before directed to be made forth; and that all and every the clauses, provisos, powers, privileges, advantages, penalties, forfeitures and disabilities herein before contained or referred unto, relating to the said exchequer bills (except as before excepted) shall be applied and extended to the exchequer bills to be made forth for the said sum, not exceeding one hundred seventy-six thousand eight hundred ninety-three pounds eleven shillings and seven pence, as fully and effectually, to all intents and purposes, as if the said several clauses or provisos had been herein again particularly repeated and re-enacted.

Bills to be made for the sum,

XV. And

and to be  
numbered,

XV. And be it further enacted by the authority aforesaid, That all and every the said exchequer bills last-mentioned, shall be numbered arithmetically, beginning from the number which shall be expressed upon the last of the bills herein before directed to be made forth, and shall be registered accordingly, and paid in course, according to the directions herein contained in that behalf.

to be paid out  
of the sinking  
fund.

XVI. Provided also, and it is hereby declared, That it is the true intent and meaning of this act, that the said exchequer bills hereby directed to be made forth for the said sum, not exceeding one hundred seventy-six thousand eight hundred ninety-three pounds eleven shillings and seven pence, shall (from and after the paying off and discharging all and every the exchequer bills by this act before directed to be made forth for the principal sum of one million thirteen thousand one hundred forty-eight pounds four shillings and six pence, and all the interest and premium due thereupon) be repaid out of the first monies that shall from time to time arise into the said receipt, of or for the said *Sinking Fund*, that shall be applied to the payment of the principal of the national debt, and not otherwise; and the said commissioners of the treasury, or any three or more of them, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being, shall and may, and they are hereby authorized and empowered to cause such monies of the said *Sinking Fund* (except such monies of the said *Sinking Fund* as are or shall be appropriated to any particular use or uses by any act or acts of parliament in that behalf) to be issued from time to time, to such paymaster as shall be appointed in pursuance of this act, by way of imprest and upon account, to be by him applied towards the paying off and discharging the said exchequer bills to be made forth for the said principal sum, not exceeding one hundred seventy-six thousand eight hundred ninety-three pounds eleven shillings and seven pence, or any part thereof, in such course and order as aforesaid, and at such times, and in such proportions, as the said commissioners of the treasury, or any three or more of them, or the high treasurer for the time being, shall think fit; from which respective time or times of paying off the said exchequer bills, or any part thereof, by such paymaster as aforesaid, a proportional part of the interest or premium payable thereupon, at the time of paying off the same shall cease and determine; any thing herein contained to the contrary notwithstanding.

XVII. And for obviating all doubts and difficulties which shall or may arise in relation to the paying off and discharging the respective stocks of old and new *South-Sea* annuities, as have not been subscribed in pursuance of two acts passed in the last session of parliament, for redeeming the several annuities, carrying an interest after the rate of four pounds *per centum per annum*, directed to be redeemed and paid off; be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners of the treasury, or any three

Treasury to  
pay off the

or

or more of them now being, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being, to issue and pay, or cause to be issued and paid, out of any monies arisen or to arise into the receipt of his Majesty's exchequer, of or for all or any the aids or supplies granted to his Majesty for the service of the year one thousand seven hundred and fifty-one, unto the governor and company of merchants of *Great Britain* trading to the *South-Sea*, and other parts of *America*, and for encouraging the fishery, commonly called the *South-Sea Company*, any sum or sums of money, not exceeding the sum of two millions two hundred seventy-six thousand eight hundred ninety-three pounds eleven shillings and seven pence, being the total principal sum remaining due and payable upon the said unsubscribed old and new *South-Sea* annuities (after deducting the sum of forty-eight thousand one hundred twenty-nine pounds sixteen shillings and four pence, by this act authorized and directed to be subscribed into the said annuities) at such respective time or times, and in such proportions, by payments not less than five hundred thousand pounds at a time, as they shall think most proper and convenient, towards redeeming and paying off the said annuities; and as the said payments of principal money shall from time to time be made, a proportional part of the said annuities, and also of the annuities attending thereon, and of the allowances for charges of management, shall cease and determine.

old and new unsubscribed south-sea annuities,

by payments not less than 500,000 l. at a time.

XVIII. And be it further enacted by the authority aforesaid, That the said *South-Sea* company shall forthwith upon the receipt of the said sum of two millions two hundred seventy-six thousand eight hundred ninety-three pounds eleven shillings and seven pence, or any part thereof, by such payments as aforesaid, or as soon after as conveniently may be, divide out and distribute the same as near as may be amongst all the several proprietors of the said old and new annuities respectively, towards sinking and discharging so much of their shares or interests in the said respective annuities, by even and equal dividends amongst them all, in proportion to their respective shares or interests therein.

South-sea company to distribute the same among the proprietors.

XIX. And to the end, intent and purpose, That all trust estates and interests in the said capital stocks of old and new *South-Sea* annuities, may be preserved and improved for the benefit of the persons concerned therein, with the least expence and inconvenience to them; be it enacted by the authority aforesaid, That in all and every cases where, in pursuance of this act, any payments or dividends shall be made of the capital of any such annuity stock, as shall be vested in any person or persons in trust for other persons who have or claim distinct or different interests therein, or for any other ends or purposes, for which the capital sum or annuity ought to be preserved intire, such payments or dividends of the capital stock of annuities, shall not be paid or applied as dividends of profit, annuity, or interest, but shall remain in the hands of such trustees respectively,

Trustees may lay out the money in the purchase of other stock,

till otherwise difpofed of at intereft; and for that purpofe, it fhall and may be lawful to and for the trustee or trustees who fhall receive the fame, at his or their difcretion to lay out or difpofe of the fame, or any part thereof, in the purchafe of fo much other capital ftock of annuities of the fame kind, as hath been fubfcribed in purfuance of the faid two acts of the laft feffion of parliament, or either of them, as at the current market price of fuch annuity ftock, the monies received for fuch dividends, fhall, as near as conveniently may be, extend to purchafe; which new purchafed ftock of annuities fhall be transferred to fuch trustee or trustees, and a receipt or receipts fhall be given and figned by the perfon or perfons transferring the fame, for the monies paid for the fame; and in cafe fuch trustees refpectively, by writing indorfed on or annexed to fuch receipts, and figned or acknowledged before one of the mafters of the high court of chancery, fhall declare that the money in the faid receipts were the produce of the faid dividends of the faid capital ftock of annuities (which figning or acknowledgement fuch mafters in chancery are hereby required to accept or take, and each and every fuch mafter, before whom the fame fhall be done, fhall at the fame time certify the fame, by fubfcribing his name thereto, for doing whereof fuch mafter fhall be paid for each certificate one fhilling and no more) then and in every fuch cafe, the annuity ftock mentioned in fuch receipts to be transferred, fhall refpectively go and be deemed fubject and liable to the fame trusts, for the benefit of the fame perfons, and for the fame ufes, ends, intents and purpofes, as the reft of the trust annuity ftock remaining in fuch trustees refpectively will or ought to be fubject and liable to, and fuch trustees refpectively fhall from thenceforth be indemnified from any lofs, charges or damages, on account of their fo doing, at the expences of the faid trust eftates.

or in any other purchafe.

XX. Provided always, That nothing in this act contained fhall extend or be conftrued to extend to refrain or prohibit any fuch trustees from laying out or difpofing of any of the faid trust monies in any other purchafes or any other securities, whether publick or private, if they fhall fo think fit, in the fame manner and with the fame freedom and fecurity to themfelves, as they might have done if this act had not been made.

XXI. *And whereas doubts have arifen with regard to the taking the oaths and affirmation, and fubfcribing the declaration appointed by the charter of the governor and company of the bank of England, to be taken and fubfcribed by all and every the members of every general court: and whereas the adminiftering the faid oaths and affirmation, and fubfcribing the declaration at every general court, will be a*

The bank may proceed in any general court without adminiftering the oaths, &c. appointed by their charter.

*great delay to the proceedings of the faid general court; be it therefore enacted by the authority aforefaid, That it fhall and may be lawful for the faid governor and company in any general court, to proceed to tranfact any bufinefs, without adminiftering the faid oaths and affirmation to, or fubfcribing the faid declaration by, all or any of the members of the faid court, unlefs required thereto, by any nine or more of the proprietors prefent, qualified*

qualified to vote at the faid general court according to the charter; any thing in their faid charter, or any act or acts of parliament contained in any wife to the contrary notwithstanding.

XXII. And be it further enacted by the authority aforefaid, That when any court of directors of the faid governor and company fhall be met according to any summons or appointment, and fhall have notice or be otherwife fatisfied, that the governor and deputy governor of the faid corporation, will not be prefent fo as to hold the faid court of directors, or in cafe the faid governor and deputy governor fhall be abfent after the ufual time of proceeding to bufinefs, that then and in fuch cafe it fhall and may be lawful for the faid court of directors, and they are hereby authorized and impowered, to chufe a chairman for that time (which chairman fhall alfo in the like cafe prefide at a general court, if any fhall at that time be summoned to meet) and to proceed to bufinefs, and tranfact the affairs of the corporation, and that the tranfactions of the faid general court and court of directors refpectively fhall be as valid and effectual to all intents and purpofes, as if the faid governor or deputy governor had been prefent; any thing in the charter of the faid corporation, or any act or acts of parliament contained in any wife to the contrary notwithstanding.

Court of directors may chufe a chairman in the abfence of the governor or deputy governor.

XXIII. And whereas feveral perfons, not being timely apprized of the notice given for fubfcribing in their feveral annuities, being in his Majefty's colonies in America, and other parts beyond the feas, or from unavoidable accidents have been deprived fubfcribing the fame; be it therefore enacted by the authority aforefaid, That the fums which were ftanding in the refpective names of the following perfons, on the twenty-eighth day of February one thoufand feven hundred and forty-nine, fhall be intituled to the benefit of the vote of the houfe of commons, paffed the twenty-ninth day of November one thoufand feven hundred and forty-nine, videlicet, Charles Apthorp of Bofton in New England, to the fum of five thoufand three hundred twenty-eight pounds in bank annuities, John Erving of the fame place to the fum of fix thoufand pounds in bank annuities, Daniel Huger of South Carolina to the fum of eight thoufand pounds in old South-Sea annuities, John Smith to the fum of eleven thoufand pounds in old South-Sea annuities, and to the fum of two thoufand one hundred pounds in new South-Sea annuities, inftead of the like fums fubfcribed to the fecond refolution paffed in the fame year, Ralph Willet to the fum of three thoufand pounds in old South-Sea annuities, Elias Moses Defortis to the fum of three thoufand four hundred and fifty-one pounds joint ftock in the new South-Sea annuities, Hugh Holmes to the fum of four thoufand three hundred pounds old South-Sea annuities, John Saunderson to five hundred pounds old South-Sea annuities, John Armstrong to the fum of two hundred and twenty-five pounds old South-Sea annuities, John Jolly to the fum of one thoufand pounds old South-Sea annuities, two thoufand pounds new South-Sea annuities, one thoufand pounds bank annuities, of the year one thoufand feven hundred and forty-

Liberty given to certain perfons to fubfcribe bank and fouth-fea annuities omitted to be fubfcribed purfuant to two acts of the laft feffion.



seven, and one thousand pounds lottery annuities of the year one thousand seven hundred and forty-seven, in as full and ample manner, as if they had severally and respectively accepted the said terms on or before the said twenty-eighth day of *February* one thousand seven hundred and forty-nine.

Sums standing in the joint names of Samuel Edwards and Hugh Brigges, intituled to the benefit of the vote of 21 March 1749.

XXIV. And be it further enacted by the authority aforesaid, That the sums that were standing in the joint names of *Samuel Edwards*, deceased, and *Hugh Brigges*, now Sir *Hugh Brigges*, baronet, on the twenty-eighth day of *February* one thousand seven hundred and forty-nine, shall be intituled to the benefit of the vote of the house of commons, passed the twenty-first day of *March* one thousand seven hundred and forty-nine, *videlicet*, twelve thousand two hundred and ten pounds two shillings and one penny, in new *South-Sea* annuities, and thirteen thousand four hundred and forty-three pounds fourteen shillings and three pence, in old *South-Sea* annuities, in as full and ample manner, as if they had severally accepted the said terms on or before the thirtieth day of *May* one thousand seven hundred and fifty.

#### CAP. V.

An act to indemnify persons who have omitted to qualify themselves for offices and employments within the time limited by law, and for allowing further time for that purpose. EXP. *Time given to 28 Nov. 1751.*

#### CAP. VI.

An act for punishing mutiny and desertion; and for the better payment of the army and their quarters. EXP.

#### CAP. VII.

An act for granting an aid to his Majesty by a land tax to be raised in Great Britain, for the service of the year one thousand seven hundred and fifty-one. Exp. *At 3s. in the pound.*

#### CAP. VIII.

*An act for the better carrying on and regulating the navigation of the rivers Thames and Isis, from the city of London westward, to the town of Cricklade in the county of Wilts.*

WHEREAS the rivers of Thames and Isis have, time out of mind, been navigable from the city of London to the village of Bercott in the county of Oxford; and from the city of Oxford westward, beyond Letchlade in the county of Gloucester: and whereas in and by an act of parliament, made and passed in the one and twentieth year of the reign of his late majesty King James the First, (intituled, An act for making the river of Thames navigable for barges, boats and lighters, from the village of Bercott in the county of Oxford, unto the university and city of Oxford) the said rivers were made navigable from the said village of Bercott to the said city of Oxford: and whereas divers abuses have heretofore been, and still are committed, by the owners of the several towing-paths, and other passages on the banks of the said rivers, and by

the owners of the locks, weirs, turnpikes, dams, flood-gates, and other engines in and upon or near adjoining to the said rivers: and also by the several barge-masters, and their servants, navigating thereon; by reason whereof and other exactions, the price of water-carriage, on those rivers, hath of late years been very much raised, contrary to the intent and provision of divers wholesome and good laws, made and passed for the due regulation of the said navigation; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That for preventing all abuses and exactions, which may or can lessen the navigation of the said rivers, and render the same less useful to the publick, all and every person or persons who are or shall be assessed and charged, and do and shall pay towards the aid granted unto his Majesty by an act of this present session of parliament, (intituled, *An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and fifty-one*) or towards any future aid, by any future act or acts of parliament; for granting an aid to his Majesty, his heirs and successors, by a land tax in *Great Britain*, for and in respect of an estate in lands, tenements or hereditaments in his or their possession, or of some person in trust for him or them, of the yearly value of one hundred pounds in any or either, or all of the several counties of *Middlesex, Surry, Berks, Bucks, Oxon, Gloucester and Wilts*; and also the vice-chancellor, and the heads of colleges and halls in the university of *Oxford*; and the mayor or chief officer for the time being of the corporation and borough towns, lying upon the said rivers, shall be and are hereby constituted commissioners for putting in execution all and singular the powers in this act contained; and that all and every person and persons constituted and appointed a commissioner or commissioners by virtue or in pursuance of this act, before he and they respectively take upon himself or themselves to act as a commissioner or commissioners under this act (other than the administering the oath following to one another, which they, or any two of them, are hereby impowered and required to do) do and shall take and subscribe the following oath:

Commissioners to put this act in execution.

**I** A. B. do swear, That I will without favour or affection, truly, faithfully and impartially execute, perform and discharge the office and duty of a commissioner, according to the powers, authorities, and directions given and established by an act of parliament, (intituled, *An act for the better carrying on and regulating the navigation of the rivers Thames and Isis, from the city of London westward, to the town of Cricklade in the county of Wilts*) according to the best of my skill and knowledge.

Oath to be taken by the commissioners.

So help me God.

Which oath so taken and subscribed as aforesaid, shall be kept and to be registered by the clerk of the peace, among the records of the sessions of the

the peace, in and for the respective counties where the same shall be so taken and subscribed.

Times and places for the meeting of the commissioners.

II. And be it further enacted by the authority aforesaid, That the said commissioners, or any seven of them, for the further, better and more orderly putting in execution the powers hereby to them given and appointed, shall, for the first time, meet on the first day of *July* next ensuing, at the town-hall in *Reading* in the county of *Berks*; and from thence by adjournment, meet at the town hall in the city of *Oxford* on the fifth of *August* following; and for the like purposes, shall for the time to come, hold a general meeting upon the first *Tuesday* in *July* in every year, at the town hall in the said city of *Oxford*, and another on the first *Tuesday* in *September* following, in every year, at the town hall in *Reading* aforesaid, for such time or number of days as shall to the said commissioners seem convenient, and at any of the said meetings shall adjourn themselves from time to time to such place; and so from place to place, within the counties of *Middlesex*, *Surry*, *Berks*, *Buckingham*, *Oxford*, *Gloucester* and *Wils*, and near to the same rivers, or some part thereof, as they shall think proper; and the said commissioners, or any five or more of them, are hereby impowered and authorized afterwards, at any time or times, when it shall happen that no general meeting is appointed to be held by adjournment, to appoint general meetings of the said commissioners, for putting in execution all or any of the powers hereby in them vested, at such times and places as they shall think proper, within any or either of the said counties, by or through which the said rivers run, upon or near the same, upon giving twenty days notice in the *London Gazette*, and some other publick news papers, as to the commissioners shall seem meet, of the time and place which shall be from time to time appointed for such general meetings; (at which the commissioners then present shall be at liberty, and are hereby impowered to adjourn themselves to such times and places, within any or either of the aforesaid counties, near the said rivers, as they shall think proper;) and the said commissioners, or any seven of them, or the major part of them assembled at such general meeting, shall at any or either of such general meetings, held at any of the respective times and places aforesaid, or in pursuance of such notice aforesaid only, for such number of days, as to them shall seem convenient, upon due examination of any person or persons, touching any matters or things which concern the better carrying on and regulating the navigation of the said rivers, or touching any matters in controversy between party and party relating thereto, upon oath, (which oath they are hereby impowered at such general meetings to administer, and shall be in these words:)

Power of appointing general meetings.

20 days notice of such meetings to be given in the *London Gazette*, &c.

Commissioners impowered to examine on oath,

**I** A. B. do swear, That such information or evidence as I shall give, shall be the truth, the whole truth, and nothing but the truth.  
So help me God.

And

And make orders and constitutions for the settling and ascertaining reasonable rates and prices to be taken from the owners of all barges, boats and vessels, for the use and exercise of all the towing-paths, gates and bridges, either by men or horses, as they are now used, or shall be used, at the discretion of the said commissioners, by the tenants or occupiers of all locks, weirs, bucks, winches, turnpikes, dams, flood-gates and other engines, and towing-paths, in, upon or near adjoining to the said rivers of *Thames* and *Isis*, or which do or may affect the navigation of the same, or shall be deemed by the said commissioners, or any seven of them, or the major part of them, assembled at such meeting or meetings as aforesaid, to be necessary or useful thereto, between the said city of *London* and the said town of *Cricklade*, for the help and assistance which barges, boats or vessels may or shall receive thereby, or by means thereof, in their passage upon the said rivers, regard being had as well to the burden or tonnage of such boats, barges and vessels that have, do and shall navigate on the said rivers, as to the charges and expences which have been, and shall be, laid out in building, repairing, enlarging, improving and supporting the said locks, weirs, bucks, winches, turnpikes, flood-gates and other engines; and also to make orders and regulations touching the sizes and draughts of all boats, barges and other vessels navigating the said rivers; and to settle proper gauges on the sides thereof, and how deep they shall load at all times, and in different seasons of the year, so as no boat, barge or other vessel whatsoever, navigating the said rivers, shall draw more than four feet on the sides, or draw more than four feet of water at any season of the year; and also to constitute and appoint all such other necessary rates, orders, constitutions, rules and regulations concerning the said navigation, and also concerning such locks, weirs, bucks, winches, turnpikes, dams, flood-gates and other engines and towing-paths, lying between the places aforesaid, and the shutting, penning, opening, drawing, use or management thereof, for the benefit and safety of the said navigation; and making satisfaction for the loss or damage which any owners or occupiers of mills or lands shall or may sustain thereby; and concerning all barges, boats or vessels passing by, through or with the help of the same; and behaviour of all bargemen, boatmen and watermen belonging to or working in such barges, boats or vessels, so as to remedy the abuses which have been frequently heretofore committed, or may hereafter be committed by them in the navigation; and to give such reparation, satisfaction and damages to the person or persons aggrieved thereby; as likewise to the owners or occupiers of meadows, or other grounds, who shall be damaged by the neglect or refusal of the owners of such locks, weirs, bucks, winches, turnpikes and flood-gates, in not opening and keeping open the same, till the water is sunk beneath the watermark, as to the said commissioners, or any seven or more of them, or the major part of them present at any such meeting, shall seem meet.

and to settle the prices payable by barges for the use of towing-paths, &c.

and to make orders for the sizes and draughts of barges, and for settling gauges on the sides, &c.

and other regulations concerning the navigation,

and behaviour of bargemen,

and satisfaction of persons aggrieved.

No alterations to be made in the towing-paths or landing places, without consent of proprietors.

III. Provided always, and be it enacted by the authority aforesaid, That nothing herein contained shall extend, or be construed to extend, to empower the said commissioners to alter, change or remove any of the towing-paths, or landing-places now used as such, or to make or appoint any new or other towing-paths or landing-places, on the banks of the said rivers, without the mutual consent first had and obtained of both the owner or proprietor of the ground, over which the towing-path or landing-place proposed to be removed now is, and also of the owner or proprietor of the ground on which such towing-path or landing-place shall be intended to be removed to, or on which any such new towing-path or landing-place shall be intended to be made; any thing herein contained to the contrary notwithstanding.

Orders made at a general meeting, not to be altered at any general meeting not appointed by adjournment, &c.

Orders may be altered, upon application, at any stated meetings.

20 days notice to be given of such application.

Commissioners may hold sub-meetings,

IV. Provided always, That no order, rule or regulation made by the said commissioners, in pursuance of the powers by this act vested in them, at any general meeting held upon and at the respective days and places in every year directed by this act as aforesaid, or at any adjournment thereof, shall be altered or repealed at any general meeting held by the said commissioners in pursuance of the notice hereby directed to be given, when it shall happen that no general meeting has been appointed to be held by adjournment: and that it shall and may be lawful to and for the said commissioners by this act constituted, upon any application to them made in that behalf, at either of the said general meetings, held at and upon the days and places prefixed by this act, for the respective holding the same in every year, or at any adjournment thereof, to alter, annul or repeal any order, rule or regulation made by the said commissioners at any former meeting or adjournment whatsoever, held in pursuance of this act, or make any new order, rule or regulation, touching and concerning the same, as the occasion and circumstances of the case may then require, and as to them shall seem expedient; and so as no such alteration, repeal or new order, be made or deemed good and sufficient, unless the party or parties applying for such alteration, repeal or new order, shall give twenty days notice in writing of his intended application, to every person or persons whom the same immediately concerns, or leave such notice with the servant or agent of any such person or persons.

V. And be it further enacted by the authority aforesaid, That the said commissioners, or any three or more of them, shall and may have and hold a sub-meeting in every of the said counties, by or through which the said rivers run, once in every year, at such times, and in such towns or places respectively, at the *Michaelmas* quarter-sessions in every year, for every of the said counties respectively shall be held (and at such sub-meetings the said commissioners shall have power to adjourn themselves, from time to time as they shall think proper) for the enforcing the execution of all or any of the orders and constitutions, to be made at all or any of the general meetings of the said commissioners to

be

be held as aforefaid; and at fuch fub-meetings the faid commiffioners, or any three or more of them, or the major part of them prefent, fhall have power, and are hereby authorized, in a fummary way, upon examination of the parties, and all witneffes to be produced by them; upon oath, which fhall be in the fame words as herein before directed for the examination of any perfon or perfons as aforefaid, (which oath they are hereby impowered to adminifter) to hear and determine all fuch complaints and informations, as fhall be made or laid againft all and every perfon or perfons, accused of offending againft, or not complying with this act, or any of the rules, orders, regulations or conftitutions, to be made in purfuance or by virtue thereof; and upon conviction of the offender or offenders, to levy fuch fines, penalties, forfeitures or damages as the faid commiffioners are by this act impowered to fet, or are hereby made payable or forfeited, for the offences whereof fuch offenders fhall be refpectively convicted, by diftreff and fale of the offenders goods and chattels, rendering the overplus to the offender or offenders, by warrant or warrants, under the hands and feals of the faid commiffioners, or any three or more of them, to be directed to the conftables, tythingmen, or other peace officers of the feveral liberties or places wherein, or near whereto, any goods or chattels, by fuch warrant directed to be diftrained, fhall be; and all fuch conftables, and other officers, are hereby commanded to obey and execute fuch warrants accordingly: provided, That every perfon againft whom any complaint or information fhall be made or laid at any or either of the faid fub-meetings, fhall have at leaft fix days notice of fuch complaint or information, under the hands of two or more of the faid commiffioners.

and may hear complaints in a fummary way,

and levy fines by diftreff and fale.

6 days notice to be given to the party complained againft.

VI. Provided alfo, That it fhall and may be lawful for any perfon, whole fine, penalty, forfeiture or damage adjudged againft him, at any or either of the faid fub-meetings, fhall exceed the fum of five pounds, and who fhall think himfelf aggrieved thereby, to appeal to the next general quarter feflions of the peace, to be held after the expiration of ten days, from the time that the party aggrieved fhall have notice of the adjudication of fuch fub-meeting of the commiffioners of the county, wherein the matter of complaint fhall originally arife, but not afterwards, upon giving fix days notice in writing, of fuch appeal to the party or parties appealed againft, or leaving fuch notice at his or their laft place of abode; and the court of fuch quarter-feflions fhall hear and determine fuch appeal, and give fuch cofts to either party, as they fhall think reasonable, whole determination therein fhall be final.

Persons aggrieved may appeal to the quarter-feflions.

6 days notice to be given.

VII. And be it further enacted by the authority aforefaid, That the clerks of the peace for the faid feveral counties through which the faid rivers run, fhall be, and are hereby, appointed clerks to the faid commiffioners, and each of fuch clerks of the peace, or his deputy, fhall, and are hereby required to attend, and act as clerks to the faid commiffioners, at fuch of their meetings

Clerks of the peace appointed clerks to the commiffioners;

and to be paid  
out of the  
county stock.

meetings only, as shall be held in the county whereof he is clerk of the peace; and such clerks of the peace shall respectively be paid out of the several counties stock, of which county they are clerks of the peace, such sums for their attendance at such meetings respectively, as shall at such meetings, at which they shall so attend, be allowed them by any three or more of the said commissioners, by writing or certificate under their hands and seals, not exceeding the sum of twenty shillings a day; and the treasurers of the said counties respectively are hereby required to pay the same, the clerks of the peace producing such certificate as aforesaid.

3 commissio-  
ners impower-  
ed to view the  
locks,

VIII. *And whereas, for the more effectual putting of the powers herein contained in execution, it may be necessary to view the several locks, weirs, bucks, winches, turnpikes, dams, flood-gates, or other engines, and the several towing-paths upon or near the said rivers:* be it enacted by the authority aforesaid, That the said commissioners, or any three, or the major part of them, at such their general meetings or sub-meetings, may appoint any number of commissioners (but not a less number than three) as they should think fit, who are hereby authorized and empowered to go and view any locks, weirs, bucks, winches, turnpikes, dams, flood-gates and other engines, in, upon or near adjoining to the said rivers; and likewise to view all towing-paths, gates, bridges and places proper for the fixing a water-mark at all locks, weirs, bucks, winches, turnpikes, dams, flood-gates and other engines, and to inquire into the state, condition and circumstances thereof; and to inquire also by information upon oath (which shall be in the same words as the oath herein before directed for the examination of witnesses as aforesaid, which oath they are hereby empowered to administer) what rates or prices have formerly been paid to, or taken by, the owners or proprietors of such locks, weirs, bucks, winches, turnpikes, dams, flood-gates or other engines, in or upon, or near adjoining to the said rivers, or in any wise affecting the same, as likewise by the owners of towing-paths adjoining to the said rivers; and the several sums that are now paid to, or taken by such owners, proprietors or occupiers, from the several barge-masters navigating on the said rivers; which information or informations thus taken, shall be signed by two of the said commissioners at least, and shall be by them transmitted to, and reported at, the next general meeting of the said commissioners, who, or any seven of them, or the major part of them, shall make such order and determination thereupon, as shall to them seem just; six days notice in writing of such informations and intended order being first given to the person or persons whom the same may concern, or left at his, her or their last place of abode.

and to inquire  
into their  
state,

and the rates  
formerly paid.

and the sums  
now taken.

Information  
to be signed  
by 2 commissio-  
ners, and  
reported to  
the next gene-  
ral meeting,  
&c.

Commissio-  
ners to rate  
the prices of  
carriage,

IX. And be it further enacted by the authority aforesaid, That the said commissioners, or any seven or more of them, or the major part of them, shall have power and authority, and they are hereby enjoined and required, at their said general meetings, to assess and rate the prices of the carriage of all sorts of goods whatsoever, from the said city of London westward, to the said town of Cricklade, and back from thence to the said city of London, or to

or from thence respectively, to any other place or places upon the said rivers, or to or from any place or places upon the said rivers, to any other place or places upon the same, in such boats, barges or other vessels; and shall forthwith give publick notice in writing, to be signed by the said commissioners at such their meetings, or any seven or more of them, to be printed and published in the *London Gazette*; of which publick notice the several owners of boats, barges and other vessels, navigating on the said rivers, are hereby required to take notice, as also of the rates and prices so, from time to time, set and assessed, and of all other rates and prices, which shall at any time or times hereafter, at such respective meetings as aforesaid, be rated and assessed by virtue of this act: and if any owner or proprietor of any such barge, boat or other vessel, shall, at any time after the expiration of ten days next after the publishing of such notice, take for the water-carriage of any goods or merchandizes, above the rates and prices so set as aforesaid, every person or persons so offending shall forfeit the sum of five pounds, and shall lose the freight of such goods; and if any person or persons whatsoever shall break or act contrary to any other rules, orders or constitutions, which shall be made in pursuance of this act, either for the benefit of the proprietors or owners of mills, locks, lands or meadows, near or adjoining to the said rivers, or either of them, or otherwise howsoever; every such person so offending, shall, for every such offence, likewise forfeit the sum of five pounds, unless in the case of offences on which other penalties and forfeitures are herein otherwise inflicted; all which respective penalties and forfeitures shall and may be recovered in a summary way, by information or complaint made to the said commissioners at any or either of their sub-meetings to be held as aforesaid; and shall go and be applied, one moiety to the informer or informers, and the other moiety to the party or parties aggrieved by any such offence, and shall and may be levied by distress and sale in manner herein before directed.

and to publish  
the same in the  
Gazette.

Penalty of tak-  
ing more  
than the rate,

or of acting  
contrary to  
any rules, &c.

Application of  
the forfeitures.

X. Provided also, and be it further enacted by the authority aforesaid, That no commissioner or commissioners shall sit in judgement in the execution of this act, or any of the powers herein contained, where he or they, on his or their own parts, are any wise interested or concerned.

No commissi-  
oner to act  
where he is  
interested.

XI. Provided nevertheless, and be it enacted by the authority aforesaid, That if any person or persons shall think himself or themselves aggrieved, by reason of any rules, orders, constitutions or assessments so as aforesaid to be made by the said commissioners, or any seven of them, or the major part of them, at their said general meetings, it shall and may be lawful to and for the judge or judges of assize, at the assizes to be held for the county wherein the matter of complaint principally ariseth, or the judge or judges of *Nisi prius*, or sitting of *Nisi prius* at *Westminster*, when the cause of complaint shall arise in the county of *Middlesex*, upon complaint made by such person or persons aggrieved, within the space of eight months next after the making

Appeal from  
the commissi-  
oners to the  
judges of as-  
sise, &c.



of fuch rules, orders, constitutions or assessments, to confirm, vacate or alter the same, in such manner as shall be thought most convenient.

Orders of commissioners to be in force till vacated, except in cases affecting others property.

XII. Provided always, That the orders made by the said commissioners shall remain in full force till vacated, or altered, by such judge or judges: but if such orders, rules or constitutions shall affect the property or interest of any person or persons, in lands, tenements, or hereditaments, other than in locks, weirs, winches, turnpikes, dams, flood-gates, antient towing-paths and landing-places, then such orders, rules and constitutions shall not be in force, until the expiration of one month next after the making thereof, and after notice given in writing to the person or persons affected thereby, or left at his or their place of abode, in order that the person or persons so affected may have an opportunity of appealing against such orders, rules and constitutions, before the same are carried into execution; and every such person or persons who shall make such appeal, shall, within the space of one month, give notice in writing to the clerk of the commissioners making the rules, orders or constitutions intended to be appealed against; and shall also enter into a recognizance before some justice of the peace of the county wherein the matter doth lie, in the penalty of ten pounds at least, to prosecute the said appeal, according to the notice given thereof, as aforesaid; in which case the rules, orders or constitutions so appealed against, shall not be in force until such appeal be heard and determined, according to the directions of this act; and in case the judge or judges, who shall hear the said appeal, shall determine the same against the appellant, it shall be lawful for such judge or judges to give such costs to the party or parties against whom the said appeal is made, as to such judge or judges shall seem meet.

Judges may give costs.

Orders to be written on parchment, and printed;

and kept amongst the records of the sessions.

XIII. Provided also, and be it further enacted by the authority aforesaid, That all such rules, orders, constitutions and assessments as shall be made by the said commissioners, or any seven, or the major part of them, in pursuance of this act, shall be written on parchment, and signed by the said commissioners, or any seven, or the major part of them, and shall also be printed; and the original orders, so signed, shall be kept amongst the records of the sessions of the peace of the county, within which the same shall be made; and a true copy, signed by the clerk of the peace of the county where such original orders shall be filed, shall by him be transmitted to the several clerks of the peace of the counties of *Berks* and *Oxford*, when the said orders are made in other counties than those of *Berks* and *Oxon*; all which, or true copies thereof, signed by the clerk of the peace, who hath the custody thereof, shall be taken, adjudged, and deemed good and sufficient evidence and proof in any court of law or equity whatsoever, and other places of judicature; and the said rules, orders, constitutions and assessments, so signed by the said commissioners, or confirmed or altered on such appeal as aforesaid, shall continue in force from the making the same by

the faid commiffioners, or the confirmation or alteration thereof, by the faid judge or judges of affize, or *Nifi Prius*, until fome new order, rule, constitution or affeffment, fhall be made in the fame cafe, by the faid commiffioners, or any feven, or the major part of them; and every fuch new order, rule, constitution or affeffment, fhall be fubject to the like appeal as aforefaid.

XIV. And, for the further preventing the damages and mifchiefs frequently done and committed by rude and diforderly perfons, rowing, managing, haling or towing the faid barges, boats, and veffels, either with men or horfes, and that the owners of fuch barges, boats and veffels may be more careful to prevent the fame; be it enacted by the authority aforefaid, That every barge-mafter, or the mafter of any boat or veffel, and owner of any barge, boat and veffel, fhall be, and is hereby, made anfwerable and refponfible for any damage or mifchief that fhall be done or committed by his or their barge, boat or veffel, or by the whole or any of the crew of his or their faid barge, boat or veffel, or by perfons ordinarily belonging to, and going with, fuch barge, boat, or veffel, either to the goods and commodities with which fuch barge, boat or veffel is laden, or by fifhing with nets, or otherwife, or by fhooting with guns, or taking or deftroying any fifh, fowl or game, or to any of the locks, lock-tables, weirs, bucks, winches, turnpikes, dams, flood-gates or other engines; or to any bridge or lands, trees, meadows or grounds, in and upon the faid rivers, or bordering or near adjoining thereto, either with men or horfes: and the faid barge-mafters, barge-owners, and the mafters and owners of any boat or veffel, fhall be, and are hereby made liable to make good all fuch damages to be committed as aforefaid; and fhall and may be fued and profecuted for the fame, by action of trefpafs or otherwife; and if it appear that fuch trefpafs or damage was done by any of the perfons ordinarily belonging to or employed in the barge or other craft, whereof fuch perfon or perfons was or were mafter or mafters, owner or owners, fuch mafter or mafters, owner or owners, fhall be found guilty, and the plaintiff or plaintiffs fhall recover his or their damages thereby fuftrained, with his, her, or their full cofts of fuit; any former law or ufage to the contrary notwithstanding.

XV. *And whereas the bargemen, and other perfons navigating the barges, boats and other veffels on the faid rivers, have frequently embezilled and adulterated wines, cyder, beer and other liquors; and have often fole and bartered coals, malt, wheat and other goods committed to their care; and have been guilty of many other abufes, to the great damage of the proprietors of fuch goods, and the difcredit of the faid navigation; but it has been found very difficult to detect the offenders;* be it therefore enacted by the authority aforefaid,

That if any bargeman, boatman, or other perfon or perfons, being part of the crew of or belonging to any barge, boat or other veffel, navigating the faid rivers, fhall hereafter steal, fell, take, barter, confume, adulterate or embezil any wine, cyder, beer

Barge-mafter  
refponfible for  
damages done  
by his men.

Penalty on  
bargemen  
ftealing, &c.  
any goods on  
board.

Forfeiture to go to the informer.

For want of distress of offender to be committed,

and the informer to be paid by the county treasurers.

On complaint that the water runs over the marks, a commissioner may compel the owners of locks to open the same.

3 commissioners may order satisfaction for damages occasioned by overflowing.

or other liquor, coals, malt, wheat or other goods, which shall be part of the freight of such barge, boat or other vessel, and shall be thereof lawfully convicted before any one of his Majesty's justices of the peace for the county wherein, or adjoining to the place where, the offence shall be committed (who are hereby empowered to hear and determine such complaints in a summary way, and to convict the offenders, either upon their own confession, or upon the evidence of one credible witness upon oath, which oath such justices are hereby empowered to administer) such bargemen, boatmen, or other person or persons so offending, shall forfeit and pay the sum of forty shillings for every such offence, to any person or persons who will inform thereof, the same to be levied by distress and sale of the offender's goods, by warrant under the hand and seal of the justice before whom the complaint or information shall be made or laid: and in case such offender or offenders shall have no goods and chattels, whereby the penalty may be levied, or do not, upon demand, pay down the said forty shillings, then such justice shall and may send such offender or offenders to the house of correction, there to be kept to hard labour, for any time not exceeding the space of two months: and in such case the person or persons so informing, shall be allowed and paid the said sum of forty shillings, by the county treasurers of the two counties between which that part of the said river shall run, where the offence shall happen to be committed, in equal shares and proportions: and the treasurers of such counties are hereby required to pay the same, upon the informer or informers producing a certificate of the conviction of the said offender or offenders, under the hand of the justice before whom the information shall be laid: and that such offender or offenders had no goods and chattels, whereon the penalty could be levied as aforesaid.

XVI. And be it further enacted by the authority aforesaid, That it shall and may be lawful for any two of the said commissioners upon the complaint of, and oath made by any of the tenants or occupiers of the meadows above, that the water runs over the water-mark, and that their meadows are in danger of being overflowed, to send, under their respective hands and seals, a warrant directed to the constable or constables of the parish or tything, or some neighbouring parish or tything to the place where the offence shall be committed, thereby authorizing and empowering him or them to give notice of such complaint to the several tenants or occupiers of the said locks, weirs, turnpikes, dams and floodgates; and on their refusal to open the same, to compel the said tenants or occupiers of the said locks, weirs, turnpikes, dams and flood-gates, to open, and keep open the same, as occasion shall require, till the water is sunk below the water-mark, and no longer: and if any damage shall be sustained by the tenants or occupiers of such meadows, occasioned either by the occupiers or tenants of such locks, weirs, bucks, turnpikes, dams and flood-gates, penning above the water-mark, so as aforesaid set by the said commissioners; or neglecting or refusing

refusing to draw, after such notice as aforesaid; any three or more of the said commissioners shall, at any of their sub-meetings to be held as aforesaid, within the space of fourteen days next ensuing, on proof made on oath as aforesaid, of the damage or damages, order such satisfaction as to them shall seem just: and if any or either of the tenants or occupiers of any locks, weirs, bucks, turnpikes, dams or flood-gates, shall refuse to pay such sum or sums of money so ordered, within thirty days after such order made, and notice thereof given, he or they so refusing shall forfeit the sum of five pounds, over and above the sum or sums so ordered, to be levied by distress and sale of the offender's goods and chattels, by warrant under the hands and seals of any three or more of the said commissioners as aforesaid.

Penalty of not paying.

*XVII. And whereas great inconveniencies and damages do often happen to light-loaded barges, boats and other vessels, by deep-loaded barges, boats and other vessels, lying across or aground in the said rivers; and thereby or otherwise obstructing and preventing the passage of such light-loaded vessels, which otherwise might pass: for remedy whereof, be it further enacted by the authority aforesaid,*

That it shall and may be lawful for any one or more of the said commissioners, on his or their view, or on complaint thereof made to him or them by the owners or navigators of such light-loaded barges, boats or other vessels, to order the owners or navigators of such deep-loaded barges, boats or other vessels, by warrant under his or their hands, forthwith to remove such obstructions, by lightening their said vessels, or otherwise, in such manner as the said commissioner or commissioners shall think fit; and to suffer the said light-loaded barges, boats or other vessels to pass; and upon non-compliance with such order, to assess and levy by warrant under such commissioner or commissioners hands and seals, to be directed to the constables, or other peace officers, of the parish or place wherein or near to the place where such complaint shall arise, such penalty not exceeding the sum of five pounds, upon the goods and chattels of the offender or offenders, or the tackle belonging to his or their barge or barges, as the said commissioner or commissioners shall think proper, or adequate to the damage to be thereby sustained by the owner or owners of such light-loaded vessel or vessels, and to be paid to the person next immediately sustaining the damage occasioned by his boat or vessel's being stopped.

Commissioners may make order concerning deep-loaded barges obstructing the navigation.

Penalty of non-compliance.

*XVIII. And be it enacted by the authority aforesaid, That if it shall appear, either by view of any three or more of the said commissioners, or upon complaint made on oath, to be taken and administered as herein before directed, to any five or more of the said commissioners, at any of the said sub-meetings, that any owner or occupier of any lock, weir, turnpike, dam or flood-gate, or any other person or persons, hath removed any water-mark, so as aforesaid set or appointed by the said commissioners, that the person or persons so removing the same shall forfeit and pay the sum of five pounds, to be recovered at any*

Penalty of removing water-marks.

any of the faid sub-meetings, in a fummary way, by any perfon or perfons who will complain or inform thereof, and levied by diftreff and fale of the offender's goods and chattels, in manner aforefaid.

Commissioners may make order for cleaning the rivers:

XIX. *And whereas it may be neceffary to cleanse, fcour, clear and ballaft the faid rivers in many places*; be it enacted by the authority aforefaid, That it fhall and may be lawful to and for the faid commissioners, or any feven or more of them, at any of their general meetings, by any order under their hands and feals, to caufe the faid rivers, or fuch parts thereof as to them fhall feem meet, to be cleaned, fcoured, cleared and ballafted, and all obftructions and annoyances in and upon the faid rivers to be removed; and to defray the charges and cofts of fuch clearing, cleaning, fcouring and ballafting; and removing all obftructions and annoyances aforefaid; as alfo to defray the incidental expences of printing and publifhing the orders of the commissioners; and for the making a reafonable recompence to the feveral clerks of the peace, for tranfmitting duplicates of fuch orders as aforefaid; and for paying the falaries of fuch officers as the commissioners fhall think fit to appoint, for the infpecting the execution of this act; it fhall and may be lawful to and for the faid commissioners, or any feven or more of them, at any of their general meetings, to impofe and fet a rate or rates, to be paid by the owner or owners of every boat, barge or vefTel, paffing the faid place fo cleared, cleaned, fcoured and ballafted; and to appoint a receiver or receivers thereof until a fufficient fum be raifed for defraying the expence thereof: and in cafe the owner or owners of fuch boat, barge or vefTel fhall neglect or refufe to pay the faid rate or rates, fo directed to be paid, that then it fhall and may be lawful to and for the faid commissioners, or any feven or more of them, by warrant under their hands and feals, directed to fuch receiver or receivers, to levy the monies fo rated, or directed to be paid, upon the goods and chattels of the perfon or perfons fo refufing or neglecting to pay the fame, and to difpofe of and fell the goods and chattels fo levied, and to deduct thereout the faid rates fo directed to be paid, together with the cofts and charges of fuch warrant, diftreff and fale, rendering the overplus to the perfon or perfons fo refufing or neglecting to pay the faid rate or rates as aforefaid.

and impofe a rate on barges, &c.

and appoint receivers.

Owners of barges to affix their names and places of abode, &c. on their veffels.

XX. Provided always, and be it enacted by the authority aforefaid, That the owners of all boats, barges and other veffels, of the burden of twenty tons, and upwards, navigating the faid rivers, fhall caufe his, her or their name or names, and place of abode, together with the dimensions and tonnage of his, her or their boat, barge or vefTel, to be fet on fome conspicuous place of their refpective boats, barges or veffels: and every owner or owners neglecting fo to do, or fuffering his, her or their boat, barge or other vefTel, to navigate in or upon the faid rivers, or either of them, without their refpective names, place of abode, dimension and tonnage thereon, fhall forfeit and pay the fum of forty fhillings for every fuch offence, to any perfon or perfons

Penalty.

who

who will make information or complaint thereof to the faid commissioners, at any or either of their fub-meetings, to be, as aforefaid, held, the fame to be levied by diftreff and fale of the offenders goods as aforefaid, fo as the offender or offenders be thereof firft duly convicted by the faid commissioners, at any of their fub-meetings as aforefaid.

XXI. *And whereas for improving the navigation of the rivers Thames and Ifis, it is found expedient to put fuch part of the river of Kennet, as is between the common landing-place at Reading aforefaid, and the mouth of the faid river of Kennet, under the fame regulation and management*; be it therefore enacted by the authority aforefaid, That the commissioners appointed by this act fhall be commissioners for carrying on and regulating the navigation of the aforefaid part of the faid river *Kennet*, in like manner as they are hereby appointed commissioners concerning the navigation of the faid rivers of *Thames* and *Ifis*; and that all and fingular the powers and authorities by this act given to, or vefted in, the faid commissioners, relating to the navigation of the faid rivers of *Thames* and *Ifis*, fhall extend to, and the faid commissioners are hereby authorized to exercife the fame over the aforefaid part of the faid river *Kennet*, and over all perfons, boats, barges and veffels navigating the fame, or any ways concerned therein, and the locks, weirs, turnpikes, dams, flood-gates and other engines thereon; and the adjacent lands, meadows, tenements and premiffes; and to make all fuch, or any of the orders and confutations relating thereto, as are herein mentioned, and in like manner as the faid commissioners are hereby authorized to do, of and concerning the navigation of the faid rivers of *Thames* and *Ifis*, and the matters and things relating thereto, or any perfons interested or concerned therein.

Part of the river Kennet put under the fame management.

XXII. Provided always, That nothing in this act contained fhall extend, or be conftrued to extend, to take away any jurisdiction, power or authority of the mayor, commonalty and citizens of the city of *London*, or any other body politick or corporate, or other perfon or perfons whatfoever.

Limitation.

XXIII. And be it further enacted by the authority aforefaid, That all the orders of the faid commissioners fhall be kept by the clerks of the peace aforefaid, among the records of the fefions of the peace in the refpective counties where the fame fhall be made; and that fuch clerks of the peace, refpectively, fhall permit the fame to be infpected by all perfons defiring the fame, at convenient times; and fhall deliver copies thereof, or of any part thereof, to any perfon defiring the fame, taking for the fearches and copies thereof, reasonable fees, to be limited by the faid commissioners from time to time, at their general meetings aforefaid.

Orders to be kept by the clerks of the peace among the records.

XXIV. And be it enacted and declared by the authority aforefaid, That this act fhall be deemed a publick act, and fhall be taken notice of as fuch, without fpecially pleading the fame: and if any action fhall be brought, or fuit commenced, againft any perfon or perfons for any thing done in purfuance of this

Publick act.

act,

General iſſue.

act, every ſuch action or ſuit ſhall be brought or commenced in the county or place where the cauſe of action or ſuit doth ariſe, and not elſewhere, and within the ſpace of ſix months next after ſuch cauſe of action ſhall accrue; and the defendant or defendants, in ſuch action or ſuit may plead the general iſſue, and give this act and the ſpecial matter in evidence at any trial to be had thereupon; and that the ſame was done in purſuance and by the authority of this act: and if the ſame ſhall appear to have been ſo done, or if any ſuch action or ſuit ſhall be brought or commenced after the time before limited for bringing or commencing the ſame, or ſhall be brought or commenced in any other county or place, then, and in ſuch caſe, the jury ſhall find for the defendant or defendants; and in ſuch caſe, or if the plaintiff or plaintiffs ſhall become nonſuit, or ſuffer a diſcontinuance of his, her or their action or actions, or if any verdict ſhall paſs againſt the plaintiff or plaintiffs, or if, upon demurrer, judgement ſhall be given againſt the plaintiff or plaintiffs, the defendant or defendants, ſhall and may recover double coſts, and ſhall have the like remedy for the ſame as any defendant or defendants hath or have for coſts of ſuit in other caſes by law.

Double coſts.

Charges of this act how to be paid.

XXV. And be it enacted by the authority aforeſaid, That the coſts and charges of obtaining this act ſhall be paid by the treaſurers of the ſeveral counties of *Middleſex, Surry, Bucks, Berks, Oxford, Glouceſter* and *Wilts*, through which the ſaid rivers run, in equal ſhares, that is to ſay, by every treaſurer of the ſaid ſeveral counties, one ſeventh part, to *William Cooke* of *Great Farringdon* in the county of *Berks*, gentleman, his executors or adminiſtrators, upon his or their producing to ſuch treaſurers reſpectively the bill of coſts and diſburſements, on account of paſſing this act, ſigned by any five of the ſaid commiſſioners, or their certificate, or allowance thereof: and the ſaid treaſurers of the ſaid counties are hereby required to pay the ſame accordingly, on ſight of ſuch bill, certificate or allowance, ſo as aforeſaid ſigned; and the receipts of the ſaid *William Cooke*, his executors or adminiſtrators, ſhall be good and ſufficient vouchers for ſuch treaſurers reſpectively, and allowed in their reſpective accounts for what they ſhall ſo as aforeſaid reſpectively pay to the ſaid *William Cooke*, his executors or adminiſtrators, in purſuance of this act.

6 & 7 W. 3.  
c. 16and 3 Geo. 2.  
c. 11. repeal-  
ed.

XXVI. And be it further enacted by the authority aforeſaid, That from and after the end of this preſent ſeſſion of parliament, the ſaid act made in the ſixth and ſeventh years of his late maſtey King *William the Third*, intituled, *An act to prevent exactions of the occupiers of locks and weirs upon the river of Thames weſtward, and for aſcertaining the rates of water-carriage upon the ſaid river*: and alſo the ſaid other act, made in the third year of the reign of his preſent Maſtey, intituled, *An act for reviving and amending an act made in the ſixth and ſeventh years of the reign of his late maſtey King William the Third, intituled, An act to prevent exactions of the occupiers of locks and weirs upon*

on the river of *Thames* weſtward; and for aſcertaining the rates of water-carriage upon the ſaid river; ſhall be, and the ſame are hereby repealed.

## CAP. IX.

An act for repairing the road leading from Weſt-Lavington to the Devizes, and from the Devizes to Scend in the county of Wilts.

*Certain tolls granted for 21 years.*

## CAP. X.

An act for enlarging the term and powers granted by two acts of parliament, for repairing the highways through the ſeveral pariſhes of Saint Michael, Saint Alban, Saint Peter, Shenley-Ridge and South Mimms, in the counties of Hertford and Middleſex.

*The acts 1 Geo. 1. and 8 Geo. 2. c. 9. continued for 21 years.*

## CAP. XI.

An act for reducing the intereſt upon the capital ſtock of the South Sea company, from the time and upon the terms therein mentioned; and for preventing of frauds committed by the officers and ſervants of the ſaid company.

Moſt gracious Sovereign,

WHEREAS the corporation of the governor and company of merchants of Great Britain trading to the South Seas, and other parts of America, and for encouraging the fiſhery, have propoſed to accept of four pounds per centum per annum on their capital ſtock, to Chriſtmas, one thouſand ſeven hundred and fifty ſeven, and then to ſtand reduced to three pounds per centum per annum, provided the receipt from the exchequer, and charges of management, upon the preſent old and new South Sea annuities, be continued as they now are; and alſo the charges of management on the capital ſtock of the ſaid company be continued; and that all the rights and exemptions, with regard to the redemption of the ſame, be confirmed in the ſame manner as they now ſtand: and your Majeſty's dutiful and loyal ſubjects the commons of Great Britain in parliament aſſembled, having duly conſidered the ſaid propoſal, have reſolved to accept thereof, in full diſcharge of all demands which the ſaid company could or might claim of the King of Spain, on account of the aſſiento, or annual ſhip, or on any account whatſoever, over and above the ſum of one hundred thouſand pounds paid purſuant to treaty: 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 the ſaid governor and company of merchants of Great Britain trading to the South Seas, and other parts of America, and for encouraging the fiſhery, ſhall have, receive and enjoy, and ſhall be intitled, by virtue of this act, to have, receive and enjoy the preſent annuity of four pounds per centum per annum, payable on their ſaid capital ſtock, until the twenty fifth day of December one thouſand ſeven hundred and fifty ſeven; and that from and after the ſaid twenty fifth day of

South Sea  
company to  
receive 4 l.  
per cent. on  
their capital,  
till 25 De-  
cember 1757;



which is then to be reduced to 3l. per cent.

*December* one thousand seven hundred and fifty seven, the said annuity of four pounds *per centum per annum* shall be reduced to an interest after the rate of three pounds *per centum per annum*, until the redemption thereof, in full discharge of all demands which the said company could or might claim of the King of Spain, on account of the assiento, or annual ship, or on any account whatsoever, over and above the sum of one hundred thousand pounds paid pursuant to treaty.

Charges of management upon their old and new annuities, to be continued, &c.

II. Provided always, and it is hereby further enacted by the authority aforesaid, That the said governor and company shall continue to receive from the receipt of his Majesty's exchequer, so much monies out of the funds appropriated for that purpose, as shall, from time to time, become due and payable for the interest of, and charges of management upon such part of the said old and new *South Sea* annuities, as are not redeemed, and on the capital stock of the said company, as they now have and receive; and that all the rights and exemptions, with regard to the redemption of the said capital stock of the said company, shall be, and are hereby, confirmed in the same manner as they now stand; any thing in this or any former act or acts of parliament contained to the contrary thereof in any wise notwithstanding.

Officer or servant of the company embezzling, &c. any effects of the company intrusted with him,

III. And be it further enacted by the authority aforesaid, That if any officer or servant of the said company, being intrusted with any note, bill, dividend-warrant, bond, deed, or any security, money or other effects belonging to the said company, or having any bill, dividend-warrant, bond, deed, or any security, money or effects of any other person or persons, lodged or deposited with the said company, or with him as an officer or servant of the said company, shall secrete, embezel or run away with, any such note, bill, dividend-warrant, bond, deed, security, money or effects, or any part of them, every officer or servant so offending, and being thereof convicted in due form of law, shall be deemed guilty of felony, and shall suffer death as a felon without benefit of clergy.

to suffer death as a felon.

#### CAP. XII.

*An act for appointing commissioners to put in execution an act made in the twenty second year of the reign of King Charles the Second, for making navigable the rivers commonly called Brandon and Waveney; so far as the same relates to the navigation of the river commonly called the Lesser Ouze, from Thetford to Brandon, and from Brandon to a place called the White House, near Brandon ferry, in the counties of Norfolk and Suffolk.*

82 Car. 2. private.

WHEREAS by an act of parliament passed in the twenty second year of the reign of King Charles the Second, for making navigable the rivers commonly called Brandon and Waveney, divers persons therein named were constituted commissioners for determining all controversies which might arise in making the said rivers navigable,

in

*In maintaining the navigation thereof, in settling the rates of carriage of goods on the said rivers, and for ascertaining the damages done to the banks of the said rivers by hauling and drawing of vessels navigated thereon; and power was given to the commissioners appointed by the said act, or any five of them, to chuse other persons, residing in the counties of Norfolk and Suffolk, to be commissioners, instead of such commissioners as should from time to time die: and whereas all the commissioners appointed to put into execution so much of the said act as relates to the navigation of the said river commonly called the Lesser Ouze, from Thetford to Brandon, and from Brandon to a place called the White House, near Brandon ferry, have been long since dead; and that no new commissioners were appointed in their stead and place, pursuant to the power vested in them by the said act: and whereas some disputes have of late years arisen between the owners of lands and banks adjoining to the said river commonly called the Lesser Ouze, from Thetford to Brandon, and from Brandon to a place called the White House, near Brandon ferry, relating to the hauling-ways there, and other matters relating to the said navigation, which cannot be adjusted and settled by any other means than by expensive and tedious law suits, unless some further provision be made by parliament for appointing new commissioners, and investing them with the like powers and authorities as were granted to the commissioners appointed by the said former act relating to the said navigation; may it therefore please your Majesty that it may be enacted, &c.*

Commissioners appointed to put the act of 21 Car. 1. in execution, so far as relates to the navigation of the Lesser Ouze.

### CAP. XIII.

*An act for repairing the road from Croxford Bridge, through the townships of Stretford and Hulme, to the town of Manchester, in the county palatine of Lancaister. Certain tolls granted for 21 years.*

### CAP. XIV.

*An act for explaining and amending an act passed in the twenty-first year of the reign of his present Majesty, intituled, An act for the relief of the annuitants of the wardens and commonalty of the mystery of Mercers of the city of London, and for other purposes therein mentioned.*

**W**HEREAS by an act of parliament made and passed in the 21 G. 2. c. 32  
 twenty-first year of the reign of his present Majesty, intituled,  
 An act for the relief of the annuitants of the wardens and commonalty of the mystery of Mercers of the city of London, after reciting that by indentures of lease and release, bearing date respectively the third and fourth days of October one thousand six hundred and ninety-nine, and inrolled in the high court of Chancery, the wardens and commonalty of the mystery of Mercers of the city of London, did grant and release divers messuages and tenements, tofts, gardens, ground and hereditaments, of and belonging to the said wardens and commonalty, situate and being in the city of London, and in the county of Middlesex, therein particularly mentioned and described;

together with one full moiety of all that great fabrick and place called the Royal Exchange, London, and other tenements in, under, upon or near the same, therein particularly mentioned and described; and also all that the manor of Mercers, with the rights, members and appurtenances thereof, lying and being in the county of Londonderry in Ireland, and divers other lands, tenements and hereditaments in Ireland, in the same indentures more particularly mentioned and described, unto Sir William Hedges, and several other persons, as trustees, their heirs and assigns, upon trust, amongst other things, to pay and satisfy several charitable gifts; and also such annuities to be granted by the said wardens and commonalty, during the lives of the wives of clergymen, or of other persons, surviving their husbands, in such manner as in the said act is mentioned; and also reciting that by indentures of lease and release, bearing date the first and second days of June one thousand seven hundred and forty-one, Richard Chiswell the elder, Sir Thomas Webster, David Papillon and Clement Tookie, therein named, being then the only surviving trustees in certain indentures of lease and release, bearing date the first and second days of June one thousand seven hundred and seventeen, in the said act mentioned and referred to, did, by the direction and appointment of the said wardens and commonalty, grant and convey the said several trust estates to the use of themselves, and other trustees therein named, their heirs and assigns, upon certain trusts, and for divers purposes mentioned in the said act, or in certain deeds therein referred to; and also reciting that the trustees, in whom the legal interest of the said estates comprized in the said indentures of the third and fourth of October one thousand six hundred and ninety-nine, and the said indentures of the first and second of June one thousand seven hundred and forty-one, was then vested, might refuse to act; and that it might be for the benefit of the said annuitants, that building and repairing leases should be lett of the several estates that are within the city of London and county of Middlesex, and also that such of the said estates as are in the kingdom of Ireland, should be lett for a term of years, or for lives and a term of years; it was enacted, That it should and might be lawful to and for the said wardens and commonalty, and their successors, from time to time, by any deed or deeds indented under the common seal of the said wardens and commonalty, to demise and lease all or any part of the said estates (except as therein after is excepted) for any term or number of years not exceeding twenty-one years absolute, in possession, and not in reversion, reserving the most improved rent that could be had for the same, without taking any fine or other thing, by way of income, for granting any lease or leases thereof, and so as no such lease or leases should be made dispensable of waste, and so as the respective lessees should seal and execute counterparts of such lease or leases respectively; in which said act is contained a proviso, that it should and might be lawful to and for the said wardens and commonalty, and their successors, to demise and lease the manor of Mercers, part of the said estates in the kingdom of Ireland, with the rights, members and appurtenances, or any part or parts thereof, for any term or number of years not exceeding sixty-one years in possession, or for sixty one years in possession, and for the lives of

any

any three persons, and the life of the longer liver of them; and that they should and might take such fine or fines, or other consideration, for the granting such lease or leases, and reserve such yearly or other rent or rents thereon, as could be reasonably obtained, so as the reserved rent upon any such lease be not less than the rent then reserved to the said wardens and commonalty; and also that it should and might be lawful to and for the said wardens and commonalty to demise and lease the several messuages and tenements, part of the said estates, situate, lying, standing and being, in or near Long Acre in the county of Middlesex; and all other the messuages or tenements belonging to the said estates, which they should deem necessary to lett upon building or repairing leases, according to the common or usual method of letting such leases; videlicet, the building leases for any term or number of years not exceeding sixty-one years, and the repairing leases for any term or number of years not exceeding forty-one years, to commence from the date or dates of any such leases; and should and might take such fine or fines, or other consideration; and such yearly and other rent or rents, for granting such lease or leases, as they should think fit; in which building lease or leases, power should be given to the respective lessees, or their agents, to pull down and demolish the old buildings, and so dispose of the materials, as they should respectively think fit; and also a proviso, that no lease or leases of any part of the said estates (except the estates in Ireland and Long Acre) should be granted till within the space of three years next before the expiration of such lease or leases as were then in being: and whereas the trustees named and appointed by the said deeds of the first and second days of June one thousand seven hundred and forty-one, decline acting in the said trust: and whereas the powers given to the said wardens and commonalty by the said recited act, are not sufficient to enable the said wardens and commonalty to grant such lease or leases of their estate in Ireland, as was meant and intended by the said act, they should have power to grant, inasmuch as by the said act, the leases they are thereby enabled to grant, are to be for any term or number of years not exceeding sixty-one years in possession, or for sixty-one years in possession and for the lives of any three persons, and the life of the longer liver of them: and whereas the said Irish estate is now lett on lease or leases which are not yet expired; and the power given by the said act to grant leases for sixty-one years, being restrained and limited to be for sixty-one years in possession; and the power of granting leases for three lives, being a power to grant a freehold, the same cannot by the rules of law, be granted to commence in futuro; so that the said wardens and commonalty, as the act now stands, cannot legally grant any lease of the said Irish estate, either for sixty-one years, or for three lives and sixty-one years, until the lease or leases thereof now in being are expired or surrendered, without the aid of an act of parliament for explaining and amending the said recited act, with respect to the power of granting leases of the said estate: and whereas it will be greatly for the advantage of the annuitants of the said wardens and commonalty, that the said wardens and commonalty should be now enabled, and have power, to grant leases of their said Irish estate, to commence at the expiration of the leases thereof now subsisting, reserv-

Anno viceſimo quarto GEORGI II. c. 15,--18. [1751.]

*ing the preſent rent, and taking the beſt fine that can be got for the ſame, according to the true intent and meaning of the ſaid recited act; may it therefore pleaſe your moſt excellent Maſteſty, at the humble requeſt of your loyal and dutiful ſubjects, the wardens and commonalty of the myſtery of Mercers of the city of London, that it may be enacted, &c.*

Mercers company may grant leaſes of their eſtate in Ireland, in reversion for 61 years, or for three lives, and take fines, &c. They may grant building leaſes for 61 years, &c and repairing leaſes for 41 years, of their eſtate in Long Acre, and take fines; and may leaſe their other eſtates in London and Middleſex, for 21 years; and grant building leaſes for 61 years, and repairing leaſes for 41 years, without fines. Leaſes of the eſtates in London and Middleſex not to be granted until within 3 years of the expiration of the preſent leaſes. No leaſe to be valid, unleſs conſented to by the annuitants and creditors, &c. Deeds and ſettlements not altered by this act. Rights of the crown and of other perſons reſerved. Publick act. *Amended.* 25 Geo. 2. c. 7.

### C A P. XV.

An act to enable the pariſhioners of the pariſh of Saint Mary, Iſlington, in the county of Middleſex, to rebuild the church of the ſaid pariſh.

### C A P. XVI.

An act for the more ſpeedy and eaſy recovery of ſmall debts within the city of Lincoln, and county of the ſame city, and the liberties and preſcripts thereof; and within the bail of Lincoln in the county of Lincoln.

### C A P. XVII.

An act for repairing the road leading from the eaſt end of Brumpton High Lane in the county of York, to the town of Richmond, and from thence to and through the towns of Askrigg and Ingleton in the ſaid county, to the town of Lancaſter in the county of Lancaſter.

*Certain tolls granted for 21 years.*

### C A P. XVIII.

*An act for the better regulation of trials by jury; and for enlarging the time for trials by Niſi Prius in the county of Middleſex.*

3 Geo. 2. c. 25. **W**HEREAS by an act made in the third year of the reign of his preſent Maſteſty, intituled, An act for the better regulation of juries; it is amongſt other things enacted; That the perſon or party who ſhall apply for a ſpecial jury to be ſtruck in the manner therein mentioned, ſhall bear and pay the fees for the ſtriking ſuch jury, and ſhall not have any allowance for the ſame upon taxation of coſts: and whereas the ſaid claufe doth extend only to the fees paid for ſtriking ſuch ſpecial jury; by reaſon whereof ſpecial juries have frequently been applied for in ſmall and trivial cauſes, in order to burden the other party with the expence thereof; which practice has been found to be very inconvenient and oppreſſive: and whereas one other act was made in the ſixth year of the reign of his preſent Maſteſty, intituled, An act for making perpetual the ſeveral acts therein mentioned, for the better regulation of juries; and for impowering the juſtices of ſeſſion or aſſizes for the counties palatine of Cheſter, Lancaſter and Durham, to appoint a ſpecial jury in manner therein

6 G. 2. c. 37.

therein mentioned; and for continuing the act for regulating the manufacture of cloth in the west riding of the county of York (except a clause therein contained) and for continuing an act for the more effectual punishing wicked and evil-disposed persons going armed in disguise, and for other purposes therein mentioned, and to prevent the cutting or breaking down the bank of any river, or any sea bank; and to prevent the malicious cutting of hop-binds; and for continuing an act made in the thirteenth and fourteenth years of the reign of King Charles the Second, for preventing theft and rapine upon the northern borders of England; and for reviving and continuing certain clauses in two other acts made for the same purpose; *whereby it is amongst other things enacted, That the said act for the better regulation of juries, should be, and was thereby made perpetual; and it was thereby also enacted; That the justices of the session or assizes for the counties palatine of Chester, Lancaster and Durham, should and might, upon motion, order and appoint a jury to be struck before the proper officer of each court respectively, for the trial of any issue in any of the cases, and in such manner as are therein mentioned; 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 first day of Easter term, which shall be in the year of our Lord one thousand seven hundred and fifty-one, the person or party who shall by virtue of either of the said acts apply for such special jury, shall not only bear and pay the fees for striking such jury, but shall also pay and discharge all the expences occasioned by the trial of the cause by such special jury, and shall not have any further or other allowance for the same, upon taxation of costs, than such person or party would be intitled unto in case the cause had been tried by a common jury, unless the judge before whom the cause is tried shall immediately after the trial, certify in open court under his hand upon the back of the record, that the same was a cause proper to be tried by a special jury.*

Persons applying for special juries, to pay, the expences of striking the same, and the charges occasioned by the trial, &c.

II. *And whereas complaints are frequently made of the great and extravagant fees paid to jurymen returned under the authority of the said revised acts; be it enacted by the authority aforesaid, That no person who shall, after the said first day of Easter term, serve upon any jury appointed or returned by authority of any of the said acts, shall be allowed or take for serving on any such jury more than the sum of money which the judge who tries the issue or issues shall think just and reasonable, not exceeding the sum of one pound one shilling, except in causes wherein a view hath been or shall be directed.*

Fees allowed to jurymen.

III. *And whereas by an act passed in the fourth year of the reign of her late majesty Queen Anne, (intituled, An act for the amendment of the law, and the better advancement of justice) it is enacted, That from and after the first day of Trinity term one thousand seven hundred and six, every Venire facias for the trial of any*

4. Anne c. 16

issue, in any action or ſuit in any of her Majesty's courts of record at Westminster, ſhall be awarded of the body of the proper county where ſuch iſſue is triable; but in the ſaid act there is contained a proviso, that the ſame ſhall not extend to any action or information upon any penal ſtatute, which proviso has, by experience, been found inconvenient, by reaſon of challenges to the arrays of panels of jurors, and to the polls for defaults of hundredors; therefore, for prevention thereof for the future, be it enacted, That from and after the ſaid firſt day of Eaſter term, every *Venire facias* for the trial of any iſſue, in any action or information upon any penal ſtatute, in any of his Majesty's courts of record at Westminster, in the counties palatine of *Lancaster*, *Cheſter* and *Durham*, and the principality of *Wales*, ſhall be awarded of the body of the proper county where ſuch iſſue is triable; any thing in the ſaid act to the contrary notwithstanding.

*Venire facias* for the trial of an iſſue upon a penal ſtatute, to be awarded of the body of the county where the iſſue is triable.

IV. And whereas great delays do frequently happen in trials, where a peer or lord of parliament is party, by reaſon of challenges to the arrays of panels of jurors, for want of a knight's being returned on ſuch panels; for remedy thereof for the future, be it enacted by the authority aforeſaid, That from and after the ſaid firſt day of Eaſter term, no challenge ſhall be taken to any panel of jurors, for want of a knight's being returned in ſuch panel, nor any array quaſhed by reaſon of any ſuch challenge taken after that time; any law, uſage or cuſtom to the contrary notwithstanding.

No challenge to be taken to any panel of jurors for want of a knight's being returned, &c.

V. And whereas by an act of parliament made in the twelfth year of the reign of King George the Firſt, intituled, An act for the better regulating trials by *Nifi Prius* in the county of *Middleſex*; power and authority is given to the chief juſtice of the King's Bench, the chief juſtice of the Common Pleas, and the chief baron of the court of Exchequer, for the time being, and every of them reſpectively, and in the abſence of any of them, to and for any other judge or baron of the ſaid ſeveral courts, as juſtices of *Nifi Prius* for the ſaid county of *Middleſex*, within the term, or within the ſpace of eight days after the end of any term reſpectively, to try all ſuch iſſues as by an act of parliament made in the eighteenth year of the reign of Queen Elizabeth, (intituled, An act for trial of *Nifi Prius* in the county of *Middleſex*) they, or any of them, are enabled to try, in ſuch place and manner, and with and under ſuch powers, authorities and proviſions, as in the ſaid laſt-mentioned act, or any other act of parliament, or law whatſoever concerning the premiſſes, are preſcribed and contained: and whereas the reſtraining the time for ſuch trials after the term, to eight days, hath been found inconvenient, and occaſioned delay of juſtice; be it therefore enacted by the authority aforeſaid, That from and after the firſt day of Eaſter term in the year of our Lord one thouſand ſeven hundred and fifty-one, it ſhall and may be lawful to and for the chief juſtice of the King's Bench, the chief juſtice of the Common Pleas, and the chief baron of the court of Exchequer, for the time being, and every of them reſpectively, and in the abſence of any of them, to and for any other judge or baron of the ſaid ſeveral courts, as juſtices of *Nifi Prius* for the ſaid county of *Middleſex*, at any time or times

85 Geo. 1. c. 31.

78 Elis. c. 12.

Juſtices of *Nifi Prius* for the county of *Middleſex* may, within 24 days after the end of term, try iſſues.

times within the space of fourteen days after the end of any term respectively, to try all such issues as by the before-mentioned acts they or any of them are enabled to try, in such place and manner, and under such powers, authorities and provisions as in and by the aforesaid acts, or any other act of parliament or law whatsoever concerning the premises, are prescribed and contained; any thing in the before-mentioned acts to the contrary hereof in any wise notwithstanding.

## CAP. XIX.

*An act for making the river Nar navigable, from the town and port of King's Lynn to Westacre, in the county of Norfolk.*

**W**HEREAS the river Nar in the county of Norfolk, is very capable of being made navigable, from the town and port of King's Lynn to Westacre in the said county; and the same, if effected, will be of great benefit and advantage, not only to the said town of King's Lynn, but to all the towns and places situate near the said river, and be a general benefit to all the adjacent country, by better accommodating the same with necessaries, and by opening and facilitating trade and commerce, whereby navigation and the number of watermen will be increased, the poor find employment, and the high-ways thereabouts, now worn by the weight of heavy and frequent carriages, will be better supported and maintained; to the end therefore that the said river Nar may be made navigable for boats, barges and other vessels, from the said town and port of King's Lynn to Westacre aforesaid; be it enacted, &c.

Commissioners may contract with persons to make the river navigable. Undertakers may remove annoyances, &c. and erect locks above Setch Bridge, &c. and set out towing-paths. Satisfaction to be made to the owners of grounds. Seven commissioners may receive proposals; nine to be present at making the contracts. Notice of meeting for that purpose to be given. If the adjourned meetings be not held as often as necessary, five commissioners may summon a meeting. Nine commissioners may agree with the owners of such lands as shall be made use of, and settle the proportion payable thereout to the tenant. If any persons shall refuse, or be incapable of making such agreement, a jury to be impanelled, who may view the lands, and assess the recompence. Verdict to be kept amongst the records of the sessions. Commissioners may summon witnesses, and impose fines on the sheriff and others making default in the premises, to be levied by distress and sale. Tolls to be paid for goods carried up or down the river, which are vested in the commissioners, and may be levied by distress and sale. No toll to be paid for goods carried not more than a furlong above Setch Bridge. Commissioners may appoint collectors and treasurers of the tolls, and other officers, and administer an oath of office to them, &c. Salaries to be allowed to the officers. Watermen to give an account of the quantity and quality of goods on board, &c. Penalty on his refusal, &c. Commissioners to set up gates, &c. where towing paths shall be set out. If the river shall be raised above its usual height by weirs or dams, the banks are to be proportionably raised. If new cuts, &c. be made, &c. which render the ways impassable, bridges are to be built over them. Commissioners may make orders concerning the navigation of the river. No haling with horses allowed between King's Lynn and Sandringham Eau. Penalty on commissioner acting where he is interested. Commissioners may make by-laws, &c. with penalties,



penalties. Persons aggrieved by any by-law may appeal to the quarter-ſeſſions. Royalties of the river reſerved to the lords, &c. No toll for pleaſure-boats. Commiſſion of ſewers not abridged by this act. Boat-maſter anſwerable for damages done by his boat or crew. Juſtice to inquire into, and order the recompence. Penalty of obſtructing the paſſage of other veſſels, or of the opening or ſhutting the locks, &c. Penalty on watermen carrying a gun or not to ſowl or fiſh with. Application of the forfeiture, &c. Perſons aggrieved by the order of any juſtice, may appeal to the ſeſſions: Order of the juſtices not removeable by *Certiorari*. No order of the commiſſioners to be quashed for want of form. Commiſſioners may borrow money on the tolls.

## CAP. XX.

An act for repairing and widening the road from Preſton to Lancaſter, and from thence to a place called Heiring Syke, that divides the counties of Lancaſter and Weſtmoreland. *Certain tolls granted for 21 years.*

## CAP. XXI.

An act for enlarging the term and powers granted by an act paſſed in the third year of the reign of his preſent Maſtey, *For repairing and amending the ſeveral roads leading from Woodſtock through Kiddington and Engliſton to Rollright Lane, and from Enſlow Bridge to Kiddington aforeſaid, in the county of Oxford; and for making the ſaid act more effectual. The act 3 Geo. 2. c. 21 continued for 21 years, &c.*

## CAP. XXII.

An act for explaining and amending ſo much of an act paſſed in the fourteenth year of the reign of his preſent Maſtey for the repairing and enlarging the roads from the town of Selby in the weſt riding of the county of York, to the town of Leeds; and from thence, in two ſeveral branches, one through Bradford and Horton, and the other through Bowling and Wibſey, to the town of Halifax in the ſame riding, as relates to that part of the ſaid roads which lies between Selby and Leeds; and alſo for repairing the road from Tadcaſter in the ſaid weſt riding, over Bramham Moor through Kidhall Lane, over Win Moor, and through Seacroft to a place called Halton Dyal, where it comes into the above-ſaid road, between Selby and Leeds. *The act 14. Geo. 2. c. 32. continued for 21 years, and amended.*

## CAP. XXIII.

*An act for regulating the commencement of the year; and for correcting the calendar now in uſe.*

Amended by  
5 Geo. 2. c. 30.

**WHEREAS** the legal ſupputation of the year of our Lord in that part of Great Britain called England, according to which the year beginneth on the twenty-fifth day of March, hath been found by experience to be attended with divers inconveniencies, not only as it differs from the uſage of neighbouring nations, but alſo from the legal method of computation in that part of Great Britain called Scotland, and from the common uſage throughout the whole kingdom, and thereby frequent miſtakes are occaſioned in the dates of deeds, and other writings, and diſputes ariſe therefrom: and whereas the calendar now in uſe throughout all his Maſtey's Britiſh dominions, commonly called The Julian Calendar, hath been diſcovered to be erroneous, by means whereof the vernal or ſpring equinox, which at the time of the general council of Nice in the year of our Lord three hundred and twenty-five, happened on or about the twenty-firſt day of March, now happens on the ninth or tenth day of the ſame month; and

and the said error is still increasing, and if not remedied, would, in process of time, occasion the several equinoxes and solstices to fall at very different times in the civil year from what they formerly did, which might tend to mislead persons ignorant of the said alterations: and whereas a method of correcting the calendar in such manner, as that the equinoxes and solstices may for the future fall nearly on the same nominal days, on which the same happened at the time of the said general council, hath been received and established, and is now generally practised by almost all other nations of Europe: and whereas it will be of general conveniency to merchants, and other persons corresponding with other nations and countries, and tend to prevent mistakes and disputes in or concerning the dates of letters, and accounts, if the like correction be received and established in his Majesty's dominions: 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 and throughout all his Majesty's dominions and countries in Europe, Asia, Africa, and America, belonging or subject to the crown of Great Britain, the said supputation, according to which the year of our Lord beginneth on the twenty-fifth day of March, shall not be made use of from and after the last day of December one thousand seven hundred and fifty-one; and that the first day of January next following the said last day of December shall be reckoned, taken, deemed and accounted to be the first day of the year of our Lord one thousand seven hundred and fifty-two; and the first day of January, which shall happen next after the said first day of January one thousand seven hundred and fifty-two, shall be reckoned, taken, deemed and accounted to be the first day of the year of our Lord one thousand seven hundred and fifty-three; and so on, from time to time, the first day of January in every year, which shall happen in time to come, shall be reckoned, taken, deemed and accounted to be the first day of the year, and that each new year shall accordingly commence, and begin to be reckoned, from the first day of every such month of January next preceding the twenty-fifth day of March, on which such year would, according to the present supputation, have begun or commenced: and that from and after the said first day of January one thousand seven hundred and fifty-two, the several days of each month shall go on, and be reckoned and numbered in the same order; and the feast of Easter, and other moveable feasts thereon depending, shall be ascertained according to the same method, as they now are, until the second day of September in the said year one thousand seven hundred and fifty-two inclusive; and that the natural day next immediately following the said second day of September, shall be called, reckoned and accounted to be the fourteenth day of September, omitting for that time only the eleven intermediate nominal days of the common calendar; and that the several natural days, which shall follow and succeed next after the said fourteenth day

The old supputation of the year, not to be made use of after Dec. 31 1751.

Year to commence, for the future, on 1 Jan.

The days to be numbered as now until 21 Sept. 1752; and the day following to be accounted 14 Sept. omitting 11 days.

day of *September*, shall be refpectively called, reckoned and numbered forwards in humerical order from the faid fourteenth day of *September*, according to the order and fucceffion of days now ufed in the prefent calendar, and that all acts, deeds, writings, notes and other instruments of what nature or kind foever, whether ecclefiastical or civil, publick or private, which fhall be made, executed or figned, upon or after the faid firft day of *January* one thoufand feven hundred and fifty-two, fhall bear date according to the faid new method of fuppuration, and that the two fixed terms of faint *Hilary* and faint *Michael*, in that part of *Great Britain* called *England*, and the courts of great feflions in the counties palatine, and in *Wales*, and alfo the courts of general quarter-feflions and general feflions of the peace, and all other courts of what nature or kind foever, whether civil, criminal or ecclefiastical, and all meetings and afsemblies of any bodies politick or corporate, either for the election of any officers or members thereof, or for any fuch officers entering upon the execution of their refpective offices, or for any other purpofe whatfoever, which by any law, ftatute, charter, custom or ufage within this kingdom, or within any other the dominions or countries fubject or belonging to the crown of *Great Britain*, are to be holden and kept on any fixed or certain day of any month, or on any day depending upon the beginning, or any certain day of any month (except fuch courts as are ufually holden or kept with any fairs or marts) fhall, from time to time, from and after the faid fecond day of *September*, be holden and kept upon or according to the fame refpective nominal days and times, whereon or according to which the fame are now to be holden, but which fhall be computed according to the faid new method of numbering and reckoning the days of the calendar as aforefaid; that is to fay, eleven days fooner than the refpective days whereon the fame are now holden and kept; any law, ftatute, charter, custom or ufage, to the contrary thereof in any wife notwithstanding.

Hilary and Michaelmas terms, and all courts, to be held on the fame nominal days.

Courts held with fairs or marts excepted.

Hundredth years, except every fourth hundred, to be common years of 365 days.

Years biffex-tile of 366 days.

II. And for the continuing and preferving the calendar or method of reckoning, and computing the days of the year in the fame regular courfe, as near as may be, in all times coming; be it further enacted by the authority aforefaid, That the feveral years of our Lord, one thoufand eight hundred, one thoufand nine hundred, two thoufand one hundred, two thoufand two hundred, two thoufand three hundred, or any other hundredth years of our Lord, which fhall happen in time to come, except only every fourth hundredth year of our Lord, whereof the year of our Lord two thoufand fhall be the firft, fhall not be efteemed or taken to be biffex-tile or leap years, but fhall be taken to be common years, confifting of three hundred and fixty-five days, and no more; and that the years of our Lord, two thoufand, two thoufand four hundred, two thoufand eight hundred, and every other fourth hundred year of our Lord, from the faid year of our Lord two thoufand inclusive, and alfo all other years of our Lord, which by the prefent fuppuration are efteemed to be

biffex-tile

bisextile or leap years, shall for the future, and in all times to come, be esteemed and taken to be bisextile or leap years, consisting of three hundred and sixty-six days, in the same sort and manner as is now used with respect to every fourth year of our Lord.

III. And whereas according to the rule prefixed to the book of common prayer of the church of England, Easter-day is always the first Sunday after the first full moon which happens next after the one and twentieth day of March, and if the full moon happens upon a Sunday, Easter-day is the Sunday after; which rule was made in conformity to the decree of the said general council of Nice, for the celebration of the said feast of Easter: and whereas the method of computing the full moons now used in the church of England, and according to which the table to find Easter for ever, prefixed to the said book of common prayer, is formed, is by process of time become considerably erroneous: and whereas a calendar, and also certain tables and rules for the fixing the true time of the celebration of the said feast of Easter, and the finding the times of the full moons on which the same dependeth, so as the same shall agree as nearly as may be with the decree of the said general council, and also with the practice of foreign countries, have been prepared, and are hereunto annexed; be it therefore further enacted by the authority aforesaid, That the said feast of *Easter*, or any of the moveable feasts thereon depending, shall, from and after the said second day of *September*, be no longer kept or observed in that part of *Great Britain* called *England*, or in any other the dominions or countries subject or belonging to the crown of *Great Britain*, according to the said method of supputation now used, or the said table prefixed to the said book of common prayer; and that the said table, and also the column of golden numbers, as they are now prefixed to the respective days of the month in the said calendar, shall be left out in all future editions of the said book of common prayer; and that the said new calendar, tables and rules, hereunto annexed, shall be prefixed to all such future editions of the said book, in the room and stead thereof; and that from and after the said second day of *September*, all and every the fixed feast days, holy-days and fast-days, which are now kept and observed by the church of *England*, and also the several solemn days of thanksgiving, and of fasting and humiliation, which by virtue of any act of parliament now in being, are, from time to time, to be kept and observed, shall be kept and observed on the respective days marked for the celebration of the same in the said new calendar; that is to say, on the same respective nominal days on which the same are now kept and observed; but which according to the alteration by this act intended to be made as aforesaid, will happen eleven days sooner than the same now do; and that the said feast of *Easter*, and all other moveable feasts thereon depending, shall, from time to time, be observed and celebrated according to the said new calendar, tables and rules hereunto annexed, in that part of *Great Britain* called *England*, and in all the dominions and countries aforesaid, wherein the liturgy of the

Easter and the other moveable feasts, to be observed according to the new calendar, tables and rules.

Fasts and fasts &c. to be according to the new calendar.

the church of *England* now is, or hereafter shall be used; and that the two moveable terms of *Easter* and *Trinity*, and all counts of what nature or kind soever, and all meetings and assemblies of any bodies politicke or corporate, and all markets, fairs and marts, and courts thereunto belonging, which by any law, statute, charter, custom or usage are appointed; used or accustomed to be holden and kept at any moveable time or times depending upon the time of *Easter*, or any other such moveable feast as aforesaid, shall, from time to time, from and after the said second day of *September*, be holden and kept on such days and times whereon the same shall respectively happen or fall, according to the happening or falling of the said feast of *Easter*, or such other moveable feasts as aforesaid, to be computed according to the said new calendar, tables and rules.

Courts of session and exchequer in Scotland, and markets, fairs and marts to be held upon the same natural days.

IV. And be it further enacted by the authority aforesaid, That the several meetings of the court of session, and terms fixed for the court of *Exchequer* in *Scotland*, the *April* meeting of the governor, bailiffs and commonalty of the company of conservators of the great level of the fens, and the holding and keeping of all markets, fairs and marts, whether for the sale of goods or cattle, or for the hiring of servants, or for any other purpose, which are either fixed to certain nominal days of the month, or depending upon the beginning, or any certain day of any month, and all courts incident or belonging to, or usually holden or kept with any such fairs or marts, fixed to such certain times as aforesaid, shall not, from and after the said second day of *September*, be continued upon, or according to the nominal days of the month, or the time of the beginning of any month, to be computed according to the said new calendar, but that from and after the said second day of *September*, the said courts of session and exchequer, the said *April* meeting, and all such markets, fairs and marts as aforesaid, and all courts incident or belonging thereto, shall be holden and kept upon, or according to the same natural days, upon or according to which the same should have been so kept or holden, in case this act had not been made; that is to say, eleven days later than the same would have happened, according to the nominal days of the said new supputation of time, by which the commencement of each month, and the nominal days thereof, are anticipated or brought forward, by the space of eleven days; any thing in this act contained to the contrary thereof in any wise notwithstanding.

V. And whereas, according to divers customs, prescriptions and usages, in certain places within this kingdom, certain lands and grounds are, on particular nominal days and times in the year, to be opened for common of pasture, and other purposes; and at other times, the owners and occupiers of such lands and grounds have a right to inclose or shut up the same, for their own private use; and there is, in many other instances, a temporary and distinct property and right vested in different persons, in and to many such lands and grounds, according to certain nominal days and times in the year: and whereas the anticipating or bringing forward the said nominal days and times, by the space

space of eleven days, according to the said new method of supputation, might be attended with many inconveniences; be it therefore further declared, provided and enacted by the authority aforesaid, That nothing in this act contained shall extend, or be construed to extend, to accelerate or anticipate the days or times for the opening, inclosing or shutting up any such lands or grounds as aforesaid, or the days or times on which any such temporary or distinct property or right in or to any such lands or grounds as aforesaid is to commence; but that all such lands and grounds as aforesaid shall, from and after the said second day of September, be, from time to time, respectively opened, inclosed or shut up, and such temporary and distinct property and right in and to such lands and grounds as aforesaid, shall commence and begin upon the same natural days and times on which the same should have been so respectively opened, inclosed or shut up, or would have commenced or begun, in case this act had not been made; that is to say, eleven days later than the same would have happened, according to the said new account and supputation of time, so to begin on the said fourteenth day of September as aforesaid.

The times for opening and inclosing of commons, not altered.

VI. Provided also, and it is hereby further declared and enacted, That nothing in this present act contained shall extend, or be construed to extend, to accelerate or anticipate the time of payment of any rent or rents, annuity or annuities, or sum of sums of money whatsoever, which shall become payable by virtue or in consequence of any custom, usage, lease, deed, writing, bond, note, contract or other agreement whatsoever, now subsisting, or which shall be made, signed, sealed or entered into, at any time before the said fourteenth day of September, or which shall become payable by virtue of any act or acts of parliament now in force, or which shall be made before the said fourteenth day of September, or the time of doing any matter or thing directed or required by any such act or acts of parliament to be done in relation thereto; or to accelerate the payment of, or increase the interest of, any such sum of money which shall become payable as aforesaid; or to accelerate the time of the delivery of any goods, chattels, wares, merchandize or other things whatsoever; or the time of the commencement, expiration or determination of any lease or demise of any lands, tenements or hereditaments or of any other contract or agreement whatsoever; or of the accepting, surrendering or delivering up the possession of any such lands, tenements or hereditaments; or the commencement, expiration or determination of any annuity or rent; or of any grant for any term of years, of what nature or kind soever, by virtue or in consequence of any such deed, writing, contract or agreement; or the time of the attaining the age of one and twenty years, or any other age requisite by any law, custom or usage, deed, will or writing whatsoever, for the doing any act, or for any other purpose whatsoever, by any person or persons now born, or who shall be born before the said fourteenth day of September; or the time of the expiration or deter-

Times of payment of rents, annuities, &c.

or of delivery of goods,

Commencement or expiration of leases, &c.

or of attaining the age of 21 years, &c. not altered.

determination of any apprenticeship, or other service, by virtue of any indenture, or of any articles under seal, or by reason of any simple contract or hiring whatsoever; but that all and every such rent and rents, annuity and annuities, sum and sums of money, and the interest thereof, shall remain and continue to be due and payable; and the delivery of such goods and chattels, wares and merchandize, shall be made; and the said leases and demises of all such lands, tenements and hereditaments, and the said contracts and agreements, shall be deemed to commence, expire and determine; and the said lands, tenements and hereditaments shall be accepted, surrendered and delivered up; and the said rents and annuities, and grants for any term of years, shall commence, cease and determine, at and upon the same respective natural days and times, as the same should and ought to have been payable or made, or would have happened, in case this act had not been made; and that no further or other sum shall be paid or payable for the interest of any sum of money whatsoever, than such interest shall amount unto, for the true number of natural days for which the principal sum bearing such interest shall continue due and unpaid; and that no person or persons whatsoever shall be deemed or taken to have attained the said age of one and twenty years, or any other such age as aforesaid, or to have completed the time of any such service as aforesaid, until the full number of years and days shall be elapsed on which such person or persons respectively would have attained such age, or would have completed the time of such service as aforesaid, in case this act had not been made; any thing herein before contained to the contrary thereof in any wise notwithstanding.

*The New Calendar, Tables and Rules, mentioned and referred to in the Act for regulating the Commencement of the Year and for correcting the Calendar now in Use.*

The Calendar, with the Table of Lessons.

JANUARY hath xxxi Days.

			MORNING PRAYER.		EVENING PRAYER.	
			1 Lesson	2 Lesson	1 Lesson	2 Lesson
1	A	Calendæ	<i>Circumcision.</i>			
2	b	4 Non.	Genesis 1	Matth. 1	Genesis 2	Rom. — 1
3	c	3 Non.	3	2	4	2
4	d	Pr. Non.	5	3	6	3
5	e	Nonæ	7	4	8	4
6	f	8 Id.	<i>Epiphany.</i>			
7	g	7 Id.	9	5	12	5
8	A	6 Id.	Lucian P. & M.		13	6
9	b	5 Id.	15	7	16	7
10	c	4 Id.	17	8	18	8
11	d	3 Id.	19	9	20	9
12	e	Pr. Id.	21	10	22	10
13	f	Idus.	Hilary, B. & C.		23	11
14	g	19 C. F <sup>b</sup> .	25	12	26	12
15	A	18 Cal.	27	13	28	13
16	b	17 Cal.	29	14	30	14
17	c	16 Cal.	31	15	32	15
18	d	15 Cal.	Prisca, V. & M.		33	16
19	e	14 Cal.	35	17	37	1 Cor. — 1
20	f	13 Cal.	Fabian B. & M.		38	2
21	g	12 Cal.	Agnes V. & M.		40	3
22	A	11 Cal.	Vincent, M.		42	4
23	b	10 Cal.	44	21	45	5
24	c	9 Cal.	46	22	47	6
25	d	8 Cal.	<i>Conversion of</i>			
26	e	7 Cal.	<i>(S. Paul.)</i>		48	23
27	f	6 Cal.	50	24	Exodus 1	7
28	g	5 Cal.	Exodus 2		25	3
29	A	4 Cal.	4	26	5	10
30	b	3 Cal.	K. Charles Mar		† 6	7
31	c	Pr. Cal.	8	28	9	12

Note, that \* Exodus 6, is to be read only to ver. 14.



The Calendar, with the Table of Lessons.

FEBRUARY hath xxviii Days;  
And in every Leap-year xxix Days.

			MORNING PRAYER.		EVENING PRAYER.	
			1 Lesson	2 Lesson	1 Lesson	2 Lesson
1	d	Calendar	Fast. Exod. 10	Mark - 1	Exod. 11	1 Cor. 13
2	e	4 Non.	<i>Purif. of V. Mary</i>		2	14
3	f	3 Non.	Blasius, B. & M.	12	3	15
4	g	Pr. Non.		14	4	16
5	A	Nonæ	Agatha, V. & M.	16	5	2 Cor. - 1
6	b	8 Id.		18	6	2
7	c	7 Id.		20	7	3
8	d	6 Id.		22	8	4
9	e	5 Id.		24	9	5
10	f	4 Id.		33	10	6
11	g	3 Id.		Lev. - 18	11	Lev. - 19
12	A	Pr. Id.		20	12	8
13	b	Idus.		Num. 11	13	Num. 12
14	c	16 C. M <sup>r</sup> .	Valentine, B.	13	14	10
15	d	15 Cal.		16	15	11
16	e	14 Cal.		20	16	12
17	f	13 Cal.		22	Lu. i. to 39	13
18	g	12 Cal.		24	1. ver. 39	25 Gal. - 1
19	A	11 Cal.		27	2	30
20	b	10 Cal.		31	3	32
21	c	9 Cal.		35	4	36
22	d	8 Cal.		Deut. - 1	5	Deut. - 2
23	e	7 Cal.	Fast.	3	6	4
24	f	6 Cal.	<i>S. Matthias.</i>		7	Ephes. - 1
25	g	5 Cal.		5	8	6
26	A	4 Cal.		7	9	8
27	b	3 Cal.		9	10	10
28	c	Pr. Cal.		11	11	12
29				13	Matth. 7	14 Rom. 12

# The Calendar, with the Table of Lessons.

MARCH hath xxxi Days.

			MORNING PRAYER.		EVENING PRAYER.			
			1 Lesson	2 Lesson	1 Lesson	2 Lesson		
1	d	Calendæ	David, A. Bp.	Deut. 15	Luke-12	Deut. 16	Ephes. 6	
2	e	6 Non.	Chad, Bp.	17	13	18	Philip. 1	
3	f	5 Non.		19	14	20	2	
4	g	4 Non.		21	15	22	3	
5	A	3 Non.		24	16	25	4	
6	b	Pr. Non.		26	17	27	Coloff. 1	
7	c	Nonæ	Perpetua, M.	28	18	29	2	
8	d	8 Id.		30	19	31	3	
9	e	7 Id.		32	20	33	4	
10	f	6 Id.		34	21	Joshua 1	1 Thes. 1	
11	g	5 Id.		Joshua 2	22	3	2	
12	A	4 Id.	Gregory M. B.	4	23	5	3	
13	b	3 Id.		6	24	7	4	
14	c	Pr. Id.		8	John 1	9	5	
15	d	Idus.		10	2	23	2 Thes. 1	
16	e	17 C. Ap.		24	3	Judges 1	2	
17	f	16 Cal.		Judges 2	4	3	3	
18	g	15 Cal.	Ed. K. W. Sax.	4	5	5	1 Tim. 1	
19	A	14 Cal.		6	6	7	2, 3	
20	b	13 Cal.		8	7	9	4	
14	21	e	12 Cal.	Benedict, Abb.	10	8	11	5
3	22	d	11 Cal.		12	9	13	6
23	e	10 Cal.		14	10	15	2 Tim. 1	
11	24	f	9 Cal.	Fast.	16	11	17	2
25	g	8 Cal.	Annunciation of		12		3	
19	26	A	(V. Mary.		18	13	19	4
8	27	b	6 Cal.		20	14	21	Titus-1
28	c	5 Cal.		Ruth -1	15	Ruth -2	2, 3	
16	29	d	4 Cal.		3	16	4	Philem.
5	30	e	3 Cal.		1 Sam. 1	17	1 Sam. 2	Hebr. -1
3	31	f	Pr. Cal.		3	18	4	2

The Numbers here prefixed to the several Days, between the Twenty-first Day of March, and the Eighteenth Day of April, both inclusive; denote the Days upon which those Full Moons do fall, which happen upon or next after the Twenty-first Day of March, in these Years, of which they are respectively the Golden Numbers; and the Sunday-Letter next following any such Full Moon

# The Calendar, with the Table of Leffons.

APRIL hath xxx Days.

				MORNING PRAYER.	EVENING PRAYER.		
				1 Lesson	2 Lesson	1 Lesson	2 Lesson
13	1	g	Calendæ	1 Sam.	5 John-19	1 Sam.	6 Hebr.-3
2	2	A	4 Non.	7	20	8	4
	3	b	3 Non.	Richard, Bp.	9	10	5
10	4	c	Pr. Non.	S. Ambrose, B.	11 Acts-1	12	6
	5	d	Nonæ		13	2	7
18	6	e	3 Id.		15	3	8
7	7	f	7 Id.		17	4	9
	8	g	6 Id.		19	5	10
15	9	A	5 Id.		21	6	11
4	10	b	4 Id.		23	7	12
	11	c	3 Id.		25	8	13
12	12	d	Pr. Id.		27	9	28 James-1
1	13	e	Idus.		29	10	30
	14	f	18 C. M. <sup>1</sup>		31	11	2 Sam. 1
9	15	g	17 Cal.	2 Sam.	2	12	3
	16	A	16 Cal.		4	13	5
17	17	b	15 Cal.		6	14	7 1 Peter 1
6	18	c	14 Cal.		8	15	9
	19	d	13 Cal.	Alphege, A. B.	10	16	11
	20	e	12 Cal.		12	17	13
	21	f	11 Cal.		14	18	15
	22	g	10 Cal.		16	19	17 2 Peter 1
	23	A	9 Cal.	S. George, M.	18	20	19
	24	b	8 Cal.		20	21	21
	25	c	7 Cal.	S. Mark Evan.		22	1 John 1
	26	d	6 Cal.		22	23	23
	27	e	5 Cal.		24	24	1 Kings 1
	28	f	4 Cal.		1 Kings 2	25	3
	29	g	3 Cal.		4	26	5
	30	A	Pr. Cal.		6	27	7 2, 3 John

Moon, points out *Faſter-day* for that Year. All which holds until the Year of our Lord 1899 in- cluſive: after which Year, the Places of theſe Golden Numbers will be to be changed, as is here after expreſſed.

## The Calendar, with the Table of Lessons.

MAY hath xxxi Days.

			MORNING PRAYER.		EVENING PRAYER.		
			1 Lesson	2 Lesson	1 Lesson	2 Lesson	
1	b	Calendaræ	<i>S. Philip &amp; James</i>				Jude
2	c	6 Non.		1 Kings 8	Acts - 28	1 Kings 9	Rom. - 1
3	d	5 Non.	Inv. of the Crofs.	10	Matth. 1	11	2
4	e	4 Non.		12	2	13	3
5	f	3 Non.		14	3	15	4
6	g	Pr. Non.	John Port. Lat.	16	4	17	5
7	A	Nonæ		18	5	19	6
8	b	8 Id.		20	6	21	7
9	c	7 Id.		22	7	2 Kings 1	8
10	d	6 Id.		2 Kings 2	8	3	9
11	e	5 Id.		4	9	5	10
12	f	4 Id.		6	10	7	11
13	g	3 Id.		8	11	9	12
14	A	Pr. Id.		10	12	11	13
15	b	Idus.		12	13	13	14
16	c	17 C. Jun.		14	14	15	15
17	d	16 Cal.		16	15	17	16
18	e	15 Cal.		18	16	19	1 Cor. - 1
19	f	14 Cal.	Dunstan, A. B.	20	17	21	2
20	g	13 Cal.		22	18	23	3
21	A	12 Cal.		24	19	25	4
22	b	11 Cal.		Ezra - 1	20	Ezra - 3	5
23	c	10 Cal.		4	21	5	6
24	d	9 Cal.		6	22	7	7
25	e	8 Cal.		9	23	Neh. - 1	8
26	f	7 Cal.	Augustin, A. B.	Neh. - 2	24	4	9
27	g	6 Cal.	Ven. Bede, Pr.	5	25	6	10
28	A	5 Cal.		8	26	9	11
29	b	4 Cal.	K. Charles I. N.	10	27	12	12
30	c	3 Cal.	(& R.	Efther - 1	28	Efther - 2	13
31	d	Pr. Cal.		3	Mark - 1	4	14

# The Calendar, with the Table of Lessons.

## JUNE hath xxx Days.

			MORNING PRAYER.	EVENING PRAYER.			
			1 Lesson	2 Lesson	1 Lesson	2 Lesson	
1	e	Calendar	Nicomede, M.	1 Lesson Eſther—5	2 Lesson Mark—2	1 Lesson Eſther—6	2 Lesson 1 Cor. 15
2	f	4 Non.		7	3	8	16
3	g	3 Non.		9	4	Job—12	Cor.—1
4	A	Pr. Non.		Job—2	5	3	2
5	b	Nonæ	Boniface, B.M.	4	6	5	3
6	c	8 Id.		6	7	7	4
7	d	7 Id.		8	8	9	5
8	e	6 Id.		10	9	11	6
9	f	5 Id.		12	10	13	7
10	g	4 Id.		14	11	15	8
11	A	3 Id.	S. Barnabas, Ap.				
12	b	Pr. Id.		16	12	17, 18	9
13	c	Idus.		19	13	20	10
14	d	18 C. Jul		21	14	22	11
15	e	17 Cal.		23	15	24, 25	12
16	f	16 Cal.		26, 27	16	28	13
17	g	15 Cal.	S. Alban, M.	29	Luke—1	30	Gal.—1
18	A	14 Cal.		31	2	32	2
19	b	13 Cal.		33	3	34	3
20	c	12 Cal.	Fr. of K. Edw.	35	4	36	4
21	d	11 Cal.		37	5	38	5
22	e	10 Cal.		39	6	40	6
23	f	9 Cal.	— Faſt.	41	7	42	Ephes.—1
24	g	8 Cal.	S. John Baptiſt.				
25	A	7 Cal.		Prov.—1	8	Prov.—2	2
26	b	6 Cal.		3	9	4	3
27	c	5 Cal.		5	10	6	4
28	d	4 Cal.	— Faſt.	7	11	8	5
29	e	3 Cal.	S. Peter, Apoſt.				
30	f	Pr. Cal.		9	12	10	6

## The Calendar, with the Table of Lessons.

JULY hath xxxi Days.

			MORNING PRAYER.	EVENING PRAYER.
			1 Lesson	2 Lesson
			Prov. 11	Luke 19
				Prov. 12
				Philip.
1	g	Calendæ		
2	A	6 Non.	Visitat. of V.M.	13
3	b	5 Non.		14
4	c	4 Non.	Tr. of Mart. B.	15
5	d	3 Non.		16
6	e	Pr. Non.		17
7	f	Nonæ		18
8	g	8 Id.		19
9	A	7 Id.		20
10	b	6 Id.		21
11	c	5 Id.	Ecclef. 1	22
12	d	4 Id.		23
13	e	3 Id.		24
14	f	Pr. Id.		25
15	g	Idus.	Swithun, B. Tr.	26
16	A	17 C. A <sup>us</sup>		27
17	b	16 Cal.	Jer. — 1	28
18	c	15 Cal.		29
19	d	14 Cal.		30
20	e	13 Cal.	Marg. V. & M.	1
21	f	12 Cal.		2
22	g	11 Cal.	S. Mary Magd.	3
23	A	10 Cal.		4
24	b	9 Cal.	Fast.	5
25	c	8 Cal.	S. James, Apost.	6
26	d	7 Cal.	S. Anne.	7
27	e	6 Cal.		8
28	f	5 Cal.		9
29	g	4 Cal.		10
30	A	3 Cal.		11
31	b	Pr. Cal.		12
				13
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				31

## The Calendar, with the Table of Lessons.

## AUGUST hath xxxi Days.

		MORNING PRAYER.		EVENING PRAYER.			
		1 Lesson	2 Lesson	1 Lesson	2 Lesson		
1	c	Calendar	Lammas-day.	Jer. — 29	John — 20	Jer. — 30	Hebr. — 4
2	d	4 Non.		31	21	32	5
3	e	3 Non.		33	Acts — 1	34	6
4	f	Pr. Non.		35	2	36	7
5	g	Nonæ		37	3	38	8
6	A	8 Id.	Transfiguration	39	4	40	9
7	b	7 Id.	Name of Jesus.	41	5	42	10
8	c	6 Id.		43	6	44	11
9	d	5 Id.		45, 46	7	47	12
10	e	4 Id.	S. Laurence, M.	48	8	49	13
11	f	3 Id.		50	9	51	James — 1
12	g	Pr. Id.		52	10	Lam. — 1	2
13	A	Idus.		Lam. — 2	11	3	3
14	b	19 C. S <sup>ep</sup> t		4	12	5	4
15	c	18 Cal.		Ezek. — 2	13	Ezek. — 3	5
16	d	17 Cal.		6	14	7	1 Peter 1
17	e	16 Cal.		13	15	14	2
18	f	15 Cal.		18	16	33	3
19	g	14 Cal.		34	17	Daniel — 1	4
20	A	13 Cal.		Daniel — 2	18	3	5
21	b	12 Cal.		4	19	5	2 Peter 1
22	c	11 Cal.		6	20	7	2
23	d	10 Cal.	Fast.	8	21	9	3
24	e	9 Cal.	S. Bartholomew.		22		1 John 1
25	f	8 Cal.		10	23	11	2
26	g	7 Cal.		12	24	Hofea — 1	3
27	A	6 Cal.		Hof. 2, 3	25	4	4
28	b	5 Cal.	S. Augustin, B.	5, 6	26	7	5
29	c	4 Cal.	S. John behead.	8	27	9	2, 3 John
30	d	3 Cal.	(ed.	10	28	11	Jude —
31	e	Pr. Cal.		12	Matth. 1	13	Rom. — 1

# The Calendar, with the Table of Lessons.

SEPTEMBER hath xxx Days.

			MORNING PRAYER.	EVENING PRAYER.			
			1 Lesson	2 Lesson	1 Lesson	2 Lesson	
1	f	Calendar	Giles, Abb. & C.	Hosea 14	Matth. 2	Joel — 1	Rom. 2
2	g	4 Non.		Joel — 2	3	3	3
3	A	3 Non.		Amos — 1	4	Amos — 2	4
4	b	Pr. Non.		3	5	4	5
5	c	Nonæ		5	6	6	6
6	d	8 Id.		7	7	8	7
7	e	7 Id.	Enurchus, B.	9	8	Obadiah	8
8	f	6 Id.	Nat. of V. Mary	Jenah — 1	9	Jon. 2, 3	9
9	g	5 Id.		4	10	Micah 1	10
10	A	4 Id.		Micah 2	11	3	11
11	b	3 Id.		4	12	5	12
12	c	Pr. Id.		6	13	7	13
13	d	Idus.		Nahum 1	14	Nahum 2	14
14	e	18 C. Oct.	Holy Cross Day	3	15	Hab. — 1	15
15	f	17 Cal.		Hab. — 2	16	3	16
16	g	16 Cal.		Zeph. — 1	17	Zeph. — 2	1 Cor. 1
17	A	15 Cal.	Lambert, B.M.	3	18	Haggai 1	2
18	b	14 Cal.		Haggai 2	19	Zech. 1	3
19	c	13 Cal.		Zec. 2, 3	20	4, 5	4
20	d	12 Cal.	Fast.	6	21	7	5
21	e	11 Cal.	S. Matthew, Ap.		22		6
22	f	10 Cal.		8	23	9	7
23	g	9 Cal.		10	24	11	8
24	A	8 Cal.		12	25	13	9
25	b	7 Cal.		14	26	Malachi 1	10
26	c	6 Cal.	S. Cyprian, M.	Malachi 2	27	3	11
27	d	5 Cal.		4	28	Tobit 1	12
28	e	4 Cal.		Tobit 2	Mark 1	3	13
29	f	3 Cal.	S. Michael.		2		14
30	g	Pr. Cal.	S. Jerom, C.D.	4	3	6	15



## The Calendar, with the Table of Lessons.

OCTOBER hath xxxi Days.

			MORNING PRAYER.		EVENING PRAYER.		
			1 Lesson	2 Lesson	1 Lesson	2 Lesson	
1	A	Calendar	Remigius, Bp.	Tob. - 7	Mark - 4	Tob. - 8	1 Cor. 16
2	b	6 Non.		9	5	10	2 Cor. - 1
3	c	5 Non.		11	6	12	2
4	d	4 Non.		13	7	14	3
5	e	3 Non.		Judith 1	8	Judith 2	4
6	f	Pr. Non.	Faith, V. & M.	3	9	4	5
7	g	Nonas		5	10	6	6
8	A	8 Id.		7	11	8	7
9	b	7 Id.	S. Denys, B. M.	9	12	10	8
10	c	6 Id.		11	13	12	9
11	d	5 Id.		13	14	14	10
12	e	4 Id.		15	15	16	11
13	f	3 Id.	Tr. of K. Edw. Wifd.	1	16	Wifd. 2	12
14	g	Pr. Id.		3	Lut. 1. 10 39	4	13
15	A	Idus.		5	1. ver. 39	6	Gal. - 1
16	b	17 C. Nov		7	2	8	2
17	c	16 Cal.	Etheldreda, V.	9	3	10	3
18	d	15 Cal.	S. Luke, Evang.		4		4
19	e	14 Cal.		11	5	12	5
20	f	13 Cal.		13	6	14	6
21	g	12 Cal.		15	7	16	Ephes. 1
22	A	11 Cal.		17	8	18	2
23	b	10 Cal.		19	9	Eccel <sup>s</sup>	1
24	c	9 Cal.		Eccel <sup>s</sup> 2	10	3	4
25	d	8 Cal.	Crispin, Mart.	4	11	5	5
26	e	7 Cal.		6	12	7	6
27	f	6 Cal.	Fast.	8	13	9	Philip. 1
28	g	5 Cal.	S. Simon & Jude.		14		2
29	A	4 Cal.		10	15	11	3
30	b	3 Cal.		12	16	13	4
31	c	Pr. Cal.	Fast.	14	17	15	Coloff. 1

NOV.

## The Calendar, with the Table of Lessons.

NOVEMBER hath xxx Days.

			MORNING PRAYER.		EVENING PRAYER.	
			1 Lesson	2 Lesson	1 Lesson	2 Lesson
1	d	Calendæ	<i>All Saints Day.</i>			
2	e	4 Non.	Ecclesiasticus 16	Luke 18	Ecclesiasticus 17	Coloss. 2
3	f	3 Non.	18	19	19	3
4	g	Pr. Non.	20	20	21	4
5	A	Nonæ	<i>Papists Conspir.</i>			
6	b	8 Id.	22	21	23	1 Thef. 1
			<i>Leonard, C.</i>			
7	c	7 Id.	24	22	* 25	2
8	d	6 Id.	27	23	28	3
9	e	5 Id.	29	24	† 30	4
10	f	4 Id.	31	John 1	32	5
11	g	3 Id.	33	2	34	2 Thef. 1
12	A	Pr. Id.	35	3	36	2
13	b	Idus.	37	4	38	3
14	c	18 C. Dec.	<i>Britius, B.</i>			
15	d	17 Cal.	39	5	40	1 Tim. 1
16	e	16 Cal.	41	6	42	2, 3
17	f	15 Cal.	<i>Machutus, B.</i>			
18	g	14 Cal.	43	7	44	4
19	A	13 Cal.	45	8	46	5
20	b	12 Cal.	<i>Hugh, B. Linc.</i>			
21	c	11 Cal.	47	9	48	6
22	d	10 Cal.	49	10	50	2 Tim. 1
23	e	9 Cal.	51	11	Baruch 1	2
24	f	8 Cal.	<i>Edm. K. &amp; M.</i>			
25	g	7 Cal.	Baruch 2	12	3	3
26	A	6 Cal.	4	13	5	4
27	b	5 Cal.	6	14	Hist. Su.	Titus 1
28	c	4 Cal.	<i>Cecilia, V. &amp; M.</i>			
29	d	3 Cal.	<i>S. Clement, B.</i>			
30	e	Pr. Cal.	Bel & D.	15	Isaiah 1	2, 3
			Isaiah 2	16	3	Philem.
			<i>Catherine, V.</i>			
			4	17	5	Hebr. 1
			6	18	7	
			8	19	9	
			10	20	11	
			Fast.			
			12	21	13	
			<i>S. Andrew, Ap.</i>			
			Acts 1			

Note, that \* Ecclesiasticus 25. is to be read only to ver. 13. and † Ecclesiasticus 30. only to ver. 18. and || Ecclesiasticus 46. only to ver. 20.

The Calendar, with the Table of Leffons.

DECEMBER hath xxxi Days.

			MORNING PRAYER.	EVENING PRAYER.
			1 Leffon	2 Leffon
1	f	Calendæ	1 Ifaiah 14	2 Acts—2 Ifaiah 15
2	g	4 Non.	16	3 17
3	A	3 Non.	18	4 19
4	b	Pr. Non.	20, 21	5 22
5	c	Nonæ	23	6 24
6	d	8 Id. Nicolas, Bp.	25	7. to v. 30 26
7	e	7 Id.	27	7. v. 30 28
8	f	6 Id. Concep. of Virg. (Mary.)	29	8 30
9	g	5 Id.	31	9 32
10	A	4 Id.	33	10 34
11	b	3 Id.	35	11 36
12	c	Pr. Id.	37	12 38
13	d	Idus. Lucy, V. & M.	39	13 40
14	e	19 C. Jan.	41	14 42
15	f	18 Cal.	43	15 44
16	g	17 Cal. O Sapientia.	45	16 46
17	A	16 Cal.	47	17 48
18	b	15 Cal.	49	18 50
19	c	14 Cal.	51	19 52
20	d	13 Cal. Faft.	53	20 54
21	e	12 Cal. S. Thomas, Ap.		21
22	f	11 Cal.	55	22 56
23	g	10 Cal.	57	23 58
24	A	9 Cal. Faft.	59	24 60
25	b	8 Cal. Christmas-Day.		
26	c	7 Cal. S. Stephen, Mart.		
27	d	6 Cal. S. John, Evang.		
28	e	5 Cal. Innocents-Day.		25
29	f	4 Cal.	61	26 62
30	g	3 Cal.	63	27 64
31	A	Pr. Cal. Silvefter, B.	65	28 66

**TABLES and RULES for the Moveable and Immoveable FEASTS; together with the Days of Fasting and Abstinence, through the whole Year.**

*Rules to know when the Moveable Feasts and Holy-days begin.*

**E** After-day (on which the rest depend) is always the First Sunday after the Full Moon, which happens upon, or next after the Twenty-first Day of March. And if the Full Moon happens upon a Sunday, Easter day is the Sunday after.

Advent-Sunday is always the nearest Sunday to the Feast of St. Andrew, whether before or after.

Septuagesima	} Sunday is	Nine	} Weeks before Easter.
Sexagesima		Eight	
Quinquagesima		Seven	
Quadragesima		Six	
Rogation Sunday	} is	Five Weeks	} after Easter.
Ascension-Day		Forty Days	
Whitsunday		Seven Weeks	
Trinity Sunday		Eight Weeks	

A Table of all the FEASTS that are to be observed in the Church of England throughout the Year.

All Sundays in the Year.

The Days of the Feasts of

The Circumcision of our Lord  
JESUS CHRIST.  
The Epiphany.  
The Conversion of S. Paul.  
The Purification of the Blessed Virgin.  
S. Matthias the Apostle.  
The Annunciation of the Blessed Virgin.  
S. Mark the Evangelist.  
S. Phil. and S. Jam. the Apostles.  
The Ascension of our Lord  
JESUS CHRIST.  
S. Barnabas.

The Days of the Feasts of

The Nativity of S. John Baptist.  
S. Peter the Apostle.  
S. James the Apostle.  
S. Bartholomew the Apostle.  
S. Matthew the Apostle.  
S. Michael, and all Angels.  
S. Luke the Evangelist.  
S. Simon and S. Jude the Apostles.  
All Saints.  
S. Andrew the Apostle.  
S. Thomas the Apostle.  
The Nativity of our Lord.  
S. Stephen the Martyr.  
S. John the Evangelist.  
The Holy Innocents.

Monday and Tuesday in Easter-Week.

Monday and Tuesday in Whitsun-Week.

A Table of the VIGILS, FASTS, and Days of Abstinence, to be observed in the Year.

The Evens or Vigils before	} The Nativity of our Lord. The Purification of the Blessed Virgin Mary. The Annunciation of the Blessed Virgin. Easter-Day. (scd Virgin). Ascension-Day. Pentecost. S. Matthias.	} The Evens or Vigils before	} S. John Baptist. S. Peter. S. James. S. Bartholomew. S. Matthew. S. Sim. and S. Jude. S. Andrew. S. Thom. All Saints.

Note, That if any of these Feast-days fall upon a Monday, then the Vigil or Fast-day shall be kept upon the Saturday, and not upon the Sunday next before it.

*Days of Fasting or Abstinence.*

- I. The Forty days of Lent.
- II. The Ember-days at the *Four Seasons*, being the *Wednesday, Friday, and Saturday* after
  - 1. The First Sunday in Lent.
  - 2. The Feast of Pentecost.
  - 3. September 14.
  - 4. December 13.
- III. The three *Rogation days*, being the *Monday, Tuesday, and Wednesday* before *Holy Thursday*, or the *Ascension* of our LORD.
- IV. All the *Fridays* in the Year, except *Christmas-Day*.

*Certain Solemn Days, for which particular Services are appointed.*

- I. The Fifth Day of *November*, being the Day kept in Memory of the *Papists Conspiracy*.
- II. The Thirtieth Day of *January*, being the Day kept in Memory of the *Martyrdom of King Charles I.*
- III. The Twenty-ninth Day of *May*, being the Day kept in Memory of the *Birth and Return of King Charles II.*

A TABLE to find EASTER-DAY from the present Time, till the Year 1899 inclusive, according to the foregoing Calendar.

Golden Number.	Day of the Month.	Sunday Letter.
14	March ——— 1	C
	————— 2	D
3	————— 3	E
	————— 4	F
11	————— 5	G
	————— 6	A
19	————— 7	B
8	————— 8	C
	————— 9	D
16	————— 10	E
5	————— 11	F
	————— 12	G
13	April ——— 1	A
	————— 2	B
2	————— 3	C
	————— 4	D
10	————— 5	E
	————— 6	F
18	————— 7	G
7	————— 8	A
	————— 9	B
15	————— 10	C
4	————— 11	D
	————— 12	E
12	————— 13	F
	————— 14	G
1	————— 15	A
	————— 16	B
9	————— 17	C
	————— 18	D
17	————— 19	E
6	————— 20	F
	————— 21	G
	————— 22	A
	————— 23	B
	————— 24	C
	————— 25	D

THIS Table contains so much of the Calendar as is necessary for the determining of *Easter*; to find which, look for the Golden Number of the Year in the First Column of the Table, against which stands the Day of the Paschal Full Moon; then look in the Third Column for the Sunday-Letter, next after the Day of the Full Moon, and the Day of the Month standing against that Sunday-Letter is *Easter-day*. If the Full Moon happens upon a Sunday, then (according to the first Rule) the next Sunday after is *Easter-day*.

To find the Golden Number, or Prime, add one to the Year of our Lord, and then divide by 19; the Remainder, if any, is the Golden Number; but if nothing remaineth, then 19 is the Golden Number.

To find the Dominical or Sunday-Letter, according to the Calendar, until the Year 1799 inclusive, add to the Year of our Lord its Fourth Part, omitting Fractions, and also the number 1: Divide the Sum by 7; and if there is no Remainder, then A is the Sunday-Letter: But if any Number remaineth, then the Letter standing against that Number in the small annexed Table, is the Sunday-Letter.

0	A
1	G
2	F
3	E
4	D
5	C
6	B

For the next Century, that is, from the Year 1800 till the Year 1899 inclusive, add to the current Year only its Fourth Part, and then divide by 7, and proceed as in the last Rule.

Note, That in all Bissextile or Leap-Years, the Letter found, as above, will be the Sunday-Letter from the intercalated Day exclusive, to the End of the Year.

Another TABLE to find EASTER  
till the Year 1899 inclusive.

Golden Number.	SUNDAY-LETTERS.						
	A	B	C	D	E	F	G
I	April 16	17	18	19	20	14	15
II	April 9	3	4	5	6	7	8
III	Mar. 26	27	28	29	23	24	25
IV	April 16	17	11	12	13	14	15
V	April 2	3	4	5	6	Mar. 31	April 1
VI	April 23	24	25	19	20	21	22
VII	April 9	10	11	12	13	14	8
VIII	April 2	3	Mar. 28	29	30	31	April 1
IX	April 16	17	18	19	20	21	22
X	April 9	10	11	5	6	7	8
XI	Mar. 26	27	28	29	30	31	25
XII	April 16	17	18	19	13	14	15
XIII	April 2	3	4	5	6	7	8
XIV	Mar. 26	27	28	22	23	24	25
XV	April 16	10	11	12	13	14	15
XVI	April 2	3	4	5	Mar. 30	31	April 1
XVII	April 23	24	18	19	20	21	22
XVIII	April 9	10	11	12	13	7	8
XIX	April 2	Mar. 27	28	29	30	31	April 1

**T**O make use of the preceding Table, find the Sunday-Letter for the Year in the Uppermost Line, and the Golden Number, or Prime, in the Column of Golden Numbers, and against the Prime, in the same Line under the Sunday-Letter, you have the Day of the Month on which *Easter* falleth that Year. But Note, That the Name of the Month is set on the Left Hand, or just with the Figure, and followeth not, as in other Tables, by Decent, but Collateral.



A TABLE of the MOVEABLE FEASTS, according to the feveral Days that EASTER can poffibly fall upon.

	Sundays after Epiphany. Easter-day.	Septuagesima Sunday.	The First Day of Lent.	Rogation Sunday.	Ascenfion-day.	Whitfunday.	Sundays after Trinity.	Advent Sunday.
Mar. 22	1	Jan. 18	Feb. 4	Apr. 26	Apr. 30	May 10	27	Nov. 29
23	1	19	5	27	May 1	11	27	30
24	1	20	6	28	2	12	27	Dec. 1
25	2	21	7	29	3	13	27	2
26	2	22	8	30	4	14	27	3
27	2	23	9	May 1	5	15	26	Nov. 27
28	2	24	10	2	6	16	26	28
29	2	25	11	3	7	17	26	29
30	2	26	12	4	8	18	26	Dec. 30
31	2	27	13	5	9	19	26	Nov. 1
Apr. 1	3	28	14	6	10	20	26	2
2	3	29	15	7	11	21	26	3
3	3	30	16	8	12	22	25	Nov. 27
4	3	31	17	9	13	23	25	28
5	3	Feb. 1	18	10	14	24	25	29
6	3	2	19	11	15	25	25	30
7	3	3	20	12	16	26	25	Dec. 1
8	4	4	21	13	17	27	25	2
9	4	5	22	14	18	28	25	3
10	4	6	23	15	19	29	24	Nov. 27
11	4	7	24	16	20	30	24	28
12	4	8	25	17	21	31	24	29
13	4	9	26	18	22	June 1	24	30
14	4	10	27	19	23	2	24	Dec. 1
15	5	11	28	20	24	3	24	2
16	5	12	Mar 1	21	25	4	24	Nov. 27
17	5	13	2	22	26	5	23	28
18	5	14	3	23	27	6	23	29
19	5	15	4	24	28	7	23	30
20	5	16	5	25	29	8	23	Dec. 1
21	5	17	6	26	30	9	23	2
22	6	18	7	27	31	10	23	3
23	6	19	8	28	June 1	11	23	Nov. 27
24	6	20	9	29	2	12	22	28
25	6	21	10	30	3	13	22	29

Note, That in a Bifextile or Leap-Year, the Number of Sundays after Epiphany will be the fame, as if *Easter-Day* had fallen one Day later than it really does. And for the fame reason, one Day muft in every Leap-Year be added to the Day of the Month given by the Table for *Septuagesima-Sunday*: And the like muft be done for the First Day of *Lent* (commonly called *Ash-Wednesday*) unless the Table gives fome Day in the Month of *March* for it; for in that Cafe the Day given by the Table is the right Day.

Table to find EASTER from the Year 1900, to the Year 2199 inclusive.

Golden Numbr.	Day of the Month.	Sunday-Letters.
14	March— 22	D
3	_____ 23	E
	_____ 24	F
11	_____ 25	G
	_____ 26	A
10	_____ 27	B
8	_____ 28	C
	_____ 29	D
16	_____ 30	E
5	_____ 31	F
	April — 1	G
13	_____ 2	A
2	_____ 3	B
	_____ 4	C
10	_____ 5	D
	_____ 6	E
18	_____ 7	F
7	_____ 8	G
	_____ 9	A
15	_____ 10	B
4	_____ 11	C
	_____ 12	D
12	_____ 13	E
1	_____ 14	F
	_____ 15	G
9	_____ 16	A
17	_____ 17	B
6	_____ 18	C
	_____ 19	D
	_____ 20	E
	_____ 21	F
	_____ 22	G
	_____ 23	A
	_____ 24	B
	_____ 25	C

THE Golden Numbers in the foregoing Calendar will point out the Days of the Paschal Full Moons, till the Year of our Lord 1900; at which Time, in order that the Ecclesiastical Full Moons may fall nearly on the fame Days with the real Full Moons, the Golden Numbers muft be removed to different Days of the Calendar, as is done in the annexed Table, which contains fo much of the Calendar then to be used, as is necessary for finding the Paschal Full Moons, and the Feast of *Easter*, from the Year 1900, to the Year 2199 inclusive. This Table is to be made use of, in all respects, as the First Table before inferted, for finding *Easter* till the Year 1899.



General TABLES for finding the Dominical or Sunday-Letter, and the Places of the Golden Numbers in the Calendar.

TABLE I.

6	5	4	3	2	1	0
B	C	D	E	F	G	A
				1600	1700	1800
1900	2100	2200	2300	2500	2600	2700
2000			2400			2800
2900	3000	3100	3200	3300	3400	3500
					3600	3700
3800	3900	4100	4200	4300	4500	4600
	4000			4400		
4700	4900	5000	5100	5300	5400	5500
4800			5200			5600
5700	5800	5900	6100	6200	6300	6500
		6000		6400		
6600	6700	6900	7000	7100	7300	7400
	6800			7200		
7500	7700	7800	7900	8100	8200	8300
7600			8000		8400	
8900	&c.					

TABLE II.

1	2	3	1	2	3
	Years of our Lord.			Years of our Lord.	
B	1600	0	B	5200	15
	1700	1		5300	16
	1800	1		5400	17
	1900	2		5500	17
B	2000	2	B	5600	17
	2100	2		5700	18
	2200	3		5800	18
	2300	4		5900	19
B	2400	3	B	6000	19
	2500	4		6100	19
	2600	5		6200	20
B	2700	5	B	6300	21
	2800	5		6400	20
	2900	6		6500	21
	3000	6		6600	22
B	3100	7	B	6700	23
	3200	7		6800	22
	3300	7		6900	23
	3400	8		7000	24
B	3500	8	B	7100	24
	3600	9		7200	24
	3700	9		7300	25
	3800	10		7400	25
B	3900	10	B	7500	26
	4000	10		7600	26
	4100	11		7700	26
	4200	12		7800	27
B	4300	12	B	7900	28
	4400	12		8000	27
	4500	13		8100	28
	4600	13		8200	29
B	4700	14	B	8300	29
	4800	14		8400	29
	4900	14		8500	0
	5000	15		&c.	
	5100	16			

To find the Dominical or Sunday-Letter for any given Year of our Lord, add to the Year its Fourth Part, omitting Fractions, and also the Number, which in Table I. standeth at the Top of the Column, wherein the Number of Hundreds contained in that given Year is found: Divide the Sum by 7, and if there is no Remainder, then A is the Sunday-Letter; but if any Number remaineth, then the Letter, which standeth under that Number at the Top of the Table, is the Sunday-Letter.

To find the Month and Days of the Month, to which the Golden Numbers ought to be prefixed in the Calendar, in any given Year of our Lord, consisting of entire Hundred Years, and in all the intermediate Years betwixt that and the next Hundredth Year following; look in the Second Column of Table II. for the given Year, consisting of entire Hundreds, and Note the Number or Cypher which stands against it in the Third Column: Then, in Table III. look for the same Number in the Column under any given Golden Number; which when you have found, guide your Eye side-ways to the Left Hand, and in the First Column you will find the Month and Day, to which that Golden Number ought to be prefixed in the Calendar during that Period of One hundred Years.

The Letter B prefixed to certain Hundredth Years in Table II. denotes those Years which are still to be accounted Bissextile or Leap-Years, in the New Calendar; whereas all the other Hundredth Years are to be accounted only common Years.

TABLE III.

The GOLDEN NUMBERS.

Pafchal Full Moon.	Sunday Letter.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	
March 21	C	8	19	0	11	22	3	14	25	6	17	28	9	20	1	12	23	4	15	26	27
March 22	D	9	20	1	12	23	4	15	26	7	18	29	10	21	2	13	24	5	16	27	28
March 23	E	10	21	2	13	24	5	16	27	8	19	0	11	22	3	14	25	6	17	28	29
March 24	F	11	22	3	14	25	6	17	28	9	20	1	12	23	4	15	26	7	18	29	0
March 25	G	12	23	4	15	26	7	18	29	10	21	2	13	24	5	16	27	8	19	0	1
March 26	A	13	24	5	16	27	8	19	0	11	22	3	14	25	6	17	28	9	20	1	2
March 27	B	14	25	6	17	28	9	20	1	12	23	4	15	26	7	18	29	10	21	2	3
March 28	C	15	26	7	18	29	10	21	2	13	24	5	16	27	8	19	0	11	22	3	4
March 29	D	16	27	8	19	0	11	22	3	14	25	6	17	28	9	20	1	12	23	4	5
March 30	E	17	28	9	20	1	12	23	4	15	26	7	18	29	10	21	2	13	24	5	6
March 31	F	18	29	10	21	2	13	24	5	16	27	8	19	0	11	22	3	14	25	6	7
April 1	G	19	0	11	22	3	14	25	6	17	28	9	20	1	12	23	4	15	26	7	8
April 2	A	20	1	12	23	4	15	26	7	18	29	10	21	2	13	24	5	16	27	8	9
April 3	B	21	2	13	24	5	16	27	8	19	0	11	22	3	14	25	6	17	28	9	10
April 4	C	22	3	14	25	6	17	28	9	20	1	12	23	4	15	26	7	18	29	10	11
April 5	D	23	4	15	26	7	18	29	10	21	2	13	24	5	16	27	8	19	0	11	12
April 6	E	24	5	16	27	8	19	0	11	22	3	14	25	6	17	28	9	20	1	12	13
April 7	F	25	6	17	28	9	20	1	12	23	4	15	26	7	18	29	10	21	2	3	4
April 8	G	26	7	18	29	10	21	2	13	24	5	16	27	8	19	0	11	22	3	4	5
April 9	A	27	8	19	0	11	22	3	14	25	6	17	28	9	20	1	12	23	4	5	6
April 10	B	28	9	20	1	12	23	4	15	26	7	18	29	10	21	2	13	24	5	6	7
April 11	C	29	10	21	2	13	24	5	16	27	8	19	0	11	22	3	14	25	6	7	8
April 12	D	0	11	22	3	14	25	6	17	28	9	20	1	12	23	4	15	26	7	8	9
April 13	E	1	12	23	4	15	26	7	18	29	10	21	2	13	24	5	16	27	8	9	10
April 14	F	2	13	24	5	16	27	8	19	0	11	22	3	14	25	6	17	28	9	10	11
April 15	G	3	14	25	6	17	28	9	20	1	12	23	4	15	26	7	18	29	10	11	12
April 16	A	4	15	26	7	18	29	10	21	2	13	24	5	16	27	8	19	0	11	12	13
April 17	B	5	16	27	8	19	0	11	22	3	14	25	6	17	28	9	20	1	12	13	14
April 17	C	6	17	28	9	20	1	12	23	4	15	26	7	18	29	10	21	2	13	14	15
April 18	C	7	18	29	10	21	2	13	24	5	16	27	8	19	0	11	22	3	14	15	16

## C A P. XXIV.

*An act to provide for the administration of the government, in case the crown should descend to any of the children of his late royal highness Frederick prince of Wales, being under the age of eighteen years; and for the care and guardianship of their persons.*

Most gracious Sovereign,

**W**HEREAS your Majesty having it entirely at heart to secure the future welfare and happiness of your people, was graciously pleased to communicate to your parliament, That you had maturely considered, that nothing can conduce so much (under the protection of the divine providence) to the preservation of the protestant succession in your royal family, and the support of the religion, laws and liberties of these kingdoms (which have always been most dear to your Majesty) as the making proper provisions for the care and tuition of the person of your successor to the crown, and for the regular administration of the government, in case such successor should be of tender years, by means whereof, the safety and princely education of such successor may be secured, the publick peace and good order maintained, and the strength and glory of the crown of Great Britain suffer no diminution; for which reasons your Majesty, out of your paternal affection and tenderness for your royal family, and for all your faithful subjects, did earnestly recommend it to both your houses of parliament to take this weighty affair into their most serious deliberation; and was pleased to propose to their consideration, That when the imperial crown of these realms should descend to any of the issue of your son the late prince of Wales, being under the age of eighteen years, the princess dowager of Wales their mother (of whose great virtues and eminent qualities, we are truly sensible) might be guardian of the person of such successor, and regent of these kingdoms, until they should attain such age, with such powers and limitations as should appear necessary and expedient for these important purposes: and whereas, in return for this paternal goodness, with the most unfeigned duty and gratitude to your Majesty, and with the justest sense of that constant protection which your Majesty has always extended to our religious and civil rights, and of the many blessings which these kingdoms have enjoyed, during your auspicious and glorious reign (for the long continuance whereof our daily and most fervent prayers are offered up to heaven) we have taken this weighty affair into our serious consideration, and being thoroughly convinced of the wisdom and expediency of what your Majesty has thought fit to recommend on this important occasion, are firmly and zealously determined to contribute every thing in our power to the preservation of the protestant succession, as settled by law in your royal family, the numerous hopeful branches whereof, formed by your instruction, and led by your example, we look upon as so many pledges of the security of our excellent constitution to future generations: we, your Majesty's most dutiful and loyal subjects, the lords spiritual and temporal and commons in parliament assembled, do

humbly

humbly befeech your Majefty that it may be enacted; and be it enacted by the King's moft excellent majefty, by and with the advice and confent of the lords fpiritual and temporal and commons in this prefent parliament affembled, and by the authority of the fame, That whensoever, and as often as the imperial crown of this realm fhall defcend to his royal highnefs *George William Frederick* prince of *Wales*, the eldeft fon of his royal highnefs *Frederick* late prince of *Wales*, or to any other of the children of his faid late royal highnefs, if at the refpective times of fuch defcent, his faid royal highnefs *George William Frederick* prince of *Wales*, or fuch other of the faid children fucceeding to the crown as aforefaid, fhall be under the age of eighteen years, her royal highnefs *Augufta* princefs dowager of *Wales* fhall be guardian and have the care, tuition and education of the perfon of his faid royal highnefs *George William Frederick* prince of *Wales*, or fuch other fucceffor as aforefaid, until their refpective ages of eighteen years, and fhall, till fuch ages, have the difpofition, ordering and management of all matters and things relating thereto; and that her faid royal highnefs fhall, during fuch minorities, and no longer, have full power and authority, in the name of his faid royal highnefs *George William Frederick* prince of *Wales*, or fuch other fucceffor, and in his or her ftead, and under the ftile and title of *Regent of the Kingdom*, to exercife and adminifter, according to the laws and conftitution thereof, the regal power and government of this realm, and all the dominions, countries and territories belonging to the crown of *Great Britain*, and fhall do and execute all prerogatives, authorities, acts of government and adminiftration of government, which belong to the King or Queen of this realm to do and execute, according to law; but in fuch manner, and fubject to fuch conditions, reftrictions, limitations and regulations, as are herein after for that purpofe fpecified and mentioned.

If the crown fhall defcend to any of the children of the late prince of *Wales*, being under the age of 18 years,

*Augufta* princefs dowager of *Wales* is conftituted guardian of fuch fucceffor,

and regent of the kingdom.

II. And be it further enacted by the authority aforefaid, That all acts of regal power, prerogative, government or adminiftration of government, of what nature or kind foever, which fhall be done or executed by fuch King or Queen under the age of eighteen years, during the regency of her faid royal highnefs, eftablifhed by this act, otherwife than by her faid royal highnefs, in the manner, and according to the directions of this act, fhall be abfolutely null and void to all intents and purpofes.

Acts of regal power done otherwife than by her royal highnefs declared void.

III. And be it further enacted by the authority aforefaid, That in order to affift her faid royal highnefs in the adminiftration of the government, there fhall be during fuch minorities, a council to be called *The Council of Regency*, which fhall confift of the perfons and officers following, (that is to fay) his royal highnefs *William* duke of *Cumberland*, the archbifhop of *Canterbury* for the time being, the lord chancellor or lord keeper of the great feal of *Great Britain* for the time being, the lord treafurer of *Great Britain* for the time being, the lord prefident of the council for the time being, the lord privy feal for the time being,

Council of regency to affift her royal highnefs.

His Majesty  
by 3 instru-  
ments under  
his fign ma-  
nual may add  
four counfel-  
lors;

and may alter  
his nomina-  
tion.

After the de-  
mife of his  
Majefty, in  
cafe of fuch  
minority, the  
infruments  
to be brought  
before the  
privy council.

Any perfon  
who fhall open  
the faid in-  
fruments,  
&c. incurs a  
premuire.

ing, the lord high admiral of *Great Britain* for the time being, the principal fecretaries of ftate for the time being, and the lord chief juftice of the court of *King's Bench* for the time being; and fuch and fo many other perfons (being natural-born fubjects of this realm) not exceeding the number of four, as his prefent Majesty fhall, by three infruments under his royal fign manual, revocable, from time to time, at his will and pleaſure, think fit to nominate and add to the faid perfons and officers before mentioned; which three infruments being fealed up under three feveral covers, with any feal his Majesty fhall think fit to make ufe of for that purpoſe, fhall be each fealed alfo with the feveral feals of her faid royal highneſs, the archbiſhop of *Canterbury* for the time being, and the lord chancellor or lord keeper of the great feal for the time being; and one of the faid infruments fhall be lodged and deposited in the hands of her faid royal highneſs, another in the hands of the faid archbiſhop of *Canterbury*, and one other in the hands of the lord chancellor or lord keeper of the great feal for the time being; and if his Majesty fhall be willing to revoke or alter his nomination made as aforeſaid, and fhall, by three writings under his hand and feal, require the faid infruments fo deposited as aforeſaid, to be delivered up to ſome perfon or perfons thereby authorized to receive the ſame, then and in ſuch caſe, the perfons with whom the faid infruments fhall be deposited as aforeſaid, and every of them, and in caſe of the deaths of any of them, their executors and administrators reſpectively, and every other perfon in whoſe cuſtody any of the faid infruments fhall happen to be; ſhall deliver up the ſame accordingly; and in caſe the faid archbiſhop of *Canterbury*, or the lord chancellor or lord keeper ſhall die or be removed from their faid offices, before the re-delivery of ſuch infruments as aforeſaid, the perfon ſo removed, and the executors and administrators of the perfons ſo dying, and every perfon in whoſe cuſtody ſuch infrument fhall happen to be, ſhall deliver the ſame with all convenient ſpeed, to the ſucceſſor or ſucceſſors of the perfon ſo dying or being removed; and after the demife of his Majesty, in caſe of ſuch minority as aforeſaid, the faid three perfons, their executors or administrators, and all other perfons in whoſe cuſtody the faid infruments ſhall then be, ſhall immediately bring the ſame before the privy council then exiſting; which it is hereby enacted, ſhall be forthwith on ſuch demife aſſembled, and ſuch infruments ſhall be there opened and read, and preſently afterwards inrolled in the high court of *Chancery*.

IV. And be it further enacted by the authority aforeſaid, That if any of the faid perfons, with whom the faid infruments ſhall be fo deposited, or any of their executors or administrators, or any other perfon having the cuſtody thereof, ſhall open any of the faid infruments in the life of his prefent Majesty, without his Majesty's order, or ſhall wilfully neglect or refuſe to produce and deliver the ſame to the privy council, every perfon ſo opening, neglecting or refuſing, ſhall incur the pains and penalties

penalties of *Premunire* inflicted by the statute of *Premunire* made in the fixteenth year of the reign of King *Richard* the Second.

V. And be it further enacted by the authority aforefaid, That if all the faid three instruments fhall not be produced before the faid privy council as aforefaid, then any one or more of the faid instruments fo produced, fhall be effectual to give fuch authority as aforefaid, to the perfons therein named, not exceeding four; and in cafe his Majefty fhall not be pleafed to name any fuch additional counfellors, then his faid royal highnefs the duke of *Cumberland*, the faid archbifhop of *Canterbury*, and the faid officers for the time being, fhall be folety the council of regency, and be invefted with all the powers intended to be vefted by this act in the council of regency.

One inft-  
rument pro-  
duced, effec-  
tual.

VI. Provided always, That if at the time of his Majefty's demife, or at any time during the regency of her faid royal highnefs, there fhall be no lord high treafurer of *Great Britain*, and the office of treafurer of the *Exchequer* fhall be in commiffion, or if there fhall be then no lord high admiral, and the office of lord high admiral fhall be then in commiffion, then the firft commiffioner named in fuch refpective commiffions fhall be of the faid council of regency.

If the office of  
lord high  
treafurer, &c.  
be in commif-  
fion, the firft  
in commiffion  
to be of the  
council.

VII. And be it further enacted by the authority aforefaid, That the faid council of regency fhall, from time to time, meet and fit as her faid royal highnefs fhall be pleafed to direct, and that any five of the faid council, but not any lefs number, being fo affembled, fhall be fufficient to act as fuch council of regency, and all acts to be done by a major part of the council fo affembled, fhall be deemed to be acts of the council of regency, (excepting in fuch particular cafes wherein it is otherwife provided by this act) and that his faid royal highnefs *William* duke of *Cumberland* fhall be chief or head of the faid council.

Not lefs than  
five of the  
council to  
act.

His royal  
highnefs the  
duke, head of  
the council.

VIII. And be it further enacted by the authority aforefaid, That her royal highnefs the princefs dowager of *Wales*, before ſhe fhall act or enter upon her faid office of regent, or within one calendar month after, fhall take the following oath of office (that is to fay)

Oath of office  
to be taken  
by her royal  
highnefs.

**I** *Auguſta* princefs dowager of *Wales*, do ſolemnly promiſe and ſwear, That I will truly and faithfully execute the office of regent of the kingdom of *Great Britain*, according to an act of parliament made in the twenty-fourth year of the reign of his majeſty King *George* the Second, intituled, An act to provide for the adminiſtration of the government, in cafe the crown ſhould deſcend to any of the children of his late royal highnefs *Frederick* prince of *Wales*, being under the age of eighteen years, and for the care and guardianship of their perfons; and that I will adminiſter the government of this realm, and of all the dominions thereunto belonging, according to the laws, cuſtoms and ſtatutes thereof; and will in all things, to the utmoſt of my power and ability, conſult and maintain the ſafety, honour and dignity of his or her (as the caſe ſhall re-

quire) *Majesty*, and the welfare of his or her (as the case shall require) *people*.

So help me God.

Oath of office to be taken by each member of the council.

IX. And each of the members of the said council of regency, and their successors, shall, before they shall respectively act in or enter upon their respective offices as members of the said council, take the following oath of office (that is to say)

**I** A. B. do solemnly promise and swear, That I will truly and faithfully serve his or her (as the case shall require) *Majesty*, in the office of one of the council of regency, established by an act of parliament made in the twenty-fourth year of the reign of his majesty King George the Second, intituled, An act to provide for the administration of the government, in case the crown should descend to any of the children of his late royal highness *Frederick* prince of *Wales*, being under the age of eighteen years; and for the care and guardianship of their persons; and that I will duly and faithfully execute the said office, according to the true intent and meaning of the said act; and that in all matters and things which shall be moved, debated and considered in the council of regency, I will truly and faithfully declare my mind and opinion, according to my heart and conscience, and the best of my judgement; and will support, maintain, and defend the person, honour, crown and dignity of his or her (as the case shall require) *Majesty*, to the utmost of my power.

So help me God.

To be taken before the privy council.

Each of which oaths shall be taken before the privy council then in being, who are hereby required and impowered to administer the same, and to enter the same in the council books.

Her royal highness and the council to qualify themselves, as for offices of trust.

X. And be it further enacted by the authority aforesaid, That her said royal highness, and every person who shall be of the council of regency by virtue of this act, and of the powers hereby given, shall be deemed and taken to be persons having and executing offices or places of trust within *England*, and take and subscribe such oaths, make and subscribe such declaration, and do all such acts as are required by the laws and statutes of this kingdom, to qualify persons to hold and continue in offices and places of trust, within such times, and in such manner, and under such pains, penalties, forfeitures and disabilities, as in and by the said laws and statutes are required.

Her royal highness may take the oaths, &c. before the privy council, and receive the sacrament in the royal chapel.

XI. Provided nevertheless, and be it enacted by the authority aforesaid, That it shall be lawful for her said royal highness to take and subscribe the said oaths, and make and subscribe such declaration, in and before the privy council, and the certificate of her said royal highness's having received the sacrament of the Lord's supper, in any of the royal chapels, signed by the person administering the same, shall be registered in the said privy council, and her said royal highness's so taking and subscribing the said oaths, and making and subscribing the said declaration, and

and taking the faid facrament, fhall be to all intents and purpofes as effectual as if the fame had been taken, made and fubfcribed in the manner required by law, for the qualification of perfons to hold and continue in offices and places of truſt.

XII. And be it further enacted by the authority aforefaid, That whenfoever his prefent Majeſty (whom God long preferve) fhall happen to demife, leaving fuch ſucceſſor as aforefaid, under the age of eighteen years, the privy council for the kingdom of *Great Britain* in being, at the time of fuch demife, fhall, with all convenient ſpeed, aſſemble, and cauſe fuch next ſucceſſor intituled to the crown of *Great Britain*, by virtue of an act of the twelfth year of the reign of King *William* the Third, (intituled, *An act for the further limitation of the crown, and better ſecuring the rights and liberties of the ſubject*) to be openly and ſolemnly proclaimed in the uſual manner in *Great Britain* and *Ireland*; and that all and every member and members of the faid privy council, wilfully neglecting or refuſing to cauſe ſuch proclamations to be made, ſhall be guilty of high treaſon, and ſuffer upon conviction thereof pains of death, and all other loſſes and forfeitures, as in caſes of high treaſon.

Upon his Majeſty's demife, in the minority of his ſucceſſor, the privy council to cauſe ſuch ſucceſſor to be proclaimed,  
12. W. 3. c. 2.

under penalty of high treaſon.

XIII. Provided always, and be it enacted by the authority aforefaid, That in the creation of all peerages of *Great Britain*, or *Ireland*, in the pardoning of all crimes of high treaſon, and in the gift, grant and diſpoſition of all archbiſhopricks and biſhopricks in *England* or *Ireland*, the offices of lord chancellor or lord keeper of the great ſeal of *Great Britain* or *Ireland*, of lord treaſurer or treaſurers of the *Exchequer*, or commiſſioners for executing the office of treaſurer of the *Exchequer*, lord preſident of the council, lord privy ſeal, lord high admiral, or commiſſioners for executing the office of lord high admiral, the principal ſecretaries of ſtate, maſter of the rolls in *Great Britain* and *Ireland*, and of all the judges of the courts of *King's Bench* and *Common Pleas*, and barons of the courts of *Exchequer* in *England* and *Ireland*, and of the judges of the court of ſeſſion, court of juſticiary, and barons of the court of *Exchequer* in *Scotland*, and in the giving inſtructions, orders and authorities for the making any treaties with any foreign powers; the conſent of the faid council of regency, or the major part of any five or more of them ſo aſſembled as aforefaid, ſhall be neceſſary to make the faid creations, pardons, gifts, grants, diſpoſitions, inſtructions, orders or authorities, good and effectual.

The majority of five of the council of regency neceſſary in all creations, &c.

XIV. Provided alſo, and be it enacted by the authority aforefaid, That it ſhall not be lawful for her ſaid royal highneſs to make war or peace, ratify any treaty with any foreign power, or to prorogue, adjourn or diſſolve any parliament, without the conſent of the major part of the whole council of regency, then in being, and in *Great Britain*, in caſe there ſhall then be an unequal number in *Great Britain*; and if the number then in *Great Britain* ſhall be an equal number, then without the conſent of one half part of the faid council; and that her ſaid royal highneſs, either with or without the conſent of the faid council

Her royal highneſs not to make war or peace, prorogue, or diſſolve any parliament, without conſent of the council, nor to give the royal aſſent to any act for altering the ſucceſſion,  
Of



of regency, shall not give the royal assent to any bill or bills in parliament, for repealing, changing, or in any respect varying from the order and course of succession to the crown of this realm, as the same stands now established in the illustrious house of Hanover, by the said act of the twelfth year of the reign of King William the Third, intituled, (*An act for the further limitation of the crown, and better securing the rights and liberties of the subject*) or to any act for repealing or altering the act made in the thirteenth year of the reign of King Charles the Second, intituled, (*An act for the uniformity of publick prayers and administration of sacraments, and other rites and ceremonies, and for establishing the form of making, ordaining and consecrating bishops, priests, and deacons, in the church of England*) or one act of the fifth year of the reign of Queen Anne, made in Scotland, (intituled, *An act for securing the protestant religion and presbyterian church government.*)

nor for repealing or altering  
13 Car. 2. c. 4.

or 5 Annz.

Members of the council by reason of office, to be no longer of the council than they continue in office.

Officers appointed to be of the council, to continue in office unless removed.

XV. Provided also, and be it further enacted by the authority aforesaid, That the archbishop of *Canterbury*, or any other person appointed by this act to be of the said council of regency, in virtue or by reason of his dignity or office, shall continue no longer of the said council than he shall continue in such his said dignity or office, and his successor in such dignity or office shall become one of the said council; and that the lord chancellor or lord keeper of the great seal for the time being, the lord treasurer or first commissioner of the treasury for the time being, the lord president of the council for the time being, the lord privy seal for the time being, the lord high admiral or first commissioner of the admiralty for the time being, and the principal secretaries of state for the time being, so appointed to be of the said council of regency by this act, shall continue in their said respective offices, after such descent of the crown to any of the children of his said royal highness *Frederick* late prince of *Wales*, during the regency of her said royal highness, as well after as before the expiration of six months from the time of such descent, unless removed by her said royal highness, with the consent of a major part of the whole council of regency then in being, and in *Great Britain*, in case there shall then be an unequal number in *Great Britain*; and if the number then in *Great Britain* shall be an equal number, then with the consent of one half part of the said council, or upon the address of both houses of parliament, in which latter case her royal highness alone may remove any of the said officers against whom such address shall be presented.

Members of the council may be removed by consent of the majority, &c. or upon address of both houses of parliament.

XVI. Provided nevertheless, That the archbishop of *Canterbury* for the time being, and the lord chief justice of the court of *King's Bench* for the time being, notwithstanding their remaining in such dignity and office respectively, may be removed from being of the council of regency by her royal highness, with the consent of a major part of the council of regency then in being, and in *Great Britain*, in case there shall then be an unequal number in *Great Britain*; and if the number then in *Great Britain*

*Britain*

*Britain* shall be an equal number, then with the consent of one half part of the said council, or upon the address of both houses of parliament; and that any other of the members of the said council not so appointed in virtue or by reason of their dignities or offices, may be removed likewise by her royal highness, with the like consent, or upon the address of both houses of parliament; and within two calendar months after such descent of the crown as aforesaid, in case any vacancy or vacancies of any of the said offices shall happen then to be, and within the space of two calendar months after every vacancy which shall happen by means of such removal, or by the death or resignation of any member of the said council of regency, her royal highness shall and is required, with the consent of the council of regency, or the major part of those present, not being less than five, to fill up such vacancy by the appointment of a new officer, where the vacancy happens by the death, removal or resignation of one of the members of the said council, so appointed in virtue or by reason of his dignity or office, or by the appointment of a new member of the said council, being a natural born subject of this realm, where the vacancy happens by the death or removal, or resignation of any member, not being one of the officers named in this act, or by the resignation or removal of the archbishop of *Canterbury*, or of the lord chief justice of the *King's Bench*, from being of the said council of regency.

Vacancies of members of the council to be filled up within a months.

XVII. Provided always, and be it enacted by the authority aforesaid, That nothing herein contained shall take away or prejudice the rights, authorities, powers and jurisdictions of the privy council, but her said royal highness shall have full power to summon and hold, or to cause the same to be summoned and holden in the usual manner, and any of the members of the said council of regency may be and continue of the privy council also.

Rights of the privy council preserved.

XVIII. And be it further enacted by the authority aforesaid, That whensoever and as often as the crown shall descend to such minor successor as aforesaid, in case a parliament shall be then in being, which shall have met and sat, such parliament shall continue for three years, from the time of such descent, unless such successor to whom the crown shall descend as aforesaid, shall sooner attain his or her age of eighteen years, or such parliament shall be sooner dissolved by her said royal highness with the consent of a major part of the council of regency, then in being, and in *Great Britain*, in case there shall then be an unequal number in *Great Britain*, and if the number then in *Great Britain* shall be an equal number, then with the consent of one half part of the said council; and in case at the time of such descent, there shall be no parliament in being, which shall have met and sat, then the last preceding parliament shall immediately convene and sit at *Westminster*, and be a parliament to continue for three years as aforesaid, to all intents and purposes, as if the same had never been dissolved, unless such successor shall sooner attain his or her age of eighteen years, or such parliament

Upon descent of the crown to a minor the parliament to continue for 3 years, unless such successor shall be sooner of age, or the parliament be dissolved, &c.

If no parliament in being, the preceding parliament to sit for 3 years.

ment

ment fhall be fooner diffolved by her faid royal highnefs, with fuch confent as laft mentioned.

ſucceffor not to be married during minority, without confent of her royal highnefs and the council;

fuch marriage null, and every perſon concerned, &c. guilty of high treaſon.

In caſes of equality of voices, her royal highnefs may decide.

Where conſent of a majority is neceſſary, the members are to ſign the ſame.

Clerk of the council to be appointed,

and take an oath of office.

Commiſſions, &c. to change the order, &c. of government, declared void,

and the perſons concerned to incur a *Premunire*.

XIX. And be it further enacted by the authority aforeſaid, That his royal highnefs *George William Frederick prince of Wales*, in caſe the crown ſhall deſcend or come to him before his age of eighteen, or any other of the children of his late royal highnefs *Frederick prince of Wales*, to whom the ſame ſhall deſcend before his or her age of eighteen years, ſhall not, during the regency of her ſaid royal highnefs, be married to any perſon whatſoever, without the conſent of her ſaid royal highnefs, and of a major part of the ſaid council of regency then in being, and in *Great Britain*, in caſe there ſhall then be an unequal number in *Great Britain*, and if the number then in *Great Britain* ſhall be an equal number, then without the conſent of one half part of the ſaid council; and every marriage ſo had without ſuch conſent, ſhall be null and void to all intents and purpoſes; and every perſon who ſhall be acting, aiding, abetting or concerned in obtaining, procuring or bringing about any ſuch marriage, and the perſon who ſhall be ſo married to ſuch King or Queen, under the age of eighteen years, ſhall be guilty of high treaſon, and ſuffer and forfeit as in caſes of high treaſon.

XX. And be it further enacted by the authority aforeſaid, That in all caſes where the members of the council of regency ſhall be equally divided in their voices, her ſaid royal highnefs ſhall and may decide and determine the queſtion or matter concerning which they ſhall be ſo equally divided, if ſhe ſhall be pleaſed to give her own opinion thereupon.

XXI. And be it further enacted by the authority aforeſaid, That in all caſes where the conſent of a major or one half part of the ſaid council of regency then in being, and in *Great Britain*, is by this act made neceſſary to the validity of any act, matter or thing, ſuch conſent ſhall be ſigned by the reſpective members giving ſuch conſent in the council books; and that a clerk or clerks of the council of regency, ſhall be appointed by her ſaid royal highnefs, and ſuch clerk or clerks ſhall provide books for entering the acts of ſuch council, and ſhall enter the ſame truly and faithfully, and keep the ſaid books, for which he or they ſhall be answerable, and ſuch clerk or clerks, before he or they enter upon the execution of their ſaid office, ſhall take an oath before ſuch council, for the due execution of ſuch office or place reſpectively.

XXII. And be it further enacted by the authority aforeſaid, That all commiſſions, letters patent, orders, matters and things to be made, paſſed, had or done by the ſaid regent, either with or without the conſent of the ſaid council of regency, in order unlawfully to ſet aſide, change or vary the order and method of government, and adminiſtration of government ſettled by this act, during ſuch minorities as aforeſaid, ſhall be abſolutely null and void to all intents and purpoſes, and every perſon adviſing, concurring, promoting or aſſiſting therein, ſhall incur the penalties of *Premunire*, inflicted by the ſaid ſtatute of *Premunire*.

XXIII. And

XXIII. And be it declared and enacted by the authority aforesaid, That an act of parliament made in the twenty-eighth year of the reign of King Henry the Eighth, intituled, *An act giving authority to such as shall succeed to the crown of this realm when they come to the age of twenty-four years, to make frustrate such acts as shall be made afore in their time*; and one other act made in the first year of the reign of King Edward the Sixth, intituled, *An act for the repeal of a certain statute made in the eight and twentieth year of the reign of the late King, of most famous memory, Henry the Eighth, for revoking of acts of parliament*, are determined, and of no force or effect whatsoever.

28 Hen. 8. c. 17.

and 1 Ed. 6. c. 11. determined.

## C A P. XXV.

*An act for laying out, making and keeping in repair, a road proper for the passage of troops and carriages from the city of Carlisle to the town of Newcastle upon Tyne.*

WHEREAS the making and keeping a free and open communication between the city of Carlisle and the town of Newcastle upon Tyne, by a road proper for the passage of troops, horses and carriages, at all times in the year, would be of great use and service to the publick; and it hath been found by experience, that the want of such road, passage and communication, hath been attended with great inconvenience and danger to this kingdom: and whereas such road cannot be laid out, or the charge of making the same be destroyed, otherwise than at the expence of the publick, and by the authority of parliament; but it is apprehended that such publick road when finished, may be supported, and kept in repair, by proper tolls and duties to be raised and collected thereupon for that purpose: may it therefore please your most excellent Majesty, that it may be enacted, &c.

The new road shall extend from the west gate of Newcastle to East Denton, and by Chapel Houses to Haddon on the Wall, Harlow Hill, Port Gate, Chollerford Bridge, Walwick, Carrawburgh, Winfields, Clowgill, Brampton, High Crosby, Drawdikes and Stanwix, to the Scotch gate of Carlisle. Trustees to nominate officers, &c. Copies of the accounts and of all contracts, &c. to be delivered to each house of parliament. Surveyors may dig gravel in waste grounds, &c. without paying for the same; levelling the pits. Justices to determine differences. Trustees may purchase lands to be taken into the road, &c. Persons neglecting to treat for the sale of such lands, trustees may assess the recompence, by a jury. The recompence charged on the monies granted by parliament for making the road; 3,000l. to be paid out of the supplies for the year 1751, towards making the road; 2,000l. to the trustees of Cumberland, and 2,000l. to the trustees of Northumberland. Accounts of the monies to be laid before parliament. When the road shall be made, turnpikes and toll-houses are to be erected, and tolls to be taken. One third of the tolls only to be taken at any one toll-gate in Northumberland, and one half in Cumberland. Penalty on carriages with four wheels, drawn by more than four horses, or with fewer wheels, by more than three horses. Owners of collieries may lay waggon-ways cross the road, and repair the same. Justices to determine the statute-work to be done on the road. Persons aggrieved may appeal to the quarter-sessions. Trustees may lessen the tolls. Justices may appoint persons to inspect the road, who shall enquire of the application of the tolls, and certify

tify any mifapplication. On death, &c. of trustees others to be chosen. Road to be meafured, and mile-ftones erected. Tolls to continue, until otherwife provided by parliament.

## CAP. XXVI.

An act for cleaning and enlightening the open places, ftreets, and other paffages; and regulating the nightly watch and bedels in the parifh of Saint Matthew Bethnal Green, in the county of Middlefex.

## CAP. XXVII.

An act to enable the prefent and future proprietors and inhabitants of the houfes in Golden Square, in the parifh of Saint James, Weftminfter, in the county of Middlefex, to make and levy a rate on themfelves, for raising money fufficient for the better inclofing, paving, enlightening and adorning of the faid fquare; and fupporting and keeping of the fame in repair for the future.

## CAP. XXVIII.

An act for repairing the road from the top of Crickley Hill in the county of Gloucefter, to Frogg-Mill, through the towns of Northleach, Burford and Witney, and parifhes of Hanborough and Bladen, to Campfied, in the parifh of Kidlington, in the county of Oxford; and alfo the road from Witney, through Enfham, Cunner and Botley, to the city of Oxford. *Certain tolls granted for 21 years.*

## CAP. XXIX.

An act for repairing the road leading from the town of Ludlow in the county of Salop, through Woodferton and Little Hereford, to a place called Monks Bridge in the faid county; and alfo from the faid town of Ludlow, to a place or houfe called the Maidenhead at Orleton in the county of Hereford. *Certain tolls granted for 21 years.*

## CAP. XXX.

An act for repairing the high roads leading from Darlington in the county of Durham to Weft Auckland, and feveral other roads in the faid county therein mentioned. *Certain tolls granted for 21 years.*

## CAP. XXXI.

*An act for explaining, amending and enforcing an act paffed in the thirteenth year of his late Majesty's reign, intituled, An act for the better regulation of the linen and hempen manufactures in that part of Great Britain called Scotland; and for further regulating and encouraging the faid manufactures.*

3 Geo. 1. c. 26. **W**HEREAS by an act paffed in the thirteenth year of the reign of his late majesty King George the Firft, (intituled, An act for the better regulation of the linen and hempen manufactures in that part of Great Britain called Scotland) certain rules and regulations were eftablifhed for encouraging and improving of the faid manufactures, and for preventing of frauds and abufes in the fame: and whereas the faid rules and regulations have been found ufeful and beneficial, and have been a means of improving the faid manufactures, which might be ftill brought to greater perfection, and be further extended, if fome parts of the faid act were explained, amended and enforced, and further regulations eftablifhed: may it therefore please your Majesty that it may be enacted; and be  
it

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 who shall import, or cause to be imported, into any port or place in *Scotland*, any bad, mixed or damnified lintseed or hempseed, or any lintseed or hempseed which shall not be thoroughly cleaned, or any lintseed commonly called or known by the name of *Short Lintseed*, he and they shall, for every such offence, forfeit such lintseed or hempseed, and shall also be subject and liable to a penalty, not exceeding three pounds sterling for every hoghead of such seed; and so in proportion for any less quantity.

Importers of bad lintseed or hempseed, or short lintseed.

forfeit 3l. per. hoghead.

II. Provided always, and it is hereby enacted, That if all or any of such damnified lintseed or hempseed shall be only damaged, in the conveyance by sea, the importer or importers, proprietor or proprietors thereof, shall not be liable or subject to the said forfeiture or penalty: in case he or they shall immediately, upon the landing of such seed, produce sufficient proof before some justice of the peace, or other magistrate, that such damage was occasioned as aforesaid, and give sufficient security as soon as may be unto the trustees appointed, or to be appointed, in pursuance of the said act of the thirteenth year of his late Majesty's reign, that such seed shall not be sown, but shall be made into oil, or exported under the penalty of five pounds for every hoghead of such damnified seed; and so in proportion for any less quantity.

Upon proof of the lintseed being damaged by sea, importer not to forfeit;

giving security for its being exported or made into oil.

III. Provided also, and be it enacted, That if any lintseed or hempseed of the growth of *Scotland* shall be bad, short, damnified or otherwise improper and unfit for sowing, the proprietor or proprietors thereof shall not be subject or liable to any penalty or forfeiture inflicted by the said former act, for the selling or exposing to sale any bad or damnified lintseed or hempseed, in case he shall, before he shall sell such seed, or expose the same to sale, give sufficient security to the said trustees, that such seed shall not be sown, but made into oil, or exported, under the penalty of five pounds for every hoghead of such seed, and so in proportion for any less quantity.

Proprietor of short or bad, &c. lintseed, &c. of the growth of Scotland,

to give security that the same shall be exported, or made into oil.

IV. And whereas a doubt hath arisen with relation to the exact measure by which all lintseed and hempseed is by the said act directed to be sold; be it enacted, That all lintseed and hempseed shall be sold by the *Linlithgow Barley Measure* streaked, and that all such measures shall be first marked and stamped by the dean of guild of some royal borough, with the usual mark of such borough, and also with these words *Linlithgow Barley Measure*; and if any person shall vend or sell any lintseed or hempseed by any measure that shall not be marked and stamped, in manner as aforesaid, such person shall forfeit for every such offence such measure, and also the sum of forty shillings sterling.

Lintseed, &c. to be sold by the Linlithgow barley measure streaked, &c.

V. And be it further enacted by the authority aforesaid, That all and every person and persons who shall sell and deliver to any one buyer, at one time, ten pecks, or any larger quantity of

Persons selling ten pecks, to one buyer, to lin.

give a certificate of the quantity, price, and growth, &c.

lintfeed or hempfeed, without delivering therewith a certificate subscribed by fuch person or persons, expreffing the quantity and price of the feed, and if the fame fhall be of foreign production, the port from whence the fame was imported, and the name of the country where it grew, and the year of its growth; and if fuch feed fhall be of the produce of *Britain*, the year of its growth, and the name of the county where it grew; fuch perfon or perfons fhall forfeit a fum not exceeding five pounds, nor lefs than fifty fhillings fterling, for every hoghead of fuch feed; and fo proportionably for any lefs quantity.

Officers may enter warehouses for keeping lintfeed, &c.

VI. And be it further enacted, That all ftamp-mafters, riding-officers,urveyors or other officers, acting under the directions and authority of the faid trustees, may, with their affiftants at all time by day, enter into any warehouse, or other place made ufe of for keeping lintfeed or hempfeed, and into any place where they fhall have reafon to fufpect that lintfeed or hempfeed is kept, and may infpect and furvey all lintfeed and hempfeed which fhall be found in fuch places, and fhall and may feize

and feize what fhall be found bad, &c.

and carry off, or otherwife fecure, all bad, fhort, damnified, or mixt lintfeed or hempfeed, and fuch as fhall not be clean and good, and detain the fame until it fhall be legally tried, whether fuch lintfeed or hempfeed is by the faid former or this prefent act prohibited to be imported or fold, or expofed to fale, or to be fown; and in cafe it fhall be adjudged, that fuch feed is prohibited to be imported, fold or expofed to fale, the fame fhall be forfeited, and the proprietor or proprietors thereof fhall be fubject and liable to a penalty not exceeding three pounds fterling for every hoghead of fuch feed, and fo in proportion for any lefs quantity; and in cafe it fhall be adjudged that the feed fo feized is prohibited to be fown, and the proprietor or proprietors thereof fhall not make it appear that fufficient fecurity hath been given to the faid trustees, in manner as aforefaid, for the exporting or making of fuch feed into oil, or that application hath been made, and fufficient fecurity tendered to the faid trustees for that purpofe, fuch feed fhall be alfo forfeited, and the proprietor or proprietors thereof fubject and liable to the penalty aforefaid.

Penalty if the feed fhall be adjudged to be prohibited, &c.

Seed feized not to be delivered, until the fecurity.

VII. Provided always, That in all cafes where it fhall be proved, that application hath been only made for giving fufficient fecurity as aforefaid, fuch feed fo feized and detained fhall not be delivered to the proprietor or proprietors thereof, until fuch fecurity fhall be actually entered into, and executed to the fatisfaction of the faid trustees.

Hemp and flax to be fold 16lb. to the ftone.

VIII. And be it further enacted by the authority aforefaid, That all and every perfon and perfons who fhall fell or difpofe of any hemp or flax, by any other weight than by the ftone, confifting of fixteen pounds weight *averdupois*: and alfo all flax raifers and hecklers who fhall not affix their names and places of abode, upon every mat or quantity of flax by them fold, fhall refpectively for each and every fuch offence, forfeit a fum not exceeding five pounds fterling.

Flax raifers and hecklers to affix their names upon every mat.

IX. And

IX. And be it further enacted by the authority aforesaid, That every person who shall sell or expose to sale, in one and the same mat or other package, flax or hem of different quality or fineness, shall forfeit a sum not exceeding five pounds sterling for every such mat or other package.

Penalty of selling flax or hemp, of different quality in the same mat.

X. Provided always, That the said penalty shall not extend to any person selling a ton or any larger quantity of hemp or flax to any one person at one time.

Exception.

XI. And be it further enacted by the authority aforesaid, That it shall and may be lawful to work up and manufacture plain-linen cloth, with flaxen and tow yarn mixed, by making the woof of such cloth of one of the said yarns, and the warp of the other; but that the yarn which shall be used for the warp, shall be of the same quality and fineness throughout such warp, and that the yarn which shall be used for the woof, shall be of the same quality and fineness throughout such woof, under the penalty of a sum not exceeding forty shillings, nor less than ten shillings sterling, to be paid by the weaver; any thing in the said former act, or this present act, to the contrary notwithstanding.

Plain linen may be made with flax and tow yarn mixed. Penalty if the warp be not of the same fineness throughout, as also the woof.

XII. And be it further enacted by the authority aforesaid, That it shall and may be lawful to make use of yarns of different sorts, qualities and fineness, in the working up and manufacturing of striped, chequered and flowered linens, but so that each sort of such yarn shall be of equal quality and fineness, throughout each piece of such striped, chequered or flowered linens, under the penalty of a sum not exceeding forty shillings, nor less than ten shillings sterling, to be paid by the weaver; any thing in the said former act, or this present act, contained to the contrary notwithstanding.

Yarns of different sorts, &c. may be used in manufacturing striped, &c. linens, &c.

XIII. And be it further enacted by the authority aforesaid, That all and every person and persons who shall make, sell or expose to sale, or shall buy one or more reel or reels, which shall not be of the standard and dimensions prescribed by the said former act, shall over and above the forfeiting of such reel or reels, forfeit a sum not exceeding forty shillings, nor less than ten shillings sterling, for every such reel; and that all and every person or persons who shall be convicted of false reeling and making up yarn, or exposing to sale, selling or buying yarn of the produce of *Scotland*, knowing the same to be reeled or made up contrary to the directions of the said act, shall, over and above the forfeiting of such yarn, forfeit a sum not exceeding ten nor less than two shillings sterling, for every spindle thereof and so proportionally for any less quantity.

Penalty of selling or buying reels not of the dimensions prescribed;

or false yarn of the produce of *Scotland*,

XIV. Provided always, and be it enacted, That it shall and may be lawful to import, sell, and expose to sale, any foreign yarn, although such yarn shall not be reeled and made up, according to the directions of the said act or this act, any thing in the said act or this act contained to the contrary notwithstanding.

Foreign yarn excepted.

XV. And be it further enacted by the authority aforesaid, That every maker of heckles, wheels, reels, weaving-loomes

heckles, &c.



to affix his  
name, &c.

and weaving-reeds, shall mark or cause to be marked, with an iron brand, or some other proper instrument, in legible and durable characters, on every heckle, wheel, reel, weaving-loom and weaving-reed by him made, his christian name, surname and place of residence, as also upon each reed, the hundreds of such reed, under the penalty of forfeiting all such heckles, wheels, reels, weaving-looms and weaving-reeds; and also of a sum not exceeding twenty nor less than ten shillings sterling, for each of the said particulars.

Bleachers of  
linen.

and masters of  
lapping-prefs  
to give  
security.

XVI. And be it further enacted by the authority aforesaid, That all persons who shall practise the trade of whitening or bleaching of linen cloth in the piece, so as to bleach or whiten a quantity of cloth, which shall be of the value of five hundred pounds sterling, in the course of one year; and also all persons who shall keep any publick lapping-prefs or lapping house, shall respectively first give sufficient security to the said trustees, to the extent of one hundred pounds sterling for every such bleacher, and of fifty pounds sterling for every keeper or master of such publick lapping-prefs and lapping-house, for their faithful performance of the said trades; and also for making good any damage which may arise to their respective employers, by any neglect or want of skill in the exercise of either of such trades; and the said trustees are hereby required, upon their acceptance of such respective securities, to grant licences under their hands and seals to such persons, empowering them to exercise the said respective trades; and that no fee, reward or gratuity whatsoever, shall be demanded or taken, for or upon account of giving any such security, or of granting such licence: and that if any person or persons shall without such licence bleach or whiten a quantity of cloth, which shall be of the value of five hundred pound sterling, in the course of one year, or shall keep and use any publick lapping-prefs or lapping-house, such person or persons shall respectively forfeit, *videlicet*; such bleacher or whitener, the sum of one hundred pounds sterling; and such master and keeper of a publick lapping-prefs or lapping-house, the sum of fifty pounds sterling, for every year they shall carry on such respective trades without such licence.

Trustees to  
grant licences  
upon security  
given.

Penalty on  
unlicensed  
bleachers, &c.

Licensed  
bleachers to  
mark their  
names, &c. on  
every piece.

XVII. And be it further enacted by the authority aforesaid, That all such licensed bleachers shall mark or stamp, or cause to be marked or stamped, in legible letters on each end of every piece of cloth by them bleached or whitened, their names and places of abode, with the addition of bleacher, under the penalty of a sum not exceeding twenty shillings for every piece of cloth which shall not be so marked.

Penalty of  
lapping up  
cloth for sale,  
wet, &c.

or not stamp-  
ed,

XVIII. And be it further enacted, That if any person or persons shall fold or lap up any cloth for sale, when wet, or with any chalk, dust, flour or other material, which may be prejudicial to the fabrick or quality of such cloth, or shall lap up any piece of cloth for sale which is not duly stamped in manner prescribed by the said former act or this present act, he or they shall for every such offence, forfeit a sum not exceeding

forty fhillings, nor lefs than ten fhillings fterling, for every fuch piece of cloth.

XIX. Provided always, and it is hereby enacted, That in all cafes where cloth fhall through unavoidable accidents be damaged in the weaving or bleaching, by holes or rents made in the fame, or not be of equal quality, fabrick and goodnefs throughout the piece, in fuch manner as the fame is directed to be made, by the faid former act or this prefent act, the stamp-mafter, or stamp-mafters appointed or to be appointed by the faid trustees, may cut fuch damaged or infufficient cloth into fuch pieces as he or they fhall find to be fufficient and free of holes and rents, and affix his ftamps to fuch cuttings, in the fame form and manner as by the faid act is directed, with regard to whole pieces, returning the damaged or infufficient cuttings to the owners for their ufe; but that if the faid stamp-mafter or stamp-mafters fhall not be fatisfied that the cloth received fuch damage, or was rendered infufficient, through unavoidable accidents as aforefaid, and fhall have reafon to believe that the fame was occafioned by the negligence or ignorance of the weaver or bleacher, and that the cloth was prefented to be ftamped with a fraudulent intention to deceive the buyer, he fhall and may feize and detain the fame; and if upon trial to be had thereupon, it fhall appear that fuch damage or infufficieny was occafioned by the negligence or ignorance of the weaver or bleacher of fuch cloth, and not by unavoidable accident, it fhall be condemned and forfeited in fuch manner as is prefcribed by the aforefaid act of his late Majefty, with refpect to all infufficient and unmerchantable cloth which fhall be offered to be ftamped.

Stamp-mafters to cut cloths damaged by accident,

and ftamp the fame.

Cloth damaged by negligence of bleacher or weaver, and prefented to be ftamped, to be feized,

and forfeited.

XX. And be it further enacted by the authority aforefaid, That when any unftamped cloth or unftatutable yarn fhall be feized in purfuanee of the powers contained in the faid act, and it fhall be alledged that fuch cloth or yarn is of foreign manufacture, the *Onus Probandi* fhall lie upon the owner of fuch cloth or yarn, that the fame was fairly imported from the place where it fhall be alledged to have been manufactured, or from the next adjacent port, and that the duties for the fame have been paid; and if the owner of fuch cloth or yarn fhall fail in fuch proof, the cloth or yarn fo feized fhall be deemed and taken to be of the manufacture of *Scotland*, and be forfeited; and all linen cloth of the manufacture of *Ireland*, imported into, or expofed to fale in *Scotland*, which fhall not have the feals or ftamps of fome ftamp mafter appointed by the trustees for the linen manufacture in *Ireland*, affixed thereon, fhall be forfeited, and fhall be feized and tried in the fame manner as is directed by the faid act, with regard to fuch linen of the manufacture of *Scotland* as is expofed to fale without being ftamped.

If cloth or yarn, be feized, the proof of its being of foreign manufacture to lie on the owner, &c.

Irifh cloth unftamped to be forfeited.

XXI. And be it further enacted by the authority aforefaid, That every maker and cutter of ftamps or feals of any kind for ftamping of cloth, fhall upon fome proper part of every ftamp or feal by him made, mark his name and place of abode, and

Mafters of ftamps to mark their names there-

fhall

on, and take  
an impression  
in a book, &c.

shall take an impression of every such seal or stamp in a book to be kept for that purpose, and shall enter in such book, the name and designation of the person by whom he was employed, and to what person and at what time such seal or stamp was delivered, under the penalty of fifty pounds sterling for each of the said offences.

Penalty of  
counterfeiting  
stamps.

XXII. And be it further enacted by the authority aforesaid, That if any person or persons shall counterfeit any seal or stamp made in pursuance of this act, or any seal or stamp of any stamp-master appointed by the trustees for the linen manufacture in *Ireland*, he, she or they so counterfeiting the same, and being thereof lawfully convicted before the court of justiciary at *Edinburgh*, or in the circuits, shall suffer and incur the same pains and penalties as persons by the law of *Scotland*, convicted of forgery.

Makers of  
heckles, and  
weavers, free  
to exercise  
their trades  
in any city, &c.

XXIII. And be it further enacted by the authority aforesaid, That every maker of heckles, spinning-wheels, reels, weaving-looms and weaving-reeds, and also every weaver or manufacturer of linen, flaxen or hempen cloth, or heckler or dresser of flax or hemp, shall and may, and is hereby authorized to exercise the said respective trades, within any city, town, corporation, burgh or place in *Scotland*, without any lett or hindrance from any person or persons whatsoever, and without being chargeable or charged with payment of any entry-money or other duty whatsoever, for or in respect of their following such trade or business.

Penalty of ob-  
structing offi-  
cers.

XXIV. And be it further enacted by the authority aforesaid, That no person or persons shall by force or violence obstruct, hinder or impede any officer appointed or to be appointed by the said trustees in the due execution of his duty, under the penalty of forfeiting a sum not exceeding fifty pounds, nor less than five pounds sterling, for every such offence.

Offences how  
to be tried.

XXV. And it is hereby enacted, That all offences against this act (except only as to the counterfeiting of seals or stamps) shall and may be heard and determined by the justices of peace or magistrates of any burghs, or any one of them, within their respective jurisdictions, after the same form and manner, and with the same powers as are prescribed and mentioned in the aforesaid act, with regard to offences committed against that act, and that all offences against this and the aforesaid act, (except as aforesaid) shall and may be also heard and finally determined by any of his Majesty's sheriff or steward deputies, or their substitutes, subject only to an appeal to the lords of justiciary or their circuit courts.

Penalties to be  
paid to the  
prosecutor.

XXVI. And it is hereby declared, That all penalties or forfeitures which shall be incurred for all the offences against this act, shall be paid and delivered to the informer or prosecutor, and be adjudged to be payable and deliverable to him.

Limitation of  
actions.

XXVII. Provided always, That all actions shall be commenced for offences against this act, and the said former act, within twelve months after the commission of such offence; and all actions to be commenced for the same shall cease and determine, and are hereby discharged from and after the expiration of eight

full months from the commencement of the fuit; and if any appeal, either from the magiftrates or juftices of the peace to the quarter feflions, or from the fheriff or ftewart deputies, or their fubftitutes, to the circuit court, fhall not be determined at the expiration of eight months from the commencement of the action, the fentence appealed from fhall take place, and be put in execution, as if no appeal had been entered againft the faid fentence.

XXVIII. And it is hereby enacted and declared by the authority aforefaid, That all fheriff and ftewart deputies, fheriff and ftewart fubftitutes, juftices of peace, and magiftrates of burghs, fhall interpret and put this act, and the faid former act in execution, in the moft beneficial manner for promoting the linen and hempen manufactures; and if any of the faid fheriffs or ftewarts, juftices or magiftrates, fhall wilfully neglect or refufe to execute the powers and authorities committed to them by this and the faid former act, fo as that fuch neglect or refufal fhall tend to the difcouragement or detriment of the faid manufactures, fuch neglect or refufal fhall be and be taken to be a point of dittay, and the perfon or perfons fo offending may be profecuted before and punifhed by the lords of jufticiary, in manner prefcribed by the faid former act.

Act to be interpreted in the moft beneficial manner.

Penalty on magiftrates refufing to execute the powers.

XXIX. And be it further enacted by the authority aforefaid, That the comptroller of the cuftoms in *Scotland*, or his deputy, fhall, without fee or reward, in the month of *December* yearly, on demand, deliver in to the faid trustees an account for the year ending at *Midfummer* preceding, of all flax-feed and hemp-feed, and of all flax and hemp, and alfo of all pot-afhes, and all linen, flaxen or hempen yarn, and linen cloth, imported into *Scotland*, diftinguifhing the feveral ports from whence, and at which the fame were imported; as alfo an account of all flax and hemp, and of all linen, flaxen or hempen yarn, and alfo of all pot-afhes fhipped in and exported from *Scotland*, diftinguifhing the feveral ports from and to which the fame fhall be fhipped, and of all linen cloth fhipped in and exported from *Scotland*, diftinguifhing the feveral ports from and to which the fame fhall be fhipped and exported, and diftinguifhing the feveral bounties paid upon the exportation of fuch cloth.

Comptroller of the cuftoms to deliver a yearly account to the trustees of all flax, cloth, pot-afhes, &c. imported and exported.

XXX. And be it further enacted by the authority aforefaid, That all contracts, fecurities and agreements entered into and taken by authority of the faid trustees for promoting of the faid linen and hempen manufactures, or any particular branch thereof, may be entered into, and taken in the name of their fecretary for the time being, and his fucceffors in office, for the ufe of the fund eftablifhed by the faid act for encouraging the linen manufacture in *Scotland*; and all bonds obligations and other fecurities, for the faithful execution of any office, or for the performance of any other matter or thing relating to the faid manufacture, fhall and may be taken in the name of the faid fecretary for the time being, and his fucceffors in office, for the ufe of the faid fund; and all diligences, fuits, actions, and proceffes, may be iffued and carried on in confequence of fuch

Contracts, &c. entered into by the trustees,

Bonds, &c.

and fuits, &c. to be in the fecretary's name,

contracts, securities and agreements, bonds and obligations, and prosecuted to a final issue, in the name and at the instance of the said secretary for the time being.

Commence-  
ment of the  
act,

XXXI. And be it further enacted, That this act, and all the authorities, powers, matters and things herein contained, shall commence and take place from the twenty fifth day of *December* one thousand seven hundred and fifty one.

#### C A P. XXXII.

An act for enlarging the term and powers granted by two acts of parliament, *For repairing the road from Wendover to the town of Buckingham in the county of Bucks;* and also for repairing and widening the road leading from the west end of the said town of Wendover to the end of a lane called Oak-Lane, next the great road called The Oxford road, lying between the town of Beconsfield in the said county of Bucks, and Uxbridge in the county of Middlesex, and that part of the said great road which leads from the west end of the said town of Beconsfield to the river Colne near Uxbridge aforesaid. *The acts 7 Geo. 1. c. 24. and 15 Geo. 2. c. 5. continued for 21 years.*

#### C A P. XXXIII.

An act for enlarging the term and powers granted by an act of parliament passed in the fourth year of his present Majesty's reign, for repairing the roads leading from the most southern part of Butt Lane, in the parish of Lawton in the county palatine of Chester, to Lawton; and from thence to Henhall's Smithy upon Cranage Green in the said county; and for making the said act more effectual. *The act 4 Geo. 2. c. 3. continued for 21 years.*

#### C A P. XXXIV.

*An act for the better preservation of the game in that part of Great Britain called Scotland.*

**W**HEREAS it is necessary that the laws now in force in Scotland, for regulating the times for killing the game, and for preventing the abuses of carriers, poachers and others carrying and selling the same, should be amended and made more effectual; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled and by the authority of the same, That no person in Scotland shall, upon any pretence whatsoever, kill or destroy any moor fowl, from the first day of *January* to the tenth day of *July*, or any partridge or heath fowl, from the first day of *February* to the twentieth day of *August* in any year.

Moor fowl,  
partridge or  
heath fowl,  
not to be kill-  
ed out of sea-  
son.

Penalty on  
person not  
qualified to  
kill game,  
having any in  
his custody.

II. And be it further enacted by the authority aforesaid, That no person whatsoever, not qualified to kill game in Scotland, shall have in his or her custody, or carry at any time of the year, upon any pretence whatsoever, any hares, partridges, pheasants, muir fowl, heath fowl, snipes or quails, without the leave or orders of a qualified person first obtained, for carrying such hares or other game, or for having the same in his or her custody.

Penalty of  
transgressing  
this act.

III. And be it further enacted by the authority aforesaid, That every person transgressing this act, shall for the first offence  
forfeit

forfeit and pay the sum of twenty shillings sterling; and for the second and every other subsequent offence, the sum of forty shillings sterling; which respective fines, shall and may be levied by distress and sale of the goods of the offender; and in case of insolvency the party offending shall suffer imprisonment for the space of six weeks for the first offence, and for the space of three months for the second and every other subsequent offence.

IV. And be it further enacted by the authority aforesaid, That all offences against this act shall and may be enquired into and determined, either by the oath or oaths of one or more credible witnesses or witnesses, or by the confession or oaths of the parties accused, before any two or more of his Majesty's justices of the peace, or before the sheriff of the county where the offence shall be committed, or where the offender shall be found; and that all prosecutions for offences against this act shall be carried on either at the instance of the fiscal of court, or of any other person who will inform or complain.

Offences how to be tried.

V. And be it further enacted by the authority aforesaid, That one moiety of the forfeitures to be incurred for any offence against this act shall, when recovered, be paid to the informer or prosecutor, and the other moiety shall be applied for such publick services within the county where the offence shall be committed, as the justices of the peace or the sheriff respectively shall direct, before whom the offender shall be convicted.

Application of the forfeitures.

VI. Provided always, That any persons aggrieved by the judgement of the said justices or sheriff respectively, shall have liberty to appeal to the next general or quarter session, in case such judgement was given by any justices of the peace as aforesaid, or to the lords justiciary in their next circuit court, or (where there are no circuit courts) to the court of justiciary at *Edinburgh*, in case the judgement complained of was given by the sheriff of any county; and that the determination of the said general or quarter session, or of the said circuit court, shall be final and conclusive to all parties.

Persons aggrieved may appeal.

### CAP. XXXV.

An act for repairing the high roads in the county of Edinburgh, to and from the city of Edinburgh; and from Cramond Bridge to the town of Queen's Ferry in the county of Linlithgow. *A private act*, 12 Ann. st. 2. enlarged and continued for 21 years.

### CAP. XXXVI.

An act for building a bridge over the river Ribble, between the townships of Preston and Penwortham, near a place called the Fish-house, in the county palatine of Lancaster.

## C A P. XXXVII.

*An act for dividing the parish of Saint Philip and Jacob in the county of Gloucester and in the city and county of Bristol; and for erecting a church in the new intended parish.*

**W**HEREAS the inhabitants of that part of the now or late forest or chase of Kingswood which lies in the parish of Saint Philip and Jacob in the county of Gloucester, within the diocese of Bristol, are very numerous, and at a great distance from the mother church in the city of Bristol, which said church is not large enough to contain all the inhabitants: and whereas it is now proposed, for the better accommodation of the said inhabitants, to erect a new church upon the said now or late forest or chase, to be consecrated and used for the publick worship of God, and the instruction of the inhabitants there in the christian religion, as it is now professed in the church of England, and established by the laws of this realm; and to promote so good a work, Thomas Chester, esquire, lord of the manor of that part of the said now or late forest or chase of Kingswood as lies in the said parish of Saint Philip and Jacob in the said county of Gloucester, hath proposed to grant a piece of ground commodiously situated in the centre of the new intended parish, for the site of a church and a church-yard, vicarage house and gardens, and for other purposes relative to the design; and the right reverend the lord bishop of Durham (late of Bristol) for promoting so good a design, is disposed and ready to give the sum of four hundred pounds, towards the endowment of the new intended vicarage, for the maintenance of a minister or vicar, who shall reside in the vicarage house, and in order to obtain the like sum of four hundred pounds to be added thereto, by the governors of the bounty of Queen Anne, for the augmentation of the maintenance of the poor clergy, for the further augmentation of the maintenance of such minister or vicar of the said new intended parish: and whereas several charitable and well-disposed persons, to encourage so pious an undertaking, have contributed, and are ready to contribute, towards the erecting and finishing such church, and a house for the minister or vicar to reside in, and for the better endowing the same, in case there shall be an overplus: and whereas the mayor, burgesses and commonalty of the city of Bristol, patrons of the vicarage of the said parish church of Saint Philip and Jacob, and the inhabitants of the said parish, are willing and desirous that a new church and house may be erected as aforesaid, and that a proper district round the intended church may be appointed, in order to separate the same from the said parish, and make it a distinct and separate parish: and whereas, for preventing the trouble of separating and dividing the same by commissioners, they the said inhabitants and parishioners of the parish of Saint Philip and Jacob aforesaid, have agreed among themselves on the district of and for the new intended church and parish, and settled the limits and bounds thereof; which district so limited and bounded, is, as herein after is mentioned and expressed; that is to say, From a bridge at the foot of Lawrence Hill

Hill called Lawrence Bridge, along the lane southward called Barton Hill Lane; thence in a direct line along the lane called Little Marsh Lane; thence along by a little stream of water, which runs from the said lane into King's Pill; and thence along by the said King's Pill to the river Avon; and along up the side of the river Avon, to the utmost extent and boundaries of the old parish on that side thereof; from Saint Lawrence Bridge aforesaid, westward, to a lane called Dod Lane; along this lane, northward, to the bridge called Gano Bridge, in the road leading from Bristol towards Gloucester; from thence along the said road directly to Coomb Brook; and thence to the utmost extent and boundaries of the old parish, eastward, quite to the river Avon as aforesaid: and whereas, for the like purpose aforesaid, they the said inhabitants and parishioners have also agreed among themselves, that the piece of ground so proposed to be granted by the said Thomas Chester as aforesaid, and which contains, by estimation, two acres one rood and six perches (be it more or less) and is situated at or near a certain place called Don John's Cross; and is bounded on the east side by the road leading from Bristol to Bath; on the west, partly by Don John's Cross, and partly by a garden, now or late in the tenure of Thomas Marsh; on the north, by a road leading from Bristol to Marshfield; and on the south, partly by a lane or waste ground, and partly by a small inclosure, late in the tenure of John Curtis; shall be for the site of the new intended church, and the church-yard or cemetery, to be belonging to the said parish, and a vicarage house, with a garden or gardens, and conveniences for the habitation of the minister or vicar for the time being, of the same church; therefore, may it please your Majesty (at the humble petition of sundry of the inhabitants of that part of the parish of Saint Philip and Jacob, which is situated in the county of Gloucester and diocese of Bristol) that it may be enacted, &c.

Money for the augmentation of the vicarage to be paid, when the church is built and consecrated. The district before described, erected into a distinct parish. The church to be called by the name of Saint George. William Cary appointed vicar. Corporation declared patrons of the vicarage. Workhouse to be for the joint use of both parishes, &c. Power given to the vestry to make church rates, &c. The church, &c. to be under the jurisdiction of the archbishop of Canterbury, bishop of Bristol, and archdeacon of Gloucester. Rights of the crown reserved.

### CAP. XXXVIII.

An act for levying a duty of two pennies Scots, or a sixth part of a penny sterling, on every Scots pint of ale and beer which shall be brewed for sale, brought into, tapped or sold within the town of Greenock and baronies of Easter and Wester Greenock, and Finart, and liberties thereof, in the county of Renfrew, for repairing the harbour of the said town, and for other purposes therein mentioned, A duty of excise granted to the town for 31 years.



## CAP. XXXIX.

*An act for the better regulating the navigation of the river Avon, running through the counties of Warwick, Worcester and Gloucester; and for ascertaining the rates of water-carriage upon the said river.*

**W**HEREAS the river Avon hath for many years past been made navigable from the river Severn, through part of the counties of Gloucester and Worcester, to or beyond the borough of Stratford in the county of Warwick, for boats, barges, lighters and other vessels, for the better supplying the said several counties with pit coal, iron and other goods and commodities, for the publick good of the said counties, whereby the trade in those parts hath been very much enlarged and increased: and whereas frequent disputes have arisen between the owners and proprietors of the said navigation, and the persons navigating thereupon, touching the rates of tonnage of coal, and other goods and merchandize carried thereon; for remedy whereof, and for the ascertaining the rates of such tonnage for the future, and to the end and intent the said river Avon may for ever hereafter be continued and preserved navigable, for the encouragement of trade, and the benefit and advantage of the publick in general; and that the locks, weirs, bucks, winches, turnpikes, dams, floodgates and other engines, may for the future be kept in good and sufficient order and repair; and the rents and out-goings for lands cut away, and other rents, may be raised, and paid to the persons intituled to receive the same: may it please your Majesty that it may be enacted, &c.

River Avon declared to be a free river. Rates of tonnage to be paid for goods carried on the river. No publick wharf to be kept, for unloading goods for sale, between Evertham and Harvington sluices. Royalities, &c. reserved. Owner answerable for damage done by his vessel. Rates to be paid by vessels passing through the sluice at Tewkesbury into the Severn, and through the sluice at Evertham, and at every weir. Proprietors of the navigation to keep the river cleansed, &c. Justices to determine differences concerning the navigation, &c. in a summary way.

## CAP. XL.

*An act for granting to his Majesty an additional duty upon spirituous liquors, and upon licences for retailing the same; and for repealing the act of the twentieth year of his present Majesty's reign, intituled, An act for granting a duty to his Majesty to be paid by distillers upon licences to be taken out by them for retailing spirituous liquors; and for the more effectually restraining the retailing of distilled spirituous liquors; and for allowing a drawback upon the exportation of British made spirits; and that the parish of Saint Mary le Bon, in the county of Middlesex, shall be under the inspection of the head office of excise.*

**W**HEREAS the immoderate drinking of distilled spirituous liquors by persons of the meanest and lowest sort, hath of late years

years increased, to the great detriment of the health and morals of the common people; and the same hath in great measure been owing to the number of persons who have obtained licences to retail the same, under pretence of being distillers, and of those who have presumed to retail the same without licence, more especially in the cities of London and Westminster, the borough of Southwark, and other places within the weekly bills of mortality, contrary to the good and wholesome laws heretofore made for preventing thereof: and whereas we your Majesty's dutiful and loyal subjects the commons of Great Britain in parliament assembled, ever attentive to the preservation and health of your Majesty's subjects, have taken this great evil into our serious consideration, and proposed such laws and provisions as appear to us to be most likely to put a stop to the same; but it may so happen, that in consequence of the necessary regulations for that purpose, there may accrue a failure or deficiency in the respective funds to which the duties charged upon spirituous liquors and distillers licences, were appropriated and applicable: now, for the more effectual restraining such abuses, and to the end that such failure or deficiency may be made good, and that the publick faith, so essential to the well-being of this kingdom, may be supported, we do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the first day of July, one thousand seven hundred and fifty one, there shall be raised, levied, collected and paid unto his Majesty, his heirs and successors, for the several kinds of spirituous liquors herein after mentioned, specified and enumerated (over and above all duties, charges and impositions by any former act or acts of parliament thereupon respectively set, rated and imposed) the several rates and duties of excise herein after-mentioned and expressed; that is to say,

Additional duties on spirituous liquors.

For every gallon of low wines, or spirits of the first extraction, made or drawn from any sort of drink or wash, brewed or made from any sort of malt or corn, or from brewers wash or tilts, or any mixture with such brewers wash or tilts, to be paid by the distillers or makers thereof, three halfpence.

For every gallon of strong waters, or *Aqua Vitæ*, made for sale of the materials aforesaid, or any of them, to be paid by the distillers or makers thereof, four pence halfpenny.

For every gallon of low wines, or spirits of the first extraction, made or drawn from cyder, or any sort or kind of *British* materials, except those before-mentioned, or any mixture therewith, to be paid by the distillers or makers thereof, one penny three farthings.

For every gallon of spirits made for sale from cyder, or any sort or kind of *British* materials, except those before-mentioned, to be paid by the distillers or makers thereof, three pence halfpenny.

II. And,

Duties in England to be under the management of the commissioners of excise in England,

and those in Scotland, under like officers there.

Monies arising by the duties to be paid into the exchequer, distinct from other branches of the revenue.

II. And, for the better ascertaining, charging, collecting, raising, levying and securing the rates and duties by this act imposed on the said spirituous liquors, and preventing frauds therein, be it further enacted by the authority aforesaid, That such of the said rates and duties by this act granted, as are charged upon spirituous liquors made, extracted and manufactured in, or imported into *England, Wales, or the town of Berwick upon Tweed*, shall be under the receipt and management of the commissioners and officers of his Majesty's revenues of excise in *England* for the time being, and such of the said rates and duties as are imposed by this act upon spirituous liquors, made, extracted and manufactured in, or imported into *Scotland*, shall be under the receipt and management of the commissioners and officers of excise in *Scotland* for the time being; and the said respective commissioners of excise, or the major part of them, have hereby power, by commission under their respective hands and seals, to constitute and appoint under them such officers as shall be necessary in that behalf; and all monies arising by the said duties in *Great Britain*, or any part thereof (the necessary charges of raising and accounting for the same excepted) shall, from time to time, be paid into the receipt of his Majesty's exchequer at *Westminster*, distinctly and apart from all other branches of the publick revenues, subject and liable to the same uses and purposes respectively as the present duties on spirituous liquors and licences are now liable and appropriated unto.

III. And whereas by an act of parliament made and passed in the twentieth year of his Majesty's reign, (intituled, An act for granting a duty to his Majesty to be paid by distillers upon licences taken out by them for retailing spirituous liquors) it is enacted, That from and after the twenty fourth day of June one thousand seven hundred and forty seven, it should be lawful to and for the several distillers within the cities of *London and Westminster, borough of Southwark, or weekly bills of mortality*, to take out licences from his Majesty's commissioners of excise for retailing spirituous liquors; and the said commissioners were thereby authorized and required to grant such licences to every distiller and distillers within the limits aforesaid, who should apply for the same, upon payment of five pounds for every such licence, which were to be renewed yearly, upon payment of the like sum of five pounds, under certain restrictions in the said recited act mentioned: and whereas the permitting distillers so take out licences for the retailing spirituous liquors, has greatly tended to increase the drinking of spirituous liquors, many of whom have wilfully permitted and suffered the same to be sippled and drank in their shops, contrary to the direction of the said act of the twentieth year of his present Majesty's reign; be it therefore enacted by the authority aforesaid, That from and after the twenty fourth day of June one thousand seven hundred and fifty one, the duty of five pounds payable by every distiller for a licence to sell spirituous liquors by retail, shall cease, determine and be no longer paid; and that no distiller shall have a licence, or be permitted to sell any spirituous liquors, mixed or unmixed,

with

The duty of 5l. payable by distillers for licences to retail, repealed.

40 G. 2. c. 39.

with any ingredients, by retail, after the faid twenty fourth day of *June* one thousand seven hundred and fifty one.

IV. Provided always, That nothing herein contained shall extend, or be construed to extend, to repeal or vacate the several penalties and forfeitures imposed by the faid act of the twentieth year of his faid present Majesty's reign. Penalties of the faid act, to be still in force.

V. And be it further enacted by the authority aforesaid, That in lieu and stead of the faid duty of five pounds, granted and directed to be raised by the faid act made in the twentieth year of his faid present Majesty's reign, and which is hereby repealed as aforesaid, there shall, from and after the twenty fifth day of *March* one thousand seven hundred and fifty two, be raised, levied, collected and paid unto his Majesty, his heirs and successors, an additional duty of twenty shillings *per annum* for every licence that shall be taken out by any person or persons for the retailing spirituous liquors, pursuant to the directions of the act of parliament made in the sixteenth year of his present Majesty's reign (intituled, *An act for repealing certain duties on spirituous liquors, and on licences for retailing the same; and for laying other duties on spirituous liquors, and on licences to retail the said liquors*) and of this act, or either of them; which said additional duty of twenty shillings shall from time to time be paid down in like manner, and at the same time, and be raised, levied, collected and paid by the same means and methods, and under the like penalties, as the duty upon licences to be granted by virtue of the faid act made in the sixteenth year of his present Majesty's reign, is directed to be raised, levied, collected and paid. After 25 March 1752, an additional duty of 20s. to be laid on licences to retail spirituous liquors.

VI. And be it further enacted by the authority aforesaid, That all and every the powers, authorities, directions, rules, methods, penalties and forfeitures, clauses, matters and things which in and by an act made in the twelfth year of the reign of King *Charles* the Second (intituled, *An act for taking away the court of wards and liveries, and tenures in Capite, and by knights service, and purveyance, and for settling a revenue upon his Majesty in lieu thereof*) or by any other law now in force relating to his Majesty's revenue of excise upon beer, ale or other liquors are provided, settled or established, for securing, enforcing, managing, raising, levying, collecting, mitigating or recovering, adjudging or ascertaining the duties or penalties thereby granted, and for preventing, detecting and punishing frauds relating thereto (not otherwise altered by this act) shall be exercised, practised, applied, used, imposed, levied, recovered and put in execution, for the securing, enforcing, managing, raising, levying, collecting, mitigating, adjudging, ascertaining, recovering and paying the duties and penalties hereby granted, and for preventing, detecting and punishing frauds relating thereto, as fully and effectually, to all intents and purposes, as if all and every the said powers, authorities, rules, directions, methods, penalties and forfeitures, clauses, matters and things were particularly repeated, and again enacted in the body of this present act. 16 Geo. 2. c. 8.

Powers, &c. given by any law of excise, to be in force with regard to these duties.

16 Geo. 2. c. 8.

VII. *And whereas by an act made in the fixteenth year of his Majesty's reign, it is enacted, That no licence shall be granted to any person or persons whatsoever for selling by retail any spirituous liquors or strong waters whatsoever, except to such persons only who shall keep taverns, victualling-houses, inns, coffee-houses or ale-houses; and that if any such licences shall be granted to any other persons than as aforesaid, the same are thereby declared void to all intents and purposes: and it is thereby also enacted, That if any person or persons shall presume or offer to retail any of the said spirituous liquors, without taking out such licence as is therein mentioned, and renewing the same yearly, in manner therein mentioned, he, she or they shall respectively forfeit and lose the sum of ten pounds for each offence; and in case such person or persons shall refuse or neglect to pay the said sum of ten pounds, the same being lawfully demanded, it shall and may be lawful for any one or more justice or justices of the peace of any county, riding, division, city or liberty, upon information upon oath being made before him or them, of such refusal or neglect, by warrant under his or their hand and seal, or hands and seals, to commit such person or persons to the house of correction for the county, riding, division, city or liberty wherein such person or persons shall reside, there to remain and be kept to hard labour for the space of two months, to be reckoned from the day of the said commitment; and the person or persons shall not be discharged, until, he, she or they shall have paid the said sum of ten pounds, or until the full expiration of the said two months; and that nothing in the said act shall extend, or be construed to enable any person or persons to sell any spirituous liquors or strong waters by retail, unless such person or persons be first licensed to sell ale or spirituous liquors, by two or more of his Majesty's justices of the peace for the county, riding, division, city or liberty wherein such person or persons shall sell the said liquors, under the hands and seals of the said justices: and whereas by one other act made in the seventeenth year*

17 Geo. 2. c. 17.

*of his Majesty's reign, it is enacted, That in case where a licence shall have been granted for retailing spirituous liquors, to any person who shall, at the time of granting such licence, keep a tavern, victualling-house, inn, coffee-house or ale-house, if such person so licensed, shall afterwards, during the time of continuing such licence, exercise the trade of a distiller, grocer or chandler, or keep a brandy shop or shops for sale of any spirituous liquors, the licence granted in every such case shall be void; and such persons retailing spirituous liquors afterwards shall forfeit ten pounds for every such offence, notwithstanding such licence so obtained as aforesaid; and that no licence for retailing spirituous liquors shall authorize and empower any person, to whom the same may be granted, to sell such spirituous liquors in any other place, except in such houses or places thereunto belonging, wherein he, she or they shall inhabit and dwell, at the time of granting such licence: and whereas it may be doubted, whether the said penalty of ten pounds can be recovered within the limits of the head office of excise in London, before a justice or justices of peace: be it hereby declared and enacted, That the said ten pounds penalty may be recovered; and any person retailing distilled spirituous liquors without a licence, within the limits of the said head office, may be*

The penalty of 10l on unlicensed retailers, may be recovered by-

con-

convicted before any justice of the peace for the city, county or fore any ju-  
 liberty where the offence hath been or shall be committed, as <sup>stice.</sup>  
 well as before the commissioners of excise; and that such penal- <sup>Penalty not</sup>  
 ty shall not in any case, either by the said commissioners or ju- <sup>to be reduced</sup>  
 stices of the peace, be mitigated or reduced below the sum of <sup>below 5l.</sup>  
 five pounds.

VIII. And for the further restriction of such licences, and <sup>None to be li-</sup>  
 the granting thereof, be it enacted by the authority aforesaid, <sup>icensed to re-</sup>  
 That no licence for the selling by retail of spirituous liquors, <sup>tail, but such</sup>  
 shall be granted, within the limits of the head office of excise in <sup>as pay to</sup>  
 London, but to such as shall occupy a tenement or tenements of <sup>church and</sup>  
 the yearly value of ten pounds or upwards, and for which they <sup>poor.</sup>  
 shall accordingly be rated and pay in the parish rates; nor to any  
 person in any other part of the kingdom, where there are rates  
 to church and poor, but to such as shall be assessed and pay to  
 the church and poor in the several parishes and places in which  
 they shall be respectively licensed; and that no licence shall be  
 of any avail to any person not so qualified, or for any longer  
 time than the person so licensed shall be qualified as aforesaid,  
 but shall be absolutely void.

IX. And be it enacted by the authority aforesaid, That if any <sup>Penalty on</sup>  
 person not authorized by law, shall retail any spirituous liquors, <sup>unlicensed re-</sup>  
 such person shall not only be subject to the penalties now in being <sup>tailers, for the</sup>  
 for such offence of retailing spirituous liquors without licence, but <sup>first offence;</sup>  
 all the distilled spirituous liquors that shall then, or at any time or  
 times afterwards, within six calendar months after conviction  
 for such offence, be found in the custody of such offender or in  
 the house, lodgings, shop or warehouse where such offence shall  
 be committed, or any court, yard, ground or place occupied  
 therewith, whether then in the occupation of such offender or  
 not, or in the occupation of any other person whomsoever, shall  
 and may be seized, by warrant of the said commissioners, or of  
 any justice or justices of the peace, within their respective ju-  
 risdictions; and the same shall, by virtue of such warrant, forth-  
 with, on finding the same, be staved or otherwise destroyed; for  
 which purpose any peace or parish officer, authorized by such  
 warrant as aforesaid, shall have power at any time within the  
 space of six months after conviction as aforesaid, to enter such  
 places and break open doors, if not opened on demand; and if <sup>Penalty of a</sup>  
 any person who hath been or hereafter shall be convicted of any <sup>second offence;</sup>  
 such offence, shall, after such conviction, again offend in like  
 manner, and shall thereof be lawfully convicted as aforesaid,  
 then it shall and may be lawful to and for the commissioners or  
 justices respectively, before whom such offender shall be con-  
 victed of such subsequent offence, as well to inflict the penalties  
 by any former law to be inflicted for such offence, as also to  
 commit such offender to the house of correction, there to be  
 kept to hard labour, for any time not exceeding three months,  
 and also (if they shall think fit) to order such offender to be  
 whipt; and in case any person who shall have been convicted of <sup>this offence</sup>  
 such subsequent offence as aforesaid, shall offend again in like <sup>felony,</sup>  
 manner,

and the offender to be transported.

manner, fuch further offence fhall be deemed felony; and the offender being indicted, and lawfully convicted thereof, fhall fuffer as in cafes of felony, and may, by the juftices of the peace of the county or place where fuch felony fhall be committed, at their general or quarter feflions (who are hereby impowered to hear and determine fuch felony) be ordered to be transported to any of his Majefty's plantations, for any time not exceeding feven years.

Commissioners of excife, and juftices, may grant warrants for offences.

X. And for the better difcovery and punifhment of fuch offenders as aforefaid, be it enacted by the authority aforefaid, That it fhall and may be lawful for the commissioners of excife, and juftices of the peace, within their refpective jurifdictions, or any one or more of fuch juftices, upon oath made before him or them, of any offence committed againft this act, or any other law in force for reftaining or regulating the retailing of diftilled fpirituou liquors, to grant their warrant to any of the peace officers, or other parifh officers, of the parifh or place where fuch offence fhall be fworn to have been committed, to enter and fearch the houfe, lodgings, fhop, warehouse, cellars and other places where fuch offences fhall be fworn to be committed, or in the occupation of the perfon fworn to be guilty thereof, and the officer or officers, perfon or perfons, authorized by fuch warrant, fhall and may enter fuch houfes, lodgings, fhops, warehouses and other places, and break open the doors thereof, in cafe they be not forthwith opened upon demand, and fearch for and feize all fuch diftilled fpirituou liquors as they fhall there find, and detain the fame until the matter of the faid offence fhall be heard and determined; and in cafe the offender be convicted of fuch offence, the liquors fo found fhall be forthwith ftaved and destroyed as aforefaid, and if fuch perfon fhall not be convicted, then the fame fhall be reftored.

Diffiller, &c. felling, &c. liquors, to be unlawfully retailed, or to unlicensed retailers, to forfeit 10 l. and treble the value.

Application of the penalty.

Retailer difcovering and convicting the diffiller, intitled to his fhare of the penalty, and indemnified.

XI. And be it enacted by the authority aforefaid, That if any diffiller or other perfon fhall knowingly fell or deliver, or caufe to be fold and delivered by his fervants or others, directly or indirectly, any quantity of diftilled fpirituou liquors to any perfon, to the end that the fame may be unlawfully retailed, or unto any unlicensed retailer of fpirituou liquors, fuch diffiller or other perfon fhall forfeit and lofe the fum of ten pounds, and alfo treble the value of all fuch fpirituou liquors fo fold or delivered; one moiety thereof to the King, his heirs and fucceffors, and the other moiety to fuch perfon or perfons as will fue for the fame, in any of his Majefty's courts of record at *Wefminfter*, or in the court of *Exchequer* in *Scotland*, by action of debt, bill, plaint or information, wherein no effoin, privilege, protection, wager of law, or more than one imparlance fhall be granted or allowed; and if any perfon guilty of retailing diftilled fpirituou liquors fhall difcover the diffiller or other perfon who fhall have knowingly fupplied him with fuch liquors as aforefaid, and fhall profecute fuch diffiller or other perfon for the fame, without fraud or wilful delay, until he be convicted thereof, fuch profecutor fhall not only be intitled to his faid fhare

of

of the penalty, but ſhall alſo be indemnified againſt all penalties and forfeitures incurred by him before the commencement of ſuch his proſecution, for ſelling ſpirituouſ liquors without licence.

XII. And be it further enacted by the authority aforeſaid, That from and after the ſaid firſt day of *July* one thouſand ſeven hundred and fifty one, no perſon or perſons whatſoever, ſhall be intitled unto or maintain any cauſe, action or ſuit for, or recover either in law or equity, any ſum or ſums of money, debt or demands whatſoever, for or on account of any ſpirituouſ liquors, unleſs ſuch debt ſhall have really been and *bona fide* contracted at one time, to the amount of twenty ſhillings or upwards; nor ſhall any particular article or item in any account or demand for diſtilled ſpirituouſ liquors be allowed or maintained, where the liquors delivered at one time, and mentioned in ſuch article or item, ſhall not amount to the full value of twenty ſhillings at the leaſt, and that without fraud or covin; and where no part of the liquors ſo ſold or delivered ſhall have been returned or agreed to be returned directly or indirectly; and in caſe any retailer of ſpirituouſ liquors, with or without a licence, ſhall take or receive any pawn or pledge from any perſon or perſons whatſoever, by way of ſecurity for the payment of any ſum or ſums of money owing by ſuch perſon or perſons for ſuch ſpirituouſ liquors or ſtrong waters, every ſuch perſon or perſons offending herein ſhall forfeit and loſe the ſum of forty ſhillings for each and every pawn or pledge ſo taken in or received by him or them, to be levied and recovered by warrant under the hand and ſeal of one juſtice of the peace where the offence is committed; and that one moiety thereof ſhall be to the uſe of the poor of the pariſh where ſuch offence is committed, and the other moiety to the informer or informers; and the perſon or perſons to whom any ſuch pawn or pledge doth or ſhall belong, ſhall have the ſame remedy for recovering ſuch pawn, or the value thereof, as if it had never been pledged.

XIII. And be it further enacted by the authority aforeſaid, That no licence ſhall be granted for the retailing of ſpirituouſ liquors within any gaol, priſon, houſe of correction, workhouſe, or houſe of entertainment for any pariſh poor, and that all licences granted or to be granted, contrary to this proviſion, ſhall be void and of no effect from and after the ſaid firſt day of *July* one thouſand ſeven hundred and fifty one; and if any gaoler, keeper or officer of any gaol, priſon or houſe of correction, or any governor, maſter or officer of any workhouſe or houſe for the entertainment of any pariſh poor, ſhall ſell, uſe, lend or give away, or knowingly permit or ſuffer any ſpirituouſ liquors or ſtrong waters to be ſold, uſed, lent or given away, in any ſuch gaols, priſons or houſes of correction, or brought into the ſame; other than and except ſuch ſpirituouſ liquors or ſtrong waters as ſhall be preſcribed or given by the preſcription and direction of a regular phyſician, ſurgeon or apothecary, and to be applied in purſuance of ſuch preſcription, from the ſhop of ſome regular

No debt under 20 s. for ſpirituouſ liquors, contracted at one time, recoverable, &c.

Retailer taking a pledge for liquors, to forfeit 40 s.

Application of the penalty.

Owner may recover his pledge.

No licence to be granted for retailing ſpirituouſ liquors within gaols, houſes of correction or work-houſes, Keeper, &c. ſuffering ſpirituouſ liquors to be uſed there, &c.



apothecary, every fuch gaoler, keeper, governor, mafter or other officer, fhall, for every fuch offence, forfeit and lofe the fum of one hundred pounds; one moiety thereof to his Majefty, and the other moiety thereof, with full cofts of fuit, to fuch perfon or perfons as will fue for the fame, in any of his Majefty's courts of record at *Westminfter*, or in the court of *Exchequer* in *Scotland*, by action of debt, bill, plaint or information; wherein no effoin, privilege, protection, wager of law, or more than one imparlance fhall be granted or allowed; and in cafe any fuch gaoler or other officer, being convicted thereof as aforefaid, fhall again offend in like manner, and be thereof a fecond time lawfully convicted, fuch fecond offence fhall be deemed a forfeiture of his office.

and for a fecond offence, to forfeit his office.

Justices, upon information that liquors are kept, &c. in fuch houfes, may enter and fearch; or impower any conftable fo to do,

and feize and ftave the fame.

Perfons carrying, liquors into fuch houfes,

to be taken before a juftice;

and on conviction, to be committed, or pay a fum not exceeding 10*l.* nor lefs than 10*l.*

XIV. And be it further enacted by the authority aforefaid, That from and after the faid firft day of *July* one thoufand feven hundred and fifty one, it fhall and may be lawful for his Majefty's juftices of the peace, or any one of them, upon information upon oath That any fuch fpirituos liquors or ftrong waters are kept and difpofed of in any fuch gaol, prifon, houfe of correction, workhoufe or houfe of entertainment for parifh poor, in *Great Britain*, to enter and fearch, or to authorize and impower any conftable, headborough or other peace officer of the parifh where any fuch places are fituated, by warrant under his hand and feal to enter and fearch any fuch gaol, prifon, houfe of correction, work-houfe or houfe of entertainment for parifh poor; and in cafe any fuch fpirituos liquors or ftrong waters fhall be found therein (except fuch as are directed to be ufed medicinally as aforefaid) it fhall and may be lawful for fuch conftable, headborough or overfeer of the poor, to feize fuch fpirituos liquors or ftrong waters, and to caufe the fame to be forthwith ftaved and destroyed.

XV. And be it enacted by the authority aforefaid, That no perfon fhall carry or bring, or attempt or endeavour to carry or bring any diftilled fpirituos liquors (except to be ufed in the way of medicine as herein before mentioned) into any gaol, prifon, houfe of correction, work-houfe or houfe of entertainment for parifh poor; and if any perfon or perfons fhall offend therein, it fhall be lawful for the gaoler, keeper, mafter or chief officer of fuch gaol, prifon, houfe of correction, work-houfe, or houfe of entertainment for parifh poor, or his or their fervants, to apprehend fuch perfon or perfons, and to carry him, her or them before a juftice of the peace of the county, divifion, city, town corporate or liberty, where fuch gaol, prifon, houfe of correction, work-houfe or houfe of entertainment for parifh poor is fituate (who is hereby impowered to hear and determine fuch offence in a fummary way, and to adminifter an oath to the witneffes) and if by the oath of one credible witnefs or otherwife, he fhall convict fuch perfon or perfons of fuch offence, he fhall forthwith commit fuch offender or offenders to prifon, or to the houfe of correction, there to be kept in cuftody for any time not exceeding three months, without bail or mainprize, unlefs fuch

ſuch offenders reſpectively ſhall immediately pay down ſuch ſum or ſums of money, not exceeding twenty pounds, and not leſs than ten pounds, as the juſtice ſhall impoſe upon ſuch offenders ſeverally, as their fines; to be paid, one moiety to the informer, Application and the other moiety to the uſe of the poor of ſuch gaol, priſon, of the forfei- houſe of correction, work-houſe or houſe of entertainment for ture. pariſh poor.

XVI. And be it further enacted by the authority aforeſaid, That every gaoler, keeper, maſter and chief officer of every gaol, priſon, houſe of correction, work-houſe and houſe of entertainment for any pariſh poor, ſhall on or before the firſt day of *Auguſt* one thouſand ſeven hundred and fifty one, procure one or more copy or copies of the three preceding clauses, to be A copy of the three preced- ing clauses, to be kept hung up in gaols, &c. printed or fairly written, and hung up in one of the moſt pub- lick places of his gaol, priſon, houſe of correction, work-houſe or houſe of entertainment for pariſh poor, and renew the ſame from time to time, ſo that it may be always kept fair and legible, &c. on pain of forfeiting the ſum of forty ſhillings for every wilful under penalty default, to be levied by warrant of any juſtice of the peace of of 40 s. the county, diſviſion, city, town corporate or liberty where ſuch gaol, priſon, houſe of correction, work-houſe or houſe of entertainment for pariſh poor, ſhall be ſituate, to be granted on conviction of ſuch default, in a ſummary way, before ſuch juſtice, by the oath of one or more credible witneſs or witneſſes (which oath ſuch juſtice is hereby impowered to adminiſter) and it ſhall and may be lawful for every juſtice of the peace, to enter into any gaol, priſon, houſe of correction, work-houſe or houſe of Justice may demand a ſight thereof; and if the ſame be not fair, may convict the gaoler, &c. entertainment for pariſh poor, within the limits of his juridi- cation, and demand a ſight of ſuch copy ſo hung up as aforeſaid; and if the ſame ſhall not be forthwith ſhewn to him ſo hung up in ſome publick place, fair and legible as aforeſaid, ſuch juſtice ſhall and may immediately convict ſuch gaoler, keeper, maſter or officer of ſuch default, and ſo, from time to time, as often as he ſhall think fit; one moiety of the ſaid penalty to be paid to the informer, and the other moiety (or the whole if there be no informer) to the uſe of the poor of ſuch gaol, priſon, houſe of correction, work-houſe or houſe of entertainment for pariſh poor. Application of the penalty.

XVII. And be it further enacted by the authority aforeſaid, That all and every his Maſteſty's juſtices of the peace within the cities of *London* and *Weſtmiſter*, and borough of *Southwark*, or within the limits of the head office of exciſe in *London*, ſhall once in every month tranſmit to the clerk of the peace for the county where they act, a certificate of all perſons convicted before them reſpectively, for any offences committed againſt this or any former act or acts of parliament, relating to ſpirituous liquors or ſtrong waters, or for licenſing the retailers thereof; who is hereby authorized and required to keep and enter the ſame among the publick records of the court of the quarter- ſeſſions of the counties reſpectively, where ſuch conviction ſhall be ſo certified; which certificates ſhall be evidence upon any in- formation

Juſtices to tranſmit monthly, to the clerk of the peace, a certificate of perſons convicted, to be entered among the records, &c.

formation directed by this or any other act relating to spirituous liquors.

XVIII. *And whereas by an act of parliament made and passed in the eighth and ninth years of the reign of his majesty King William the Third, (intituled, An act for repealing a clause in a former act relating to party guiles, and for the better preventing frauds and abuses of brews, and others chargeable with the duties of excise;) it was (amongst other things) enacted, That no common distiller or maker of low wines, spirits or strong waters for sale or exportation, should at any time after the tenth day of April one thousand six hundred and ninety seven, erect or set up any tun, cask, washbatch, copper, still or other vessel for the brewing, making or keeping any worts, wash, low wines, spirits or strong waters, nor alter or enlarge any tun, cask, washbatch, copper, still or other vessel already erected or set up, nor should have or keep any private or concealed tun, cask, washbatch, copper, still or other vessel, nor any private or concealed warehouse, storehouse, cellar or other place for the brewing, making, laying or keeping any worts, wash, low wines, spirits or strong waters, without first giving notice thereof at the next office of excise, within the limits or jurisdiction whereof he or they did or should inhabit, upon pain of forfeiting for every tun, cask, washbatch, copper, still, warehouse, storehouse, cellar, or other place, so erected or set up, altered or enlarged, kept private or concealed, the sum of twenty pounds; and that all and every person or persons in whose occupation any house, out-house or other place whatsoever, was or should be, where any such private or concealed tun, cask, washbatch, copper, still, warehouse, storehouse or cellar should be discovered or found, should also forfeit and lose the sum of fifty pounds: and whereas the number of casks and other vessels used by distillers being very great, and the officers not being impowered to mark the same, so as to be enabled to distinguish the entered vessels from those that are not entered, it is impossible for the gauger to prove the particular vessel unentered, and consequently to convict the offender, agreeable to the intent and meaning of the aforesaid act: and whereas distillers at present are not confined to keep their after-runnings or feints from the second extraction in any particular vessels, which makes it impossible for the gauger to keep an exact stock of the said after-runnings or feints: and whereas some distillers taking the opportunity of the officers absence, do frequently charge their stills, either in the whole or in part, with wash privately brought in, and when the officers find the still so charged, the distillers alledge, by way of excuse, that such stills are charged with after-runnings or feints, which the officers are not able to disprove, by reason of their not having an exact account of the said after-runnings or feints; in which cases the revenue is greatly defrauded by the distillers obtaining relief of the duty wherewith they are charged, upon their complaints of an overcharge: therefore to remedy such defects, and the better to prevent such frauds; be it enacted by the authority aforesaid, That from and after the said first day of July one thousand seven hundred and fifty one, every distiller or maker of low wines or spirits for sale or exportation, shall within ten days after the said first day of July one thousand seven*

8 & 9 W. 3.  
c. 19.

Distiller to  
make entry of  
all vessels for  
distillation,  
&c.

seven hundred and fifty one, and all persons who shall after the said first day of *July* one thousand seven hundred and fifty one, become distillers or makers of low wines or spirits for sale or exportation, shall ten days before he, she or they distil or make any spirituous liquors, make a true and particular entry in writing, at the next office of excise, within the limits whereof his, her or their workhouse, stillhouse, storehouse, warehouse or other place used for distilling or keeping wash, low wines or spirits, is or shall be situate, of all and every still, copper, tun, washbatch, cask or other vessel which he, she or they shall make use of for the brewing, distilling, working, making, laying or keeping any worts, wash, low wines, spirits or strong waters, and also of the casks or vessels which every such distiller or maker of low wines or spirits for sale or exportation as aforesaid, shall make use of, for the brewing, holding or keeping of the after-runnings or feints from the second extraction, which shall from time to time be drawn from every such still, (which said last-mentioned casks or vessels shall not at any one time exceed two in number, at any such distillers or makers of low wines or spirits for sale or exportation) and also of all such new utensils as such distillers or makers of low wines or spirits for sale or exportation shall make use of for the purposes aforesaid, on pain that every such distiller or maker of low wines or spirits for sale or exportation, shall forfeit and lose for every such still, copper, tun, washbatch, cask or other vessel herein before mentioned, which shall be made use of and not entered as aforesaid, the sum of fifty pounds; and every such distiller or maker of low wines or spirits for sale or exportation as aforesaid, is hereby required to shew to the gauger or officer of excise, who surveys his, her or their workhouse, stillhouse, storehouse, warehouse or other place used for distilling or keeping wash, low wines or spirits, every such still, copper, tun, washbatch, cask or other vessel so entered, and he the said officer is hereby required to mark the same with a particular, distinct and durable mark; and every still, copper, tun, washbatch, cask, and any vessel which shall at any time or times be used by any such distiller or maker of low wines and spirits for sale or exportation, for any of the purposes aforesaid, without being so shewn or marked, shall be deemed a vessel or utensil of which no entry has been made; and if any person or persons whatsoever, shall at any time or times hereafter, after such still, copper, tun, washbatch, cask or other vessel, shall have been so marked by such officer as aforesaid, rub out or deface any such mark so fixed upon any such still, copper, tun, washbatch, cask or other vessel by such officer as aforesaid, he, she or they so offending, shall for every such offence forfeit and lose the sum of twenty pounds.

Vessels for brewing or keeping the after runnings or feints of the second extraction, not to exceed two;

Penalty.

Distiller to shew the gauger every still and vessel.

XIX. And in order to enable the gauger the better to detect such frauds, by having proper proof to lay before the respective courts where such and other offences against the laws relating to these duties shall be heard and determined; be it further enacted, That from and after the said first day of *July* one thousand

The gauger may take a sample of low

wines and  
feints, paying  
for the fame.

ſand ſeven hundred and fifty-one, it ſhall and may be lawful for any gauger or officer of exciſe at any time or times to take a ſample of ſuch low wines or ſpirits, and of feints and ſpent waſh, paying for ſuch ſpirits or low wines, after the rate of ten ſhillings *per* gallon; and for the ſaid feints and ſpent waſh, after the rate of one ſhilling *per* gallon; and in caſe any ſuch diſtiller or maker of low wines or ſpirits for ſale or exportation, or any workman or ſervant belonging to him, her or them ſhall reſuſe to permit ſuch gauger or officer to take ſuch ſamples as aforeſaid, or ſhall any ways hinder or obſtruct him or them in taking ſuch ſamples, ſuch diſtiller or maker of low wines or ſpirits for ſale or exportation, ſhall for every ſuch offence reſpectively forfeit and loſe the ſum of fifty pounds.

Penalty of ob-  
ſtructing offi-  
cers therein.

XX. *And whereas diſtillers and makers of low wines or ſpirits for ſale or exportation, very frequently take in waſh, when privately prepared, and charge their ſtills in the officers abſence, and by theſe means run great quantities of waſh, low wines and ſpirits;* the better to prevent ſuch frauds for the future, be it further enacted, That from and after the ſaid firſt day of *July* one thouſand ſeven hundred and fifty-one, every diſtiller or maker of low wines or ſpirits for ſale or exportation, within the limits of the weekly bills of mortality, ſhall, twenty-four hours at leaſt, and in other parts of *Great Britain*, forty-eight hours at leaſt, before he, ſhe or they receive any quantity of wine, cyder, ſugar, water or any kind of fermented waſh whatſoever, into his, her or their cuſtody, give notice to the gauger or officer of exciſe, who ſurveyſ his, her or their workhouſe, of the particular quantity of ſuch wine, cyder, ſugar, water or any kind of fermented waſh, and the ſpecies thereof, and of the time when he, ſhe or they ſhall intend to receive the ſame into his, her or their cuſtody, on pain of forfeiting and loſing for every offence in not giving ſuch notice, the ſum of fifty pounds.

Diſtiller to  
give notice be-  
fore he re-  
ceives any fer-  
mented waſh;

under penalty  
of 50l.

XXI. And, for the encouragement of the exportation of ſpirits, drawn or made in *Great Britain*, from the materials aforeſaid, or any of them; be it enacted by the authority aforeſaid, That from and after the ſaid firſt day of *July* one thouſand ſeven hundred and fifty-one, there ſhall be a drawback or allowance of the ſeveral and reſpective duties charged by this act, on ſuch ſpirits ſo drawn or made in *Great Britain*, which ſhall be exported to parts beyond the ſeas; and upon oath being made before any two or more of the commiſſioners of exciſe, or juſtices of the peace for the county or place from whence any ſuch ſpirits are intended to be exported, that the duties of the ſame are duly entered and paid, and that the ſame are exported for merchandize to be ſpent beyond the ſeas; and upon producing a certificate under the hands of the officers of exciſe for the port or place where ſuch ſpirits were ſhipped, of the quantities ſo ſhipped, and that the ſame were ſhipped in the preſence of ſuch officers; the diſtiller or diſtillers, or other perſon or perſons exporting the ſame, ſhall be allowed or paid back by the commiſſioners of exciſe, or their collector, for the port or place where ſuch

Drawback of  
the duties al-  
lowed on ex-  
portation of  
ſpirits made  
in *Great Bri-  
tain*.

fuch spirits fhall be fhipped off, the feveral duties charged thereupon by this act accordingly.

XXII. And be it further enacted by the authority aforefaid, That from and after the faid firft day of July one thoufand feven hundred and fifty-one, no perfon or perfons whatfoever, being a common brewer of ale or beer, or innkeeper, diftiller or other feller of or dealer in any kind of fpirituou liquors, or who is, or are or fhall be interefted in any of the faid trades or bufineffes, fhall, during fuch time as he or they fhall be fuch common brewer, innkeeper, diftiller or other feller of or dealer in fpirituou liquors, or interefted in any of the faid trades or bufineffes, be capable or have any power to act, or fhall be directly or indirectly concerned in acting as a juftice of the peace, in any matter or thing whatfoever, which fhall any ways concern the execution of the powers or authorities given or granted by any act or acts of parliament, in any wife relating to diftillers or makers of low wines, fpirits or ftrong waters for fale, or to the duty or duties impofed upon low wines, fpirits or ftrong waters, or any other kind of fpirituou liquors whatfoever, or to the granting licences to the retailers of fpirituou liquors.

XXIII. And whereas it has been doubted whether the feveral powers, authorities, directions, rules, methods, penalties, punifhments and forfeitures, claufes, matters and things, which were provided, fettled, directed, eftablifhed or impofed by any act or acts of parliament made fince the fixth year of his prefent Majesty's reign, relating to the felling fpirituou liquors without licence, might be lawfully exercifed, impofed, infifted and recovered againft any perfon for retailing fpirituou liquors, in lefs quantity than two gallons, in regard the quantity of fpirituou liquors which might be lawfully fold without licence, without fubjecting the feller thereof to be deemed a retailer of fpirituou liquors, is different in the faid act of the fixteenth year of his prefent Majesty's reign, from that in the feventeenth year of his faid Majesty's reign, (intituled, An act for granting to his Majesty the furplus or remainder of the monies arifen or to arife by the duties on fpirituou liquors, granted by an act of the laft feflion of parliament; and for explaining and amending the faid act, in relation to the retailers of fuch liquors; and for eftablifhing an agreement with the united company of merchants of England, trading to the *East Indies*;) now in order to put an end to fuch doubts, be it enacted and declared, That all and every the powers, authorities, directions, rules, methods, penalties, punifhments and forfeitures, claufes, matters and things, provided, fettled, directed, eftablifhed or impofed, by any act or acts of parliament made fince the fixth year of his prefent Majesty's reign, relating to the felling fpirituou liquors without licence, (except the forfeiture or penalty of one hundred pounds impofed by an act of the ninth year of his prefent Majesty's reign, intituled, *An act for laying a duty upon the retailers of fpirituou liquors; and for licenfing the retailers thereof*;) may for the future, and from the time of the commencement of the faid act of parliament, made in the feventeenth year of his prefent Majesty's

Brewers, innkeepers, diftillers or dealers in fpirits, &c. not to act as juftices relating to the diftillery.

16 Geo. 2. c. 8.  
17 Geo. 2. c. 17.

The powers and penalties, &c. provided by any acts made fince 6 Geo. 2. relating to the felling fpirituou liquors, Exception.

reign, might have been lawfully exercised, practised, applied, used, imposed, inflicted, levied and recovered, in regard to all and every person and persons that have offended, or shall offend against the said acts of the sixteenth and seventeenth years of his said Majesty's reign, or this act, or any or either of them, in like manner as they might have been, in relation to persons offending against the said several and respective acts, or any of them, made since the sixth year of his said present Majesty's reign.

9 Geo. 2. c. 23.

XXIV. *And whereas by a clause in an act of parliament passed in the ninth year of his present Majesty, (intituled, An act for laying a duty upon the retailers of spirituous liquors, and for licensing the retailers thereof) it is enacted, That nothing in the same act contained should extend to enable any person to sell any spirituous liquors or strong waters by retail, unless such person be first licensed by two or more justices of the peace for the county or place where such person should sell the said liquors, under the hands and seals of the said justices; for which licence or licences the sum of two shillings and six pence, and no more, should be paid to the clerks of such justices, and no fee or sum of money, or other reward whatsoever, to the clerk or clerks of the peace for entering the same, or on any other account, on pain of forfeiting five pounds, in case any of the said justices clerks, or any clerk of the peace, should ask or receive any fee, other than as afove, on account of such licences: and whereas by another clause in an act of parliament passed in the sixteenth year of the reign of his present Majesty (intituled, An act for repealing certain duties on spirituous liquors, and on licences for retailing the same; and for laying other duties on spirituous liquors, and on licences to retail the said liquors) the said first-recited act is in part repealed; and some doubts having arisen, whether the said first-recited clause, limiting the fees for licences to two shillings and six pence each, be repealed or not, the clerks of justices of the peace, in many parts of this kingdom, have taken larger fees for such licences, contrary to the intgion of the said act: and whereas no particular method is prescribed in the same act for the recovery of the before-mentioned penalty of five pounds: now to put an end to all doubts concerning the said first-recited clause, and the method of suing for and recovering the said penalty therein contained, be it declared and enacted by the authority aforesaid, That the said recited clause in the aforesaid act of the ninth year of his present Majesty's reign, restraining or intending to restrain the clerks of justices of the peace for asking or receiving more than two shillings and six pence for each licence therein mentioned, is now and shall, from henceforth, be and remain in full force.*

16 Geo. 2. c. 8.

XXV. *And be it further enacted by the authority aforesaid, That all penalties and forfeitures by the said first-recited clause imposed, shall or may be sued for, levied and recovered by action of debt, bill, plaint or information, in any of his Majesty's courts of record at Westminster, or by indictment at the assizes, or at the general or quarter sessions of the peace of the county or place where such offence shall be committed, for the use of*

The clause in 9 Geo. 2. restraining the fees of justices clerks for licences, to be in force.

Penalties how to be recovered.

the

the person or persons who shall sue or prosecute for the same; in which suits no effoin, wager of law, or more than one im-  
parlance shall be allowed.

XXVI. Provided nevertheless, That nothing in this act con-  
tained shall extend to charge with any of the duties directed to  
be paid, levied or received as aforesaid, any spirits made or dis-  
tilled from malt, and retailed and consumed within that part of  
*Great Britain* called *Scotland*, which spirits are commonly called  
and known by the name of *Aqua Vitæ*, in that part of the king-  
dom, or to subject the makers, sellers and retailers thereof,  
within that part of the kingdom, to take such licences as are  
herein before directed.

*Aqua Vitæ*  
made in Scot-  
land exempt-  
ed.

XXVII. And whereas by an act of parliament made and passed  
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 ci-  
ties of London and Westminster, and the borough of Southwark,  
and the several suburbs thereof, and parishes within the weekly bills  
of mortality, shall be under the immediate care, inspection and man-  
agement of the head office of excise in London: and whereas since the  
passing of the said act, the parish of saint Mary le Bon 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 further enacted by the authority aforesaid, That the  
said parish of saint *Mary le Bon* shall, from and after the said first  
day of *July* one thousand seven hundred and fifty-one, be deem-  
ed and taken, and is hereby declared to be under the immedi-  
ate 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 Car. 2. c. 24.

The parish of  
Saint Mary le  
Bon to be un-  
der the inspec-  
tion of the  
head office of  
excise.

XXVIII. And it is further enacted by the authority aforesaid,  
That if any persons, to the number of five or more, shall from  
and after the said first day of *July* one thousand seven hundred  
and fifty-one, in a tumultuous and riotous manner assemble  
themselves to rescue any offenders against this or any other act,  
relating to spirituous liquors or strong waters, or for licensing  
the retailers thereof, or to assault, beat or wound any person or  
persons who shall have given or be about to give any informa-  
tion against, or shall have discovered or given evidence against,  
or shall seize or bring to justice any person or persons offending  
against this or any of the said former acts, or forceably to op-  
pose the execution of any of the powers given by this act, that  
then, all and every person or persons so assembling, their aiders  
and abettors, being thereof lawfully convicted, shall be, and be  
adjudged to be guilty of felony; and every such felon shall be  
subject and liable to the like pains and penalties as in cases of  
felony; and the courts by and before whom he, she or they shall  
be convicted, shall have full power and authority of transport-  
ing such felon and felons for the space of seven years, to any of  
his

Persons assem-  
bling to rescue  
offenders, or  
to beat infor-  
mers, &c.

to be guilty of  
felony,

and transport-  
ed for 7 years,



and transmit  
a duplicate to  
the commissi-  
oners of the  
customs,

age, together with the marks and numbers set on each and every hoghead, cask, chest, or other package thereof, with the care of each particular hoghead, cask, chest or other package in which such tobacco shall be contained; and also shall, at and upon the clearing of every such ship or vessel as aforesaid, immediately transmit a duplicate of such manifest or content to the respective commissioners of the customs in *Great Britain*: and any collector, comptroller or other chief officer or officers of the customs at any port or place in his Majesty's plantations in *America*, who shall, at and upon the clearing of any ship or vessel having tobacco loaden on board her as aforesaid, neglect or refuse to deliver to the master, commander or other person taking charge of such ship or vessel, such manifest or content as is herein before specified and directed; or who shall not, at and upon the clearing any such ship or vessel, immediately transmit a duplicate of such manifest or content to the said respective commissioners of the customs in *Great Britain*, shall forfeit and lose the sum of two hundred pounds, to be recovered in any of his Majesty's courts of record at *Westminster*, or in the court of admiralty in his Majesty's plantations where such offence shall be committed.

under penalty  
of 200 l.

Master to de-  
liver to the  
collector in  
*Great Britain*  
the manifest,

II. And be it further enacted by the authority aforesaid, That every master, commander or other person or persons taking charge of any ship or vessel having tobacco loaden on board as aforesaid, at any port or place whatsoever in any of his Majesty's plantations in *America* as aforesaid, shall, upon his arrival at his port of discharge in *Great Britain*, and at the time that he makes his report of his ship at the custom-house, deliver to the collector of the customs at the said port (who is hereby required and directed to deliver the same to the land-waiters appointed for the delivery of such ship or vessel) the manifest or content of the lading of his ship or vessel which he received from the collector, comptroller or other chief officer of the customs at the port or other place in the plantations where he took in his lading; and if any master, commander or other person or persons taking charge of any such ship or vessel, shall neglect or refuse to deliver such manifest or content to the collector of the customs, at the time he makes his report of his ship at the custom-house at the port of his discharge, he and they shall forfeit and lose the sum of one hundred pounds.

under penalty  
of 100 l.

Land-waiter  
not to permit  
tobacco to be  
landed till he  
has entered  
the manifest,  
&c. of the se-  
veral pack-  
ages, under  
penalty of 50 l.

III. And be it further enacted by the authority aforesaid, That the land-waiters appointed for the delivery of every ship or vessel arriving at any port or place in *Great Britain* from any of his Majesty's plantations in *America*, having tobacco on board her; shall not suffer any part of the tobacco on board any ship or vessel to be landed, until they have from, and agreeable to the manifest delivered to them by the collector, entered into their respective books (given them by the directions of the commissioners of his Majesty's customs for keeping accounts of goods by them delivered or suffered to be delivered from on board such ships) the said several and respective manifests, marks, numbers, weights,

weights, tares and contents of the feveral hogfheads, casks, chefts and other packages, under the penalty of the forfeiture of fifty pounds; and the faid land-waiters are hereby authorized and required, upon the landing of any fuch tobacco, to caufe fuch landing mark to be fixed and fet upon every hogfhead, cask, cheft or other package whatfoever containing the fame, as fhall be directed by the refpective commiffioners of the customs aforefaid; and the faid land-waiters are hereby alfo required to enter every fuch landing mark in their feveral books aforefaid, on pain of forfeiting the fum of fifty pounds.

Landing mark to be fet upon every hogfhead, &c.

and an entry to be made thereof.

IV. And be it further enacted by the authority aforefaid, That from and after the twenty ninth day of *September* one thousand feven hundred and fifty one no debenture fhall be made forth for any tobacco imported into *Great Britain* after the faid twenty ninth day of *September* one thousand feven hundred and fifty one, or any drawback be paid or allowed for the fame, when exported or entered outwards for exportation to any part or parts beyond the feas, unlefs the fame and every part thereof be fhipped and exported from the very fame port or place at which fuch identical tobacco was at firft originally imported into *Great Britain*, and no other; and alfo unlefs the fame identical tobacco, if unmanufactured, and every part thereof, be fhipped and exported in the original package, with the fame marks, in and with which it was at firft imported into *Great Britain*, and no other, without any alteration whatfoever being made in the package (except fuch as fhall be occafioned by neceffary coo- perage for the repair of the faid package) or any other tobacco being put therein, or any part of the tobacco being removed or taken out of the package in which it was at firft imported (except only ten pounds weight of tobacco, which fhall be allowed to be taken out of each hogfhead, cask, cafe or other package after the fame is weighed at the importation, as is now the practice; and if any perfon or perfons whatfoever fhall enter any tobacco for exportation at any other port or place than that at which the fame identical tobacco was imported, or in any other cask or package than the fame in which the fame unmanufactured tobacco was originally imported, or without the fame marks, all fuch tobacco fhall be forfeited, and no drawback thereupon fhall be paid, or if any fhall be paid, the fame fhall be repaid, and the perfon who entered, or caufed the fame to be entered, fhall forfeit the fum of two hundred pounds; and whoever fhall knowingly export beyond the feas any hogfhead or other package of tobacco, out of which more than ten pounds weight of tobacco has been taken for famples, he, fhe and they fo offending fhall forfeit and lofe the fum of twenty pounds for every fuch hogfhead or other package of tobacco fo exported.

No debenture or drawback allowed on exportation, unlefs the tobacco be fhipped from the port at which it was imported, and in the original package, if unmanufactured, &c.

Penalty of entering tobacco at any other port or in other package, &c.

V. Provided nevertheless, and it is hereby declared and enacted, That when any unmanufactured tobacco is imported in hogfheads or casks into *Great Britain* from any of his Majesty's plantations in *America*, if upon the landing and examination thereof it fhall appear, that the tobacco contained in any of fuch

Where unmanufactured tobacco fhall be found damaged upon landing,

hogfheads

hogheads or casks is fo much damaged, that by cutting off the damaged part thereof (for which no duty is paid) the found tobacco remaining in any of fuch hogheads (for which duty is to be paid) is under the weight of four hundred and fifty pounds, then and in fuch cafe it fhall and may be lawful for the importer or importers thereof, in the prefence of the land-waiters appointed to deliver the fhip in which the fame was imported, to caufe all fuch found tobacco to be put together in one or more of the fame hogheads out of which the damaged tobacco was taken; and the faid land-waiters, or other proper officers, are hereby directed and required to enter into their refpective books the true and exact weight of all fuch found tobacco put into each and every fuch hoghead, with the feveral and refpective marks and numbers fet on each and every fuch hoghead; and alfo to note and fpecify in their books, that fuch hogheads were packed and refilled in their prefence; and all and every fuch hogheads of unmanufactured tobacco fhall and may be exported from the fame ports, and no other, at which they were originally imported; and debentures fhall be made out, and the drawback be paid for the tobacco therein contained (provided the quantity of the tobacco in each fuch hoghead amounts to four hundred and twenty five pounds weight or more) in the fame manner and form, to all intents and purpofes, as if the package of fuch tobacco had not been altered; any thing herein before contained to the contrary thereof in any wife notwithstanding.

what is found  
may be put  
into the fame  
hogheads, and  
the land-waiter  
is to enter  
the fame in  
his books, &c.

and debentures  
and  
drawback  
may be allowed  
for the  
fame.;

Exporter to  
endorfe on the  
cocquet, the  
marks, numbers,  
and  
weight of the  
tobacco when  
firft imported,  
&c.

VI. And be it further enacted by the authority aforefaid, That from and after the faid twenty-ninth day of *September* one thousand feven hundred and fifty one, all and every perfon and perfons who fhall enter any unmanufactured tobacco outwards, except unmanufactured tobacco imported before the faid twenty ninth day of *September* one thousand feven hundred and fifty one, at any port or place in *Great Britain*, in order to be fhipped and exported in any fhip or vefel whatsoever to any part or parts beyond the feas, fhall, before the fame or any part thereof is laden on board any fhip or vefel to be exported, endorfe upon the cocquet and bill (to be delivered to the fearcher or fearchers belonging to the customs, and appointed to examine tobacco fhipped for exportation) in a fair, diftinct and legible manner, the plantation or manifef mark and number, which was upon each and every hoghead, cask, cheft or other package of fuch tobacco, at the time when the fame was firft imported into *Great Britain*; and alfo the landing mark and number which was placed and fet upon each and every hoghead, cask, cheft or other package thereof, when the fame was firft landed in *Great Britain*, together with the exact weight that each and every hoghead, cask, cheft or other package, with the tobacco therein contained, was of at the time of its being landed in *Great Britain*; and alfo the particular mark and number fet upon each hoghead, cask, cheft or other package thereof by the exporter or exporters thereof at the time the fame fhall

be brought to the water-side to be shipped for exportation, together with the then weight which each particular hoghead, cask, chest or other package, and the tobacco therein contained, shall be of at the time it is so entered for exportation; and the searcher shall not admit any cocquet unless marked as aforesaid; and all and every exporter and exporters of tobacco shall also, from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, write off, and they are hereby required and directed to write off the weight of each hoghead, cask, chest or other package of unmanufactured tobacco by him, her or them exported from any port of *Great Britain* to any part or parts beyond the seas, from the identical and particular entry made of each and every such hoghead, chest or other package of such unmanufactured tobacco, at the time when it was first imported into *Great Britain*; and if any person or persons whatsoever, who after the said twenty ninth day of *September* one thousand seven hundred and fifty one, shall enter outwards for exportation to any part or parts beyond the seas from any port or ports in *Great Britain*, any unmanufactured tobacco, shall neglect or refuse to endorse upon the cocquet and bill for the said tobacco delivered to the searchers, in a fair, distinct and legible manner, all and each and every of the several and respective marks, numbers and weights herein beforementioned and described, and in the manner and form the same is hereby required and directed to be done, or who shall neglect or refuse to write off the weight of each hoghead, cask, chest or other package of unmanufactured tobacco by him, her or them exported, from the identical entry made thereof at the time when the same was first imported into *Great Britain*, agreeable to the directions herein before given for that purpose; and all and each and every such person and persons offending in each or either of these cases shall forfeit and lose the sum of five pounds for every hoghead, cask, chest or other package of such unmanufactured tobacco for each and every such offence or offences, to be sued for, recovered, levied and divided in the manner herein after directed; any law, statute or usage to the contrary in any wise notwithstanding; and no drawback or debenture for or on account of the exportation thereof shall be made out, granted or paid.

VII. And it is hereby further enacted by the authority aforesaid, That all and every person and persons who, from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, shall import any tobacco into *Great Britain* from any of his Majesty's plantations in *America*, and who shall in any wise manufacture the same, or any part thereof, upon his, her or their own account or accounts, or cause or procure the same, or any part thereof, to be manufactured for his, her or their own account or accounts, by any other person or persons, shall (before the same, or any part thereof, be manufactured by the importer or importers to any other person or persons to be manufactured for the account of such importer or

and to write off the weight of each hoghead, &c. exported from the entry made at importation,

under penalty of 5 L. for every hoghead

and no drawback or debenture to be granted.

Importer manufacturing tobacco, to deliver to the officers at the port of importation, the marks, numbers, and weights, &c. of the hogheads and the ship's name, im- &c.

importers) deliver, and they are hereby directed and required to deliver, to the collector or other chief officer of the customs at the port or place where such tobacco was imported, an account in writing, containing the plantation or manifest mark and number of every hoghead, cask, chest, or other package of tobacco intended to be manufactured, with the name of the ship or ships in which the same was imported, and the time when, and also the landing mark and number set on each hoghead, cask, chest, or other package, at the time of their importation into *Great Britain*; and also the exact weight which all, and each, and every of such hogheads, casks, chests, or other packages, and the tobacco therein contained, were of at the time of their being first landed in *Great Britain*, and the exact weight the same were of at the time of delivery thereof to be manufactured; which account shall be signed by such importer or importers, or one of his, her or their known servants or agents, and also by such person or persons to whom such tobacco is delivered to be manufactured; or one of his, her or their known servants or agents, with their several and respective names and places of abode; and such importer and importers shall, at the time of their delivering in such accounts as aforesaid, write off from the entries made at the time and times the tobacco contained in such account was imported, and against each and every particular ship in which the same was imported, the weight of each particular hoghead, cask, chest, or other package, contained in such account of tobacco intended to be manufactured as aforesaid, in the very same manner and form as if the same tobacco had been delivered for exportation; and in case any importer or importers of tobacco shall neglect to give in such account as aforesaid, at the time, and in such manner and form in all respects, to all intents and purposes, as is herein before directed and required; or in case such account shall, at the time the same is given in, or at any time afterwards, appear to be false and fraudulent in any respect whatsoever, he, she or they knowingly offending in any or either of the cases aforesaid, shall forfeit and lose the sum of thirty pounds for every hoghead or other package of tobacco, an account of which is omitted to be given as before directed, or of which a wrong account shall knowingly be given; and the person or persons to whom such tobacco shall have been delivered to be manufactured, neglecting by him, her or themselves, or by his, her or their known servant or agent, to sign such account as aforesaid, or knowingly signing any fraudulent account, shall also forfeit and lose the sum of thirty pounds for every such hoghead or other package of tobacco, of which no account, or for which a fraudulent account is knowingly given.

Account to be signed by the importer and manufacturer, &c.

and importer to write off from the entry the weight, &c.

Penalty of neglect, or giving a false account.

Importer within 14 days after the delivery of tobacco to the purchaser,

VIII. And it is hereby further enacted by the authority aforesaid, That all and every person and persons who, from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, shall import any tobacco into *Great Britain* from any of his Majesty's plantations in *America*, and who sell

fell or deliver the fame, or any part thereof, to any person or persons whatsoever, shall, within fourteen days after the delivery thereof out of his custody, to the purchaser or purchasers thereof, or their order, give and deliver to the collector or other chief officer of the customs at the port or place where such tobacco was imported, an account in writing, containing the plantation or manifest mark and number of every hoghead, cask, chest or other package of tobacco, so sold or delivered, with the name of the ship or ships in which the same was imported, and times when, and also the landing mark and number set on each hoghead, cask, chest or other package, at the time of their importation into *Great Britain*, with the exact weight which all, and each, and every such hogheads, casks, chests or other packages, and the tobacco, therein contained were of, at the time of their being first landed in *Great Britain*; and also the exact weight thereof, at the time of their sale or delivery to the purchaser or purchasers thereof; which account shall be signed by such importer or importers, or one of his, her or their known servants or agents, and also by such person or persons to whom such tobacco is sold or delivered, or one of his, her or their known servants or agents, with their several and respective names and places of abode; and such importer and importers shall, at the time of their delivering in such accounts as aforesaid, write off from the entries made at the time and times the tobacco contained in such account was imported, and against each and every particular ship in which the same was imported, the weight of each particular hoghead, cask, chest or other package of tobacco contained in such account, in the same manner and form as if the said tobacco had been delivered for exportation; and in case any importer or importers of tobacco shall neglect to give in such account as aforesaid, at the time, and in such manner and form in all respects, and to all intents and purposes, as herein before directed and required, or in case such account shall at the time the same is given in, or at any time afterwards, appear to be false or fraudulent in any respect whatsoever, he, she or they knowingly offending in any or either of the cases aforesaid, shall forfeit and lose the sum of thirty pounds for every hoghead or other package of tobacco, an account of which is omitted to be given as before directed, or of which a wrong account shall be knowingly given; and the person or persons to whom, or to whose order such tobacco shall have been sold or delivered, neglecting by him, her or themselves, or his, her or their known servant or agent, to sign such account as aforesaid, or knowingly signing any fraudulent account, shall also forfeit and lose the sum of thirty pounds for every such hoghead or other package of tobacco, of which no account, or for which a fraudulent account is knowingly given.

to give the officer an account of the marks, numbers, and weights, &c. of every hoghead, fold, and the ship's name, &c.

Account to be signed by the importer and purchaser.

Importer to write off from the entry the weight, &c.

Penalty of neglect, or giving a false account.

IX. And be it further enacted by the authority aforesaid, That from and after the twenty ninth day of *September* one thousand seven hundred and fifty one, no tobacco or tobacco stalks, exceeding twenty four pounds weight, nor any snuff exceeding

No tobacco, or tobacco stalks, above 24 lb. nor snuff above 10 lb.

importers) deliver, and they are hereby directed and required to deliver, to the collector or other chief officer of the customs at the port or place where such tobacco was imported, an account in writing, containing the plantation or manifest mark and number of every hoghead, cask, chest, or other package of tobacco intended to be manufactured, with the name of the ship or ships in which the same was imported, and the time when, and also the landing mark and number set on each hoghead, cask, chest, or other package, at the time of their importation into *Great Britain*; and also the exact weight which all, and each, and every of such hogheads, casks, chests, or other packages, and the tobacco therein contained, were of at the time of their being first landed in *Great Britain*, and the exact weight the same were of at the time of delivery thereof to be manufactured; which account shall be signed by such importer or importers, or one of his, her or their known servants or agents, and also by such person or persons to whom such tobacco is delivered to be manufactured; or one of his, her or their known servants or agents, with their several and respective names and places of abode; and such importer and importers shall, at the time of their delivering in such accounts as aforesaid, write off from the entries made at the time and times the tobacco contained in such account was imported, and against each and every particular ship in which the same was imported, the weight of each particular hoghead, cask, chest, or other package, contained in such account of tobacco intended to be manufactured as aforesaid, in the very same manner and form as if the same tobacco had been delivered for exportation; and in case any importer or importers of tobacco shall neglect to give in such account as aforesaid, at the time, and in such manner and form in all respects, to all intents and purposes, as is herein before directed and required; or in case such account shall, at the time the same is given in, or at any time afterwards, appear to be false and fraudulent in any respect whatsoever, he, she or they knowingly offending in any or either of the cases aforesaid, shall forfeit and lose the sum of thirty pounds for every hoghead or other package of tobacco, an account of which is omitted to be given as before directed, or of which a wrong account shall knowingly be given; and the person or persons to whom such tobacco shall have been delivered to be manufactured, neglecting by him, her or themselves, or by his, her or their known servant or agent, to sign such account as aforesaid, or knowingly signing any fraudulent account, shall also forfeit and lose the sum of thirty pounds for every such hoghead or other package of tobacco, of which no account, or for which a fraudulent account is knowingly given.

VIII. And it is hereby further enacted by the authority aforesaid, That all and every person and persons who, from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, shall import any tobacco into *Great Britain* from any of his Majesty's plantations in *America*, and who

sell

Account to be signed by the importer and manufacturer, &c.

and importer to write off from the entry the weight, &c.

Penalty of neglect, or giving a false account.

Importer within 14 days after the delivery of tobacco to the purchaser,

fell or deliver the same, or any part thereof, to any person or persons whatsoever, shall, within fourteen days after the delivery thereof out of his custody, to the purchaser or purchasers thereof, or their order, give and deliver to the collector or other chief officer of the customs at the port or place where such tobacco was imported, an account in writing, containing the plantation or manifest mark and number of every hoghead, cask, chest or other package of tobacco, so sold or delivered, with the name of the ship or ships in which the same was imported, and times when, and also the landing mark and number set on each hoghead, cask, chest or other package, at the time of their importation into *Great Britain*, with the exact weight which all, and each, and every such hogheads, casks, chests or other packages, and the tobacco, therein contained were of, at the time of their being first landed in *Great Britain*; and also the exact weight thereof, at the time of their sale or delivery to the purchaser or purchasers thereof; which account shall be signed by such importer or importers, or one of his, her or their known servants or agents, and also by such person or persons to whom such tobacco is sold or delivered, or one of his, her or their known servants or agents, with their several and respective names and places of abode; and such importer and importers shall, at the time of their delivering in such accounts as aforesaid, write off from the entries made at the time and times the tobacco contained in such account was imported, and against each and every particular ship in which the same was imported, the weight of each particular hoghead, cask, chest or other package of tobacco contained in such account, in the same manner and form as if the said tobacco had been delivered for exportation; and in case any importer or importers of tobacco shall neglect to give in such account as aforesaid, at the time, and in such manner and form in all respects, and to all intents and purposes, as herein before directed and required, or in case such account shall at the time the same is given in, or at any time afterwards, appear to be false or fraudulent in any respect whatsoever, he, she or they knowingly offending in any or either of the cases aforesaid, shall forfeit and lose the sum of thirty pounds for every hoghead or other package of tobacco, an account of which is omitted to be given as before directed, or of which a wrong account shall be knowingly given; and the person or persons to whom, or to whose order such tobacco shall have been sold or delivered, neglecting by him, her or themselves, or his, her or their known servant or agent, to sign such account as aforesaid, or knowingly signing any fraudulent account, shall also forfeit and lose the sum of thirty pounds for every such hoghead or other package of tobacco, of which no account, or for which a fraudulent account is knowingly given.

IX. And be it further enacted by the authority aforesaid, That from and after the twenty ninth day of *September* one thousand seven hundred and fifty one, no tobacco or tobacco stalks, exceeding twenty four pounds weight, nor any snuff ex-

to give the officer an account of the marks, numbers, and weights, &c. of every hoghead, sold, and the ship's name, &c.

Account to be signed by the importer and purchaser.

Importer to write off from the entry the weight, &c.

Penalty of neglect, or giving a false account.

No tobacco, or tobacco stalks, above 24 lb. nor snuff above 10 lb.



to be carried by land from any port of importation, unless in manner herein directed.

ceeding ten pounds weight, shall be in any form or manner whatsoever removed, carried, or conveyed by land from any port or place of importation in *Great Britain*, to any other port or place within this kingdom, unless in the manner herein after directed; that is to say, if it is unmanufactured tobacco, which is to be carried by land as aforesaid, the same shall not be conveyed, removed, or pass without a certificate being first had and obtained from the collector and comptroller, or other chief officers at the port or place where such tobacco was imported, together with the importer's oath thereto (in case such importer shall apply for the same) that the duties thereof were paid or secured at the importation, and by whom, and the time when, and in what ship or vessel, ships or vessels, the same and every part thereof was imported; and in case the person applying for the same, be a purchaser from the importer, then on oath of such purchaser, attesting the marks and numbers of the identical hoghead or hogheads so purchased, or out of which the said tobacco was taken, and from whom purchased, and the time when; and if it is tobacco stalks or snuff, or other manufactured tobacco which is to be carried by land as aforesaid, the same shall not be conveyed, removed, or pass without a certificate, and oath of the importer (in case the importer applies for the same) being first had and obtained as aforesaid, that such stalks were stripped or separated, or such snuff or other manufactured tobacco was made from one or more hoghead or hogheads of tobacco, for which the duties were by him paid or secured, at the time of importation; and in case the person applying for such certificate be a purchaser, such purchaser shall make oath, that such stalks were stripped or separated, or such snuff or other manufactured tobacco, was made from one or more hoghead or hogheads of tobacco, which had been delivered and received according to the directions of this act; which said several certificates such officer and officers are hereby required and directed to grant, and after writing the same off their books, to deliver to all and every person or persons, who shall apply to him or them for the same, without any fee or reward whatsoever for such certificates or oaths, on pain of forfeiting the sum of ten pounds for every such offence.

Officer to grant certificates

on penalty of 10 l.

Before removing such tobacco, the proprietor to insert on the back of the certificate, the package, marks, numbers, weight, and species,

X. And it is hereby enacted, That before any such tobacco, tobacco stalks or snuff for which such certificate is granted, shall be removed or carried by land as aforesaid, the proprietor, factor or agent thereof shall describe and insert on the back of such certificate, in a fair and legible manner, the names of each particular package in which such goods are contained, together with the particular marks and numbers set on each package, and also the true and exact weight of each particular species of goods contained in each particular package, and the place from whence the same are to be delivered, and to which they are to be carried and conveyed, and by whom, and the name of the person to whom the goods are consigned; and such proprietor, factor or agent shall subscribe his, her or their name or names,

and

and make oath to the truth thereof; and the certificate so granted shall express the number of days it shall continue in force, and shall accompany the goods to such place to which they are to be carried and conveyed, and upon its coming to such place, the person or persons receiving the same, or to whom the goods belong, shall cause such certificate to be delivered to the chief officer of the customs, if any such there be; and in case there be no officer of the customs, then to the officer of the excise of the division whereunto such goods are carried and conveyed; and such officer is hereby directed to examine the same with the goods, and if they agree therewith, the goods may be taken away and disposed of by the person or persons to whom of right they belong or appertain, and such officer is thereupon to enter such certificate distinctly in a book to be kept by him for that purpose; and the officer of customs or excise receiving such certificate shall from time to time transmit an account of the same to the officer to be appointed by the high treasurer or commissioners of the treasury for keeping such accounts.

and to make oath thereof; certificate to accompany the goods, and to be delivered to the officer where the goods are conveyed, &c.

and an account to be transmitted to the officer appointed by the treasury.

XI. And be it further enacted, That the officers of the customs who shall grant such original certificates at the port or place of importation, shall once in every month transmit duplicates thereof to the person to be appointed by the high treasurer or commissioners of the treasury for keeping the accounts herein after mentioned.

Officer granting certificates, to transmit duplicates monthly to the officer appointed by the treasury.

XII. And be it further enacted by the authority aforesaid, That if any tobacco or tobacco stalks exceeding twenty four pounds weight, or any snuff exceeding ten pounds weight, shall, from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, be found removing by land from the port or place of importation, without having one or other of the certificates herein before directed, all such tobacco, tobacco stalks and snuff, and the casks, chests, cases or other package containing the same, together with the horses, cattle, carts, waggons and all other carriages whatsoever, employed or in any wise made use of in the removing or conveyance of such tobacco, tobacco stalks and snuff, or any or either of them, shall be forfeited and lost, and shall and may be sued for and prosecuted by any officer or officers of the customs or excise in the manner herein after directed; and the carrier or other person employed or entrusted in the removing, carrying, or conveying such goods, or any of them, shall, besides the loss of his cattle and carriages, also be committed to the county gaol for the space of one month, by any justice of the peace for the county where the offence is committed, or the offender shall be found; and if any person or persons whatsoever shall counterfeit, forge, erase, or in any wise alter any such certificate or duplicate thereof, as herein before is mentioned and described, or shall cause or procure the same, or either of them to be counterfeited, forged, erased, or altered in any respect, he, she, or they so offending shall forfeit and pay the sum of fifty pounds for every such offence, to be sued for, re-

Tobacco or snuff, above a certain weight, found removing without a certificate, to be forfeited, with the horses and carriages;

and the carrier to be committed.

Penalty of counterfeiting a certificate.

covered, levied, and divided in the manner as is herein after expressed.

No tobacco, &c. to be shipped coast-wise, until entry made,

and if unmanufactured, to be in the original package,

with a certificate of the duties being paid;

and if manufactured, with a certificate that the duties were paid for the tobacco of which the same was manufactured.

Officers to grant such certificates gratis, under penalty of 10 l.

and the proprietor to insert on the back of the certificate the packages, marks, numbers, weight and species,

XIII. And it is hereby further enacted by the authority aforesaid, That from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, no tobacco, tobacco stalks or snuffs shall be shipped or laden on board any ship or vessel whatsoever, to be carried by water from any port or place whatsoever in *Great Britain*, to any other port or place whatsoever in *Great Britain*, until the same, and every part thereof, be first entered at the custom-house at the port where or nearest to the place where such goods shall be shipped and laden; and if it is tobacco unmanufactured which is to be carried by water as aforesaid, the same shall not be shipped or laden on board any ship or vessel whatsoever, to be carried by water as aforesaid, but in the original package in which it was imported, preserving the same marks and numbers, nor without a certificate being first had and obtained from the collector and comptroller or other chief officer of the customs at the port or place where such tobacco was imported in *Great Britain*, that the duties thereof were paid or secured at the importation, and by whom, and the time when, and in what ship or vessel, ships or vessels, the same and every part thereof was imported; and if it is tobacco stalks or snuff, or other manufactured tobacco, which is to be carried by water as aforesaid, the same shall not be shipped or laden on board any ship or vessel whatsoever to be carried by water as aforesaid, without a certificate being first had and obtained from the collector and comptroller or other chief officer of the customs at the port or place where the tobacco was imported in *Great Britain*, from which such stalks were stripped or separated, or such snuff was made or manufactured, that the duties were paid or secured for such tobacco at the importation thereof; which said several certificates such officer or officers are hereby required and directed to grant and deliver to all and every person and persons being the importer or importers of such tobacco, or their known agents or servants, who shall apply to him or them for the same, without any fee or reward whatsoever, on pain of forfeiting the sum of ten pounds for every such offence.

XIV. And it is hereby further enacted, That before any such tobacco, tobacco stalks or snuff for which such certificate is granted, shall be shipped or laden on board any ship or vessel whatsoever in *Great Britain*, to be carried by water as aforesaid, the proprietor or proprietors thereof shall describe and insert on the back of such certificate, in a fair and legible manner, the names of each particular package in which such goods are contained, together with the particular marks and numbers set on each package, and also the true and exact weight of each particular species of such goods contained in each particular package, and the place or places from whence the same were brought, and to which they are to be carried and conveyed by water as aforesaid.

XV. And

XV. And it is hereby further enacted, That such certificate as aforesaid shall, by the proprietor or proprietors of such tobacco, tobacco stalks and snuff, before the same be shipped or laden on board any ship or vessel for the purposes aforesaid, be delivered to the master or other person or persons taking charge of any ship or vessel, ships or vessels on board which such tobacco, tobacco stalks or snuff shall be shipped or laden, in order to be removed and carried by water as aforesaid; which certificate the master or other person or persons taking charge of any such ship or vessel, ships or vessels on board which any such tobacco, tobacco stalks or snuff shall be laden as aforesaid, shall immediately after his or their arrival in any port or place in *Great Britain* with such goods on board, deliver to the collector or other chief officer at such port or place, who is hereby directed and required to cause such goods to be examined by the said certificate, to see that they agree therewith; and if upon such examination it shall be found that such goods agree with the certificate in all respects, then such certificate shall be transmitted by him within the space of one month after he receives the same, to the person appointed by the high treasurer or commissioners of the treasury for the time being, for keeping the accounts herein after mentioned; and the same goods shall be discharged by the officer who examines them, and shall and may be taken away and disposed of by such person or persons to whom they are consigned, or to whom they of right belong or appertain.

Certificate to be delivered to the master of the vessel,

and by him to the chief officer of the port,

and to be transmitted to the officer appointed by the treasury.

XVI. And it is hereby further enacted, That if any tobacco, tobacco stalks or snuff shall, from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, be found laden on board any ship or vessel whatsoever, at any port or place in *Great Britain*, without such certificate as aforesaid being first had and obtained, or without such certificate being on board any such ship or vessel with the goods to which the same belongs; or if upon examination it shall appear that such certificate is forged or counterfeited, or that it does not agree in all respects with the goods to which the same belongs; then, and in any or either of such cases, all such tobacco, tobacco stalks, and snuff, and the casks, chests, cases, or other packages containing the same, shall be forfeited and lost, and shall and may be seized and prosecuted by any officer or officers of the customs, in the manner herein after directed; and the master or other person or persons taking charge of any such ship or vessel, ships or vessels, shall forfeit and lose six pence per pound weight for every species of the goods aforesaid; and if any person or persons whatsoever shall counterfeit, forge, erase, or in any wise alter any such certificate as is herein last before-mentioned and described, or shall cause or procure the same to be counterfeited, forged, erased, or altered in any respect, he, she or they so offending, shall forfeit and lose the sum of one hundred pounds, to be sued for, recovered, levied, and divided, in the manner as herein after is expressed.

Tobacco, &c. shipped without such certificate,

to be forfeited,

and the master to pay 6d. per lb.

Penalty of counterfeiting such certificate.

Land-waiters books for entry and discharge of tobacco, to be transmitted monthly to the officers appointed by the treasury,

XVII. And be it further enacted by the authority aforesaid, That from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, the collector and comptroller, or other chief officer or officers of the customs in the port of *London*, and also at every port or place in *Great Britain*, where any tobacco shall be imported, after the said twenty ninth day of *September* one thousand seven hundred and fifty one, from any of his Majesty's plantations in *America*, do once in every calendar month transmit or deliver to such person as shall be deputed and appointed by the high treasurer, or commissioners of the treasury for the time being, to receive the same, one of the land-waiters books, in which his account is entered and kept of the landing and discharging of tobacco imported in any ship or vessel at such port or place, from any of his Majesty's plantations in *America*; and also true and exact copies of every entry of

with copies of the entries for exportation, &c.

and accounts of tobacco manufactured by the importer, &c.

or sold by him.

Officer appointed by the treasury to make entries of the accounts,

and where any thing shall appear to be done against this act, immediately to transmit to

tobacco for exportation, and of the several and respective indorsements relating thereto, which are delivered to the searcher or searchers, or any other officer or officers, at such port or place where any such tobacco is entered and shipped for exportation to foreign parts; and also true and exact copies of every account which, pursuant to the directions herein before given, shall be delivered to any officer or officers of the customs at such port or place, of tobacco intended to be manufactured by the importer or importers thereof, on his, her or their own account, or which shall be delivered by the importer or importers thereof to any other person or persons whatsoever to be manufactured for the account of such importer or importers; and also true and exact copies of every account which, pursuant to the directions herein before given, shall be delivered to any officer or officers at such port or place by the importer or importers of tobacco sold by them to any other person or persons whatsoever: which said several accounts are to be kept by the said person who shall be deputed as aforesaid by the high treasurer or commissioners of the treasury for the time being, who is to keep proper books, and enter therein the said several and respective accounts so transmitted or delivered to him; which several entries shall be made, and an account thereof kept, in such manner and form, that the marks and numbers on every hoghead, cask or other package of tobacco, with the weights thereof, at the importation thereof, may be compared and chequed with the marks, numbers and weights, at the exportation thereof, or when sold or delivered for home consumption, or to be manufactured, to the intent that the identity of all such tobacco imported, exported, sold, or delivered to be manufactured, may be thereby known and ascertained; and when any thing shall appear to him to be done or practised at any port or place, contrary to the directions and intentions of this act, he shall immediately transmit an account thereof in writing to the commissioners of the customs for the time being, at *London*, or at *Edinburgh* respectively, under whose management the same shall

happen,

happen, and a copy of such representations made by him to the commissioners of the customs, either at *London* or *Edinburgh*, shall be by him, once in every six months, laid before the commissioners of his Majesty's treasury, or the high treasurer for the time being; and if any collector, or other chief officer or officers of the customs, at any port or place of *Great Britain*, shall neglect or refuse to transmit and deliver one of the land-waiters books, and a true copy of every entry of tobacco for exportation, and of the several indorsements relating thereto, herein before-mentioned and described, and also true copies of all or any or either of the accounts herein before-mentioned and described, within the time and times herein before limited and appointed for that purpose, he and they so neglecting or refusing shall forfeit fifty pounds for every such neglect or refusal, to be sued for, recovered, levied and divided in the manner herein after expressed.

the commissioners of the customs an account thereof,

and to the treasury once in six months.

Penalty on collectors, &c. not transmitting land-waiters books, &c.

XVIII. And be it further enacted by the authority aforesaid, That all and every person and persons whatsoever who shall import any tobacco into *Great Britain* from any of his Majesty's plantations in *America*, shall within the space of twenty one calendar months; to be reckoned and computed from the said twenty fifth day of *March* one thousand seven hundred and fifty two, transmit and deliver to the collector or other chief officer of the customs at the port or place where any such tobacco is imported, a true account in writing under his hand, and their respective hands, of all such tobacco which he shall, at the time of giving in such account, have in his custody, power or possession; which account shall contain the number of hogheads, casks, chests, cases or other packages in which such tobacco is contained, together with all, and each, and every of the several and respective marks, numbers and weights set upon all and each and every such hoghead, cask, chest, case or other package, and the particular warehouses, storehouses, cellars, or other places where the same are then lodged and lie; and all and every such person or persons shall, from and after the expiration of the aforesaid term of twenty one months, transmit and deliver annually, and every year, between the first and twenty fourth days of *June* in each year, to such collector or other chief officer of the customs, at the port or place where any such tobacco is imported, a true account in writing under his and their respective hands, of all such tobacco which he shall, at the time of giving in such account, have in his custody, power or possession which has been entered in *Great Britain* eighteen months, or more, at the time of giving in such account; which account shall also contain the number of hogheads, casks, chests or other packages in which such tobacco is contained, and also all, and each, and every of the several and respective marks, numbers, and weights set upon all, and each and every such hoghead, cask, chest or other package, and the particular warehouses, storehouses, cellars or other places where the same are then lodged and lie; and every such collector or other chief of-

Importer to transmit to the collector, within 21 months from 25 March 1752, an account of all tobacco then in his custody;

and the like account annually;

the goods to be examined thereby, and the accounts to be transmitted to the officer appointed by the treasury.

ficer is upon receipt of such accounts, forthwith to cause the several and respective goods contained in such accounts to be examined thereby, and then to transmit such accounts to the person appointed by the high treasurer or commissioners of the treasury, for keeping the accounts herein before mentioned; and if any importer or importers of tobacco shall neglect to give in such account and accounts as aforesaid, at the time and times, and in such manner and form in all respects, as is herein before limited, directed and appointed, or if such account or accounts shall, upon examination, appear to be false or fraudulent in any respect whatsoever, he, she or they so offending in both or either of these cases, shall forfeit and lose the sum of fifty pounds for each and every such offence.

**Penalty.**

**Penalty of altering or defacing the marks set upon the package.**

XIX. And be it further enacted by the authority aforesaid, That if any person or persons whatsoever shall at any time or times hereafter, in order to defeat any of the purposes or intents of this act, erase, cut out, burn out, blot out or in any wise whatsoever alter, change or deface any mark or number, marks or numbers whatsoever, which was burnt in, or set upon any hoghead, cask, chest, case or other package whatsoever of tobacco, in the plantations in *America*, or which was burnt in or set thereon in *Great Britain*, upon the importation or landing thereof, or which was burnt in or set thereon in *Great Britain*, upon the exportation thereof from thence to foreign parts, he, she and they so offending shall forfeit and lose the sum of twenty pounds for each hoghead, cask, chest, case or other package whatsoever of tobacco, the mark whereof shall be so altered or defaced as aforesaid, to be sued for, recovered, levied and divided as is herein after directed.

**Penalty of importing tobacco otherwise than in cask, chest or case of 450 lb. weight, at the least.**

XX. And be it further enacted by the authority aforesaid, That from and after the said twenty fifth day of *March* one thousand seven hundred and fifty two, no tobacco shall be brought or imported into the kingdom of *Great Britain* otherwise than in cask, chest or case only, each cask, chest or case whereof shall contain four hundred and fifty pounds weight of neat tobacco at the least, under the penalty of the forfeiture of all such tobacco as shall be imported contrary to this act, together with the casks, chests, cases or other package containing the same.

**Unmanufactured tobacco not to be exported but in casks, &c. of 425 lb. weight, or more.**

XXI. And be it further enacted by the authority aforesaid, That from and after the said twenty fifth day of *March* one thousand seven hundred and fifty two, no tobacco unmanufactured shall be loaden or laid on board in any ship or vessel whatsoever in any port or place in *Great Britain*, to the intent to be exported to foreign parts, but in casks, chests or cases only, containing four hundred and twenty five pounds weight or more of tobacco in each cask, chest or case, under the penalty of the forfeiture of such tobacco, and of the cask, chest or case containing the same; except casks or other packages containing samples of tobacco shipped and exported at the same time and place, and with the same hogheads or casks out of which such samples were taken;

taken; and the same goods and package shall and may be seized and prosecuted by any officer or officers of the customs in such manner and form as herein after is expressed.

XXII. And be it further enacted by the authority aforesaid, That from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, no tobacco or tobacco stalks exceeding twenty four pounds weight, nor any snuff exceeding ten pounds weight (which shall have been removed or carried coastwise, or by water, from the port or place of importation in *Great Britain*, to any other port or place within this kingdom) shall afterwards be removed or carried from thence by land to any other place whatsoever, without a certificate being first had and obtained from the collector and comptroller, or the chief officers of the customs at the port or place to which such goods were carried coastwise, or by water, as aforesaid, that it appears to them by the entries of the certificate or certificates in their books which came with the goods from the port or place of importation, that the duties thereof were paid or secured at the said port or place of importation; and also in what ship or vessel, ships or vessels, such goods and every part thereof came or were brought coastwise, or by water, as aforesaid, and the time when; and also that the person or persons who shall apply to them for the same, had made oath to the truth thereof; which said certificate such officers are hereby required and directed, after writing the same off in their books, to grant and deliver to every person and persons who shall apply to them for the same, and shall immediately transmit a duplicate of such certificate to the person appointed by the lord high treasurer, or the commissioners of the treasury, for the time being, for keeping the accounts herein after mentioned; and that before any such tobacco, tobacco stalks or snuff for which such certificate is granted, shall be removed or carried by land as aforesaid, the proprietor thereof, or his factor or agent, shall describe and insert on the back of such certificate, in a fair and legible manner, the names of each particular package in which such goods are contained, together with the particular marks and numbers set on each package, and also the true and exact weight of each particular species of such goods contained in each particular package, and the place and places from whence the same were brought, and to which they are to be carried and conveyed, and the name of the person to whom the same shall be sent, to which such proprietor, factor or agent shall subscribe his, her or their name or names, and make oath to the truth thereof; and if any tobacco, tobacco stalks or snuff, exceeding the respective quantities before mentioned, shall, from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, be found removing by land from the port or place of its importation, without such certificate therewith as is herein before directed to be granted by the proper officers; or if upon examination it shall appear that such certificate is forged or counterfeited, all such tobacco, tobacco stalks and snuff, and the

No tobacco, stalks or snuff, above a certain weight, carried coastwise, to be afterwards removed by land, without a certificate of the duties being paid.

Officers to grant such certificate, and to transmit a duplicate to the officer appointed by the treasury.

Proprietor to insert on the back of the certificate, the packages, &c.

and make oath thereof.

Penalty of removing tobacco without certificate, &c.

casks,



caſks, cheſts, caſes or other package containing the ſame, together with the horſes, cattle, carts, waggons, and all other carriages whatſoever employed, or in any wiſe made uſe of in the removing, or carriage or conveyance of ſuch tobacco, tobacco ſtalks and ſnuff, or any or either of them, ſhall be forfeited and loſt, and ſhall and may be ſeized and proſecuted by any officer or officers of the cuſtoms, in the manner herein after directed; and the carrier or other perſon employed or intruſted in the removing, carrying or conveying ſuch goods, or any of them, ſhall, beſides the loſs of his cattle and carriages, alſo forfeit and loſe the ſum of ten pounds, and be committed to the county gaol for one month, by any juſtice of the peace for the county where the offence is committed or the offender ſhall be found; and if any perſon or perſons whatſoever ſhall counterfeit, forge, craze or in any wiſe alter any ſuch certificates or duplicate thereof, as are directed by this act, or ſhall cauſe or procure the ſame or either of them to be counterfeited, crazed or altered in any reſpect, he, ſhe or they ſo offending ſhall forfeit and loſe the ſum of one hundred pounds for every offence, to be ſued for, recovered, levied and divided in the manner as herein after is expreſſed.

and of counterfeiting thereof.

No tobacco, ſtalks or ſnuff, above a certain weight, to be carried by land, unleſs the ſpecies be marked with large letters on the package.

Penalty.

No drawback to be allowed for tobacco mixed with ruſh, &c. Penalty of entering ſuch for exportation, or any other thing, for tobacco.

No tobacco to be ſhipped for exportation (except to

XXIII. And be it further enacted by the authority aforeſaid, That from and after the ſaid twenty ninth day of *September* one thouſand ſeven hundred and fifty one, no tobacco or tobacco ſtalks exceeding the quantity of twenty four pounds weight, nor any ſnuff exceeding ten pounds weight, ſhall be conveyed or carried by land from any place in *Great Britain* to any other place in *Great Britain*, in any hogſhead, caſk, cheſt or package, unleſs ſuch hogſhead, caſk, cheſt or package be ſtamped or marked on the outside, with the reſpective words, tobacco, tobacco ſtalks or ſnuff, in large letters, not leſs than three inches in length, under the penalty and forfeiture of all ſuch tobacco, tobacco ſtalks or ſnuff, with the package thereof, and one ſhilling for every pound weight thereof, to be paid by the owner of ſuch tobacco, tobacco ſtalks or ſnuff.

XXIV. And be it further enacted by the authority aforeſaid, That no drawback ſhall be allowed for any tobacco which is mixed with ruſh or dirt, or any other matter or thing whatſoever; and all and every perſon or perſons who ſhall enter or ſhip for exportation, or cauſe to be entered or ſhipped for exportation, any tobacco mixed with ruſh or with dirt, or any other matter or thing whatſoever, or who ſhall enter any thing as tobacco for exportation, and which upon examination by the proper officers, ſhall appear not to be tobacco, ſhall forfeit all ſuch goods, and the caſks, and other package in which they are contained, and alſo the ſum of fifty pounds of lawful money of *Great Britain*, for each and every hogſhead or other package thereof.

XXV. And be it further enacted by the authority aforeſaid, That from and after the ſaid twenty ninth day of *September* one thouſand ſeven hundred and fifty one, no tobacco either manufactured

manufactured or unmanufactured ſhall be entered or ſhipped for exportation to any parts beyond the ſeas (*Ireland* only excepted) in any ſhip or veſſel whatſoever, unleſs ſuch ſhip or veſſel ſhall be of the burthen of ſeventy tons or upwards; and if any officer or officers of the cuſtoms ſhall apprehend, or have reaſon to believe, that any ſuch ſhip or veſſel bound to foreign parts, and having tobacco on board her, ſhall not be of the burthen of ſeventy tons or upwards, it ſhall and may be lawful for ſuch officer or officers to ſtop and detain ſuch ſhip or veſſel, and the whole cargo laden on board her, of tobacco, and all other goods, until he or they ſhall cauſe ſuch ſhip or veſſel to be admeaſured, according to the admeaſurement preſcribed by an act paſſed in the ſixth year of the reign of his late majeſty King *George the Firſt*, (intituled, *An act for preventing frauds and abuſes in cuſtoms, ſtamp duties, poſt office, and houſe money*;) and if it ſhall appear by ſuch admeaſurement, that any ſuch ſhip or veſſel is of the burthen of ſeventy tons or upwards, the officer or officers ſo ſtopping and detaining her and her cargo, ſhall not be ſubject or liable to any action for damages occaſioned by ſuch ſtoppage and detention; and if the maſter or commander of any ſhip or veſſel outward bound to foreign parts, having tobacco on board her, ſhall enter and clear out ſuch ſhip or veſſel in the collectors book at the cuſtom houſe, as of the burthen of ſeventy tons or upwards, and ſuch ſhip or veſſel ſhall not be of ſo great burthen, according to the admeaſurement preſcribed by the aforeſaid act, he ſhall forfeit and loſe the ſum of one hundred pounds for every ſuch offence.

Ireland) unleſs in veſſels of 70 tons, or upwards, Officer, where the veſſel appears not to be of that burthen, may detain her till admeaſured,

according to 6 Geo. 1. c. 27.

Penalty on maſter clearing out veſſels as of 70 tons, not being of that burthen.

XXVI. And be it further enacted by the authority aforeſaid, That from and after the ſaid twenty ninth day of *September* one thouſand ſeven hundred and ſiſty one, where any ſhip or veſſel whatſoever under the burthen of ſeventy tons coming or arriving from foreign parts, or having cleared outwards in *Great Britain* for foreign parts, and having on board one hundred pounds weight of tobacco, or any tobacco ſtalks, or ſtems ſtrippt from the leaf, or fifty pounds weight of ſnuff, ſhall be found at anchor, or hovering within the limits of any of the ports of this kingdom, or within two leagues of the ſhore, or ſhall be diſcovered to have been within the limits of any port, and not proceeding on her voyage, wind and weather permitting, (unleſs in caſe of unavoidable neceſſity and diſtreſs of weather, of which neceſſity and diſtreſs the maſter, purſer or other perſon having or taking the charge or command of ſuch ſhip or veſſel, ſhall give notice to, and make proof of, before the collector or other chief officer of the cuſtoms of ſuch port as aforeſaid, immediately after the arrival of ſuch ſhip or veſſel into the ſaid port,) all ſuch tobacco and tobacco ſtalks, or ſtems ſtrippt from the leaf, and ſnuff, together with the hogheads, bags, boxes, caſks, or other package whatſoever, containing the ſame goods, or the value thereof, ſhall be forfeited and loſt, (whether bulk ſhall then have been broken or not,) and the maſter or other perſon taking charge of every ſuch ſhip or veſſel ſhall forfeit and loſe the ſum

Penalty on veſſels under 70 tons, with tobacco, &c. above a certain weight, being found at anchor, or hovering near the ports, or within two leagues of the ſhore, unleſs in caſe of diſtreſs, &c.

Penalty on vessels above 70 tons found at anchor, or hovering as aforesaid.

All tobacco, &c. which shall be condemned, to be burnt,

and the allowance payable to the officer who shall seize the same, to be paid out of the customs,

after the rate of 6 d. per pound for tobacco or snuff,

and 1 d. per pound for stalks or damaged tobacco.

Officer to certify to the commissioners the quantity burnt,

and they are to grant an order for payment of the reward.

of one hundred pounds; and the same goods and package shall and may be seized and prosecuted, or the value thereof be sued for by any officer or officers of the customs, in such manner and form as herein after is expressed, any law, statute or usage to the contrary notwithstanding; and if any ship or vessel whatsoever above the burthen of seventy tons, having such goods on board as aforesaid, either homeward bound or outward bound, shall be found at anchor, or hovering as aforesaid, and no notice of distress be given as aforesaid, the master or other person taking charge of every such ship or vessel shall forfeit and lose the sum of one hundred pounds.

XXVII. And be it enacted by the authority aforesaid, That from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, all tobacco, tobacco stalks and snuff which shall be seized and condemned, shall be burnt and destroyed in the presence of the collector and comptroller of the customs for the port where such tobacco shall happen to be at the time of such condemnation, or in the presence of such officer as shall be appointed by them for that purpose; and if there shall be no such officer of the customs at the place where such tobacco shall be at the time of the condemnation thereof, then in the presence of the collector or supervisor of excise of the district in which such place is situate; and that all rewards or allowances to which the officer or officers who shall seize and prosecute the same, are intitled to by law, shall be paid by the receivers general of the customs at *London* or *Edinburgh* respectively, or by the respective collector in the out-ports where such tobacco, tobacco stalks or snuff was seized, and burnt or destroyed, to such officer or officers, out of any of the duties or revenues arising from the customs applicable to incidents; that is to say, if it is tobacco or tobacco snuff, so burnt and destroyed, the same shall be paid at and after the same rate and proportion, as if the said tobacco or tobacco snuff had been sold on condemnation for six pence *per* pound; and if it is tobacco stalks, or damaged tobacco, then the officer so seizing shall have and be intitled unto one penny *per* pound, for every pound's weight of tobacco stalks or damaged tobacco so condemned and burnt, in lieu of all other allowances.

XXVIII. Provided always, That the officers of customs or excise respectively, in whose presence the same shall be burnt, shall certify to the commissioners of the customs, in such part of the united kingdom where the same shall be burnt, the exact quantity so burnt, whereupon the said commissioners shall grant their order for the payment of the said rewards or allowances in manner above mentioned; and if the same shall have been burnt in the presence of such officer of excise, then the said commissioners shall order the same to be paid by the receivers general of the customs, in either part of the united kingdom, as the same shall happen.

XXIX. *And whereas some doubts have arisen, whether the bonds which are given to the crown for the payment of the several and respective*

*pective duties on tobacco, within eighteen months as the law directs, ought on the expiration of the said eighteen months to be put in suit, and whether any interest shall accrue thereon to the crown, from and after the expiration of the said eighteen months until the said bonds shall be vacated by a proper debenture to be made out for that purpose, inasmuch as the exporter upon the exportation of the tobacco within the time limited by law, which is three years, is to be paid or allowed, to draw back the whole duty or the security vacated on the bond or bonds given on the importation of the same tobacco; now to clear up and remove all such doubts for the future; be it declared and enacted by the authority aforesaid, and it is hereby declared and enacted, That all bonds which have been given, and are now subsisting at the time of making this act, for the several and respective duties on tobacco, or which shall hereafter be given for the payment of the said duties, are and shall be deemed and taken to be due and payable immediately upon the day mentioned in the condition of the said bond for payment thereof; and that such interest shall be paid to the crown, on all such bonds as is directed by an act of parliament made in the fourth year of her late majesty Queen Anne, (intituled *An act for continuing an additional subsidy of tonnage and poundage, and certain duties upon coals, culm and cinders, and additional duties of excise; and for settling and establishing a fund thereby, and by other ways and means for payment of annuities to be sold for raising a further supply to her Majesty for the service of the year one thousand seven hundred and six, and other uses therein mentioned*) which interest shall be computed from the day the bond becomes due, to the day whereon it shall be paid off in money, or the day the searcher certifies upon the debenture, that the tobacco was shipped for exportation, notwithstanding such tobacco doth or shall remain unexported; and the three years (being the time limited for the allowance of the drawback on exportation) shall not be expired, and no such security shall hereafter be vacated, until all such interest shall be paid thereon; any law, usage or custom to the contrary notwithstanding.*

XXX. And be it further declared and enacted by the authority aforesaid, That it shall and may be lawful to and for the chancellor and under treasurer of his Majesty's court of *Exchequer*, the lord chief baron, and other barons of the said court of the degree of the coif, or any or either of them, to grant his or their *Fiat* for the issuing of process of immediate extent against any person or persons who has or have, or shall have given his or their bond to the crown, for duties on tobacco, although the day mentioned in the condition of the said bond for payment be not come, upon an affidavit laid before him, by one of the securities, or executor or administrator of such security, that the person bound to the crown in such bond is decayed in his circumstances, and that the crown's debt is in danger of being lost, unless some more speedy method than the usual way of proceeding be forthwith had for recovery thereof; and if the crown recovers the money due on such bond, before the day of payment

Bonds for payment of the duties on tobacco,

to be due on the day of payment mentioned in the bond, and interest thereon to be paid to the crown, according to 4 Annæ, c. 6.

Exchequer may grant a fiat for process of immediate extent for payment of the bonds before due,

upon affidavit that the debt is in danger.

Crown recovering thereon, the obligor shall be allowed

*reign, intituled, An act for the more easy and speedy recovery of small debts within the city and liberty of Westminster, and that part of the dutchy of Lancaster which adjoineth thereto; and the said act has, in many respects, been found insufficient to answer the purposes thereby intended: and whereas doubts have arisen, whether attornies and solicitors are subject to the processses of the said court: therefore, for explaining, amending, and making the said act more effectual, may it please your most excellent Majesty, that it may be enacted, and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That all persons admitted as attornies or solicitors shall be, and they are hereby declared to be subject to all the processses of the said court of requests for the city and liberty of Westminster, and that part of the dutchy of Lancaster which adjoineth thereto; any thing in the said act to the contrary in any wise notwithstanding.*

Attornies and solicitors subject to the processses of the court.

II. *And whereas the commissioners nominated and appointed to put the said act in execution, are directed by the said act to meet in three different divisions, one day in each week: and whereas divers mistakes and inconveniencies have happened, for want of knowing the particular bounds and limits of the several divisions or districts: for remedy thereof, be it enacted by the authority aforesaid, That from and after the twenty fourth day of June one thousand seven hundred and fifty one, so much of the said act as relates to the dividing the said city and liberty of Westminster, and that part of the dutchy of Lancaster which adjoineth thereto, into three districts or divisions, shall be, and is hereby, repealed.*

So much of the recited act as relates to the dividing the city and liberty of Westminster, &c. into 3 divisions, repealed.

III. *And be it further enacted by the authority aforesaid, That the commissioners nominated and appointed, or to be nominated and appointed, by virtue of the said act, are hereby authorized and required to assemble, sit and hold the said court in and for the said city and liberty, and that part of the dutchy of Lancaster which adjoineth thereto, in two divisions only; videlicet, the several parishes of Saint Margaret, Saint John the evangelist, Saint Martin in the Fields, Saint Paul Covent Garden, Saint Clement Danes, Saint Mary le Strand, and that part of the dutchy of Lancaster which adjoineth to the said liberty of Westminster, to be one of the said divisions; and the several parishes of Saint George Hanover Square, Saint James, and Saint Anne, to be the other division, in such manner as is herein after-mentioned and declared; videlicet, the commissioners for the said several parishes of Saint Margaret, Saint John the evangelist, Saint Martin in the Fields, Saint Paul Covent Garden, Saint Clement Danes, Saint Mary le Strand, and that part of the dutchy of Lancaster which adjoineth to the said liberty of Westminster, on every Thursday in every week, or oftener, if necessary, in some convenient part of the said division; and the said commissioners for the parishes of Saint George Hanover Square, Saint James, and Saint Anne, and every Tuesday in every week, or oftener, if necessary, in some convenient part of the said division, for the putting*

Court to be held in two divisions.

Days of sitting of the court for each division.

putting in execution the feveral powers and authorities granted by this and the faid former act.

IV. *And whereas the erecting or hiring, fitting up and maintaining two convenient court-houfes for the purpofes aforefaid, will be attended with very great expence to the officers appointed to put the faid act of the laft feffion of parliament in execution: and whereas by the faid act the faid officers are obliged to pay an annual allowance to the counfel of the Marshalsea Court; which expences and allowances, and other neceffary charges attending the execution of the faid act, have rendered, and will continue to render, the profits arifing to the faid officers of the court very inconfiderable: therefore, to enable the faid officers to defray fuch expences, and in order to provide fome compenfation for their trouble, be it enacted by the authority aforefaid, That from and after the faid twenty fourth day of June, inftead of the fees limited by the faid former act, the feveral fees hereafter limited, and no other fee or fees, fhall be taken for the refpective fervices of the high bailiff of the city and liberty of Weftminfter for the time being, and the clerks of the faid court; that is to fay,*

The fees following to be taken in lieu of thofe limited by the former act.

*For iffuing out every fummons, to the clerk or clerks four pence.*

*For the fervice of fuch fummons, to the high bailiff four pence.*

*For every hearing, to the clerk or clerks fix pence, to the high bailiff three pence.*

*For an execution, to the clerk or clerks one fhilling, to the high bailiff one fhilling and fix pence.*

*For paying money into court, to the clerk or clerks feven pence.*

*For acknowledging fatisfaction in full, to the clerk or clerks fix pence.*

*For every fearch, to the clerk or clerks two pence.*

*For calling the defendant before the court, to the clerk or clerks two pence, to the high bailiff two pence.*

*For every order upon hearing, and the entry thereof, to the clerk or clerks four pence.*

*For the fervice of every fuch order, to the high bailiff two pence.*

*For a nonfuit on the plaintiff's not appearing, to the clerk or clerks four pence.*

A table of which fees fhall be hung up by the clerks of the faid court, or one of them, in fome publick and conspicuous place of the two court-houfes where the faid commiffioners fhall meet for the purpofes aforefaid, to the end that all perfons may at all times fee and read the fame.

Table of fees to be hung up in each court-houfe.

V. *And whereas by the faid act of the laft feffion of parliament four clerks are appointed for the faid three divifions, which divifions are by this act reduced to two; be it enacted by the authority aforefaid, That upon the death, refignation or removal of any one of the faid four clerks, the remaining three clerks fhall continue to act; and upon the death, refignation or removal of any one of the faid three clerks, then the remaining two fhall in like manner proceed to act; and fhall continue to carry into execu-*

The number of clerks to be reduced upon the death, refignation or removal, &c.

tion all the powers and authorities by the faid former and this present act vested in the faid clerks; nor shall the commissioners proceed to choofe another clerk in the place or stead of any one fo dying, refigning or being removed, until the number of the faid clerks shall be reduced to one; at which time, or fo soon after as the fame shall be publickly known, the commissioners appointed to put the faid former and this present act in execution shall proceed to elect another clerk, to be joined with the surviving or remaining clerk, according to the direCTIONS for that purpose in the faid former act, fo as fuch number of clerks shall not at any time afterwards exceed the number of two.

Clerks not to act as justices in any matters relative to the jurisdiction of the court.

VI. And be it further enacted by the authority aforesaid, That no clerk or clerks of the faid court shall act as a justice or justices of the peace in any matter or thing whatsoever relative to the proceedings of the faid court, or any matter which may arise in relation to the jurisdiction of the fame: but nothing in this or the faid former act contained shall prevent or exclude any clerk of the faid court from acting as a justice of the peace in any matter not relative to the business or jurisdiction of the faid court.

Persons residing within the limits, subject to the jurisdiction though the plaintiff be not resident therein.

VII. *And whereas doubts have arisen, whether any person or persons residing within the city and liberty of Westminster, or that part of the dutchy of Lancaster adjoining thereto, and who are indebted to persons who did not reside within the limits aforesaid, are subject to the jurisdiction of the faid court:* for remedy thereof, be it declared and enacted by the authority aforesaid, That all persons inhabiting within the limits aforesaid shall be, and are hereby declared to be, subject to the process and jurisdiction of the faid court, although the plaintiff suing out fuch process shall not inhabit or reside within the faid city and liberty of Westminster, and that part of the dutchy of Lancaster which adjoineth thereto.

### C A P. XLIII.

*An act for the more effectual preservation of the turnpike roads in that part of Great Britain called England; and for the disposition of penalties given by acts of parliament relating to the highways, in that part of Great Britain called England, and for enforcing the recovery thereof; and for the more effectual preventing of mischiefs occasioned by the drivers riding upon carts, drays, carrs and waggons, in the city of London, and within ten miles thereof.*

**W**HEREAS great sums of money have been expended in mending and repairing the turnpike roads of this kingdom, yet the faid roads cannot be kept in sufficient repair, and are in many places become ruinous, by the great and excessive weights which the number of horses now allowed by law to draw waggons and other carriages enable carriers and other persons using the faid roads to carry upon the same: for remedy whereof, be it enacted by the King's

most

most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That from and after the first day of July one thousand seven hundred and fifty two, it shall and may be lawful for all trustees or commissioners appointed, or hereafter to be appointed, by any act or acts of parliament, for the repair of any highway or highways in that part of Great Britain called England, in their respective districts, or any five of them, or any person or persons empowered by them, or any five of them, to demand, receive and take, and they are hereby required to demand, receive and take, at all the gates and bars they have erected, or shall erect, for the receiving and collecting any toll or duty, the sum of twenty shillings for every waggon or other carriage drawn by six horses, before such waggon or other carriage shall be permitted to pass through any such toll-gate or toll-bar, over and above the tolls or duties already granted, or hereafter to be granted; which said additional toll or duty hereby granted and made payable, shall and may be levied and recovered upon any person who shall after demand made thereof refuse or neglect to pay the same, in such manner as any other toll or duty payable at the same turnpike-gate or bar is by law to be levied and recovered; and the money arising from such additional duty shall be applied to the repair of the highway where the same shall be collected.

Trustees of the roads may take 20s. above the tolls for every waggon, &c. drawn with 6 horses, passing through any turnpike, &c.

II. And be it further enacted by the authority aforesaid, That if any person or persons shall take off, or cause to be taken off any horse or horses from any waggon or other carriage, at or before the same shall come to any of the said gates or turnpikes, with intent to avoid paying the said additional toll or duty, each and every person so offending, and being convicted thereof before the said trustees, or any five or more of them, or one or more justice or justices of the peace for the county, riding or division, where the offense shall be committed, upon the oath of one or more credible witness or witnesses, which oath the said trustees, or any five or more of them, or the said justice or justices, are hereby empowered to administer, shall forfeit and pay to the informer the sum of five pounds; which sum, in case the same be not forthwith paid, shall be levied by distress and sale of the offender's goods, by warrant under the hand and seal, or hands and seals of the said trustees, or any five or more of them, or the said justice or justices, rendering the overplus to the owner (if any be) on demand, after deducting the reasonable charges of making such distress and sale, to be settled by the said trustees, or any five or more of them, or by the said justice or justices;

Penalty of taking off horses to avoid the duty.

III. And be it enacted and declared by the authority aforesaid, That every person who shall drive any waggon or other carriage upon any part of any turnpike road with more horses than such waggon or other carriage shall on the same day pass through any turnpike-bar or gate with, shall be deemed and adjudged

to be levied by distress and sale.

Persons driving with more horses than such waggon shall pass with the same day, to be deemed to in-



cur the penal-  
ty.

Penalty of dri-  
ving waggons  
out of the  
turnpike roads  
to avoid the  
tolls,

to be levied  
according to  
5 Geo. 1. c. 12.

Carriages ex-  
empted.

14 Geo. 2. c. 42.

Trustees to  
erect engines  
for weighing  
carriages.

to have taken off the ſaid horſes with intent to avoid paying the ſaid additional toll or duty.

IV. Provided always, and be it further enacted by the authority aforeſaid, That from and after the firſt day of *September* one thouſand ſeven hundred and fifty one, no waggon, cart or other carriage, travelling for hire upon any of the ſaid turnpike roads, ſhall be drove or turned out of the ſame into any of the roads adjacent, not being turnpike roads, in order to avoid, and thereby avoiding paying the tolls and duties appointed by this or any former act or acts to be paid at any gate or turnpike erected for the collecting and receiving the ſame, upon pain of forfeiting and loſing any one of the horſes drawing ſuch waggon, cart or carriage, (not being the thill or ſhaft horſe) with all his geers and accoutrements, to the ſole uſe and benefit of any perſon or perſons who ſhall ſeize or diſtrain the ſame; and the perſon or perſons making ſuch ſeizure or diſtreſs ſhall proceed in like manner, and be intitled to the like remedies, as is directed and given in caſes of ſeizure of horſes, by an act of parliament made in the fifth year of the reign of his late majeſty King *George the Firſt*, intituled, *An act for making more effectual the ſeveral acts paſſed for repairing and amending the highways of this kingdom.*

V. Provided always, That nothing in this act ſhall be deemed or conſtrued to extend to any coach, berlin, chariot, chaiſe, calaſh or hearſe, or to any waggon, wain, cart, or other carriage, employed only about huſbandry, or in carrying only of hay, ſtraw, corn unthraſhed, or chalk, or any ſtone, block of marble, or piece of timber, nor to carravans, or the covered carriages of the noblemen and gentlemen for their private uſe, or ſuch timber, ammunition or artillery, as ſhall be for his Majeſty's ſervice.

VI. *And whereas an act of parliament was made in the ſourteenth year of the reign of his preſent Majeſty, intituled, An act for the preſervation of the publick roads, in that part of Great Britain called England, which hath proved inſufficient for the purpoſe, by reaſon that few of the cranes, machines or engines, therein mentioned for the weighing of carriages, have been erected; and to avoid ſuch as have been erected, the owners and drivers of waggons, and other carriages, with exceſſive weights, have in ſeveral places left the turnpike road, and gone through other roads and by-lanes, which have been repaired at a great expence by the inhabitants of the ſeveral pariſhes and places where the ſame lie, and thereby ſuch roads and by-lanes have been greatly damaged and made ruinous, to the great prejudice and expence of ſuch inhabitants, and the income of the toll hath been alſo much leſſened: for remedy whereof, and rendering the ſaid act more effectual for the purpoſes thereby intended, be it further enacted by the authority aforeſaid, That on or before the twenty fifth day of *March* one thouſand ſeven hundred and fifty two, all commiſſioners or trustees already appointed by any act or acts of parliament for the repairs of any highway or highways in that part of *Great Britain* called *England*, or any five or more of them, ſhall, and they are hereby required, at one or more gate or gates, bar or bars, or at ſome other convenient*

place

place or places within their respective districts, to order and cause to be built and erected a crane, machine or engine proper for the weighing of carts, waggons or other carriages for the carrying of any goods or merchandize whatsoever, and order and cause all and every such carts and waggons or other carriages (except such as by this act are excepted) which shall pass through any such gate or bar to be weighed, together with the loading thereof, and shall receive and take such toll and additional duty of twenty shillings the hundred, as is by the said act authorized and directed to be received and taken, and shall apply the same for the purposes in the said act mentioned.

VII. Provided always, and be it enacted, That nothing in this act contained shall extend, or be construed to extend to oblige the trustees of any turnpike road beyond thirty miles distance from London, or where the tolls and duties granted to such trustees do not amount to the annual sum of one hundred and fifty pounds within thirty miles distance from London, to erect any engine or machine for the weighing waggons or carriages; any thing in this act to the contrary notwithstanding.

Trustees for roads beyond 30 miles from London, or where the tolls do not amount to the annual sum of 150 l. not obliged to erect engines.

VIII. And whereas an act passed in the first year of the reign of King George the First has not been found sufficient to prevent the mischiefs that frequently happen by the negligence of carters, draymen, carmen and waggoners riding on their carriages in the city of London, or within ten miles thereof; now, in order more effectually to prevent such mischiefs for the future, and for the more speedy and easy conviction and punishing offenders against the said act, be it therefore enacted, That if any carter, drayman, carman, waggoner or other driver shall, after the twenty fourth day of June one thousand seven hundred and fifty one, ride upon such cart, dray, cart or waggon in the city of London, or within ten miles thereof, not having some other person or persons on foot to guide or conduct the same, every such person, being thereof convicted according to the tenor of the aforesaid act, shall forfeit and pay the sum of ten shillings, in case such driver shall not be the owner of such carriage; and in case the offender be the owner of such carriage, then any sum not exceeding twenty shillings: which penalties shall be recovered, levied and applied, as by the said former act is directed concerning the ten shillings penalty aforesaid.

1 Geo. 1. c. 57.

Penalty on carter riding upon his cart, not having some person on foot to guide the same.

IX. And be it enacted by the authority aforesaid, That it shall and may be lawful for any person or persons, though not a peace officer, to stop and apprehend such offender, and to carry him, as soon as conveniently may be, before any justice of the peace for the county, city or place where such offence is committed; and in case any person or persons shall resist, abuse or prevent any person endeavouring to apprehend any such offender, or when he is apprehended, shall rescue or endeavour to rescue him, such person so offending shall for every such offence incur the penalty of twenty shillings, to be recovered and applied as aforesaid.

Any person may apprehend such offender, and carry him before a justice.

Penalty of resisting, &c.

X. Provided always, and be it further enacted by the authority

Waggons drawing up steep hills, may use as many horses as the justices at sessions shall direct.

ity aforefaid, That nothing in this or any former act contained, shall extend, or be construed to extend to restrain or hinder any owner or owners of any waggon or other carriage, or his or their servants, using or drawing with as many horses or beasts as shall be necessary for the drawing such waggons or other carriages up any such steep hills, as the justices of the peace of the respective counties, ridings, divisions and places where such steep hills do lie, shall at their quarter-sessions from time to time order and direct; which said order and direction shall be kept by the respective clerks of the peace among the records of the sessions, to which all persons, at reasonable times, shall have recourse without fee or reward.

Penalties vested in the informer.

Method of recovery.

XI. *And whereas several acts have been made, as well for repairing and amending divers publick roads in that part of Great Britain called England, as for punishing offences done or committed upon or to the highways, the good intentions wheresof have not been answered for want of a due execution of the said laws; for remedy whereof, and as a further encouragement to informers, be it enacted by the authority aforefaid, That all penalties and forfeitures imposed by this or any former act, shall, from and after the tenth day of September in the year one thousand seven hundred and fifty one, be wholly given to and vested in the informer or person who shall sue for the same; any law or statute to the contrary notwithstanding: and every such informer or prosecutor shall and may from thenceforth sue for and recover such forfeitures or penalties by this or any of the said acts imposed, in the same manner as the same are severally and respectively directed to be sued for and recovered, or by action of law, to be brought by such informer or prosecutor in any of his Majesty's courts of record at Westminster, in manner following; that is to say, where any person shall for any such offence be liable to pay any pecuniary penalty, it shall be lawful to sue for the same by action of debt; in which it shall be sufficient to declare, that the defendant is indebted to the plaintiff in the sum of being forfeited by an act, intituled,*

Double costs.

Limitation of actions.

and where the penalty or forfeiture is of any horse or horses, gelding or geldings, mare or mares, or other goods, by an action of trover against the person liable to such penalty or forfeiture, in which the value of such horse or horses, gelding or geldings, mare or mares, or other goods as is or are liable to the forfeiture, shall be given in damages, without any seizure or demand thereof; and the plaintiff, if he recover in any such action, shall have double costs; provided that there shall not be more than one recovery for the same offence: and that no action shall be brought, by virtue of this act, in any of his Majesty's said courts of record, unless the same be brought before the end of six calendar months after the offence committed,

## CAP. XLIV.

*An act for the rendering justices of the peace more safe in the execution of their office, and for indemnifying constables and others acting in obedience to their warrants.*

**W**HEREAS justices of the peace are discouraged in the execution of their office by vexatious actions brought against them for or by reason of small and involuntary errors in their proceedings: and whereas it is necessary that they should be (as far as is consistent with justice, and the safety and liberty of the subjects over whom their authority extends) rendered safe in the execution of the said office and trust: and whereas it is also necessary that the subjects should be protected from all wilful and oppressive abuse of the several laws and statutes committed to the care and execution of the said justices of the peace; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That from and after the twenty fourth day of June one thousand seven hundred and fifty one, no writ shall be sued out against, nor any copy of any process, at the suit of a subject, shall be served on any justice of the peace for any thing by him done in the execution of his office, until notice in writing of such intended writ or process shall have been delivered to him, or left at the usual place of his abode, by the attorney or agent for the party who intends 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; in which notice shall be clearly and explicitly contained the cause of action which such party hath or claimeth to have against such justice of the peace; on the back of which notice shall be indorsed the name of such attorney or agent, together with the place of his abode, who shall be intitled to have the fee of twenty shillings for the preparing and serving such notice, and no more.

II. And be it further enacted, That it shall and may be lawful to and for such justice of the peace, at any time, within one calendar month after such notice given as aforesaid, to tender amends to the party complaining, or to his or her agent or attorney; and in case the same is not accepted, to plead such tender in bar to any action to be brought against him, grounded on such writ or process, together with the plea of Not guilty, and any other plea with the leave of the court; and if upon issue joined thereon the jury shall find the amends so tendered to have been sufficient, then they shall give a verdict for the defendant; and in such case, or in case the plaintiff shall become nonsuit, or shall discontinue his or her action, or in case judgment shall be given for such defendant or defendants upon demurrer, such justice shall be intitled to the like costs as he would have been intitled unto, in case he had pleaded the general issue

No writ to be sued against any justice for what he shall do in the execution of his office, till notice given him.

he may tender amends;

and plead the same in bar, &c.

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 or defendants on such other plea or pleas, then they shall give a verdict for the plaintiff, and such damages as they shall think proper, which he or she shall recover, together with his or her costs of suit.

Plaintiff not to recover without proof of such notice.

III. And be it further enacted, That no such plaintiff shall recover any verdict against such justice in any case where the action shall be grounded on any act of the defendant, as justice of the peace, unless it is proved upon the trial of such action, that such notice was given as aforesaid; but in default thereof such justice shall recover a verdict and costs as aforesaid.

Justice may pay into court before issue joined, such sum as he shall think fit.

IV. And be it further enacted by the authority aforesaid, That in case such justice shall neglect to tender any amends, or shall have tendered insufficient amends, before the action brought, it shall and may be lawful for him, by leave of the court where such action shall depend, at any time before issue joined to pay into court such sum of money as he 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.

Evidence not to be given of any cause, but such as is contained in the notice.

V. 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 notice hereby directed to be given.

Action not to be brought against any constable acting in obedience to justices warrant, till demand made of the copy of the warrant and refusal thereof &c. (\* or) So in the Record.

VI. And be it further enacted by the authority aforesaid, That from and after the said twenty fourth day of June one thousand seven hundred and fifty one, no action shall be brought against any constable, headborough or other officer, or against any person or persons acting by his order and in his aid, for any thing done in obedience to any warrant under the hand \* or seal of any justice of the peace, until demand hath been made or left at the usual place of his abode, by the party or parties intending to bring such action, or by his, her or their attorney or agent, in writing, signed by the party demanding the same, of the perusal and copy of such warrant, and the same hath been refused or neglected for the space of six days after such demand; and in case after such demand and compliance therewith, by shewing the said warrant to, and permitting a copy to be taken thereof by the party demanding the same, any action shall be brought against such constable, headborough or other officer, or against such person or persons acting in his aid for any such cause as aforesaid, without making the justice or justices who signed or sealed the said warrant, defendant or defendants, that on producing and proving such warrant at the trial of such action, the jury shall give their verdict for the defendant or defendants, notwithstanding any defect of jurisdiction in such justice or justices; and if such action be brought jointly against such justice or justices, and also against such constable, headborough or other officer, or person or persons acting in his or their aid as aforesaid, then on proof of such warrant the jury shall find

find for fuch conftable, headborough or other officer, and for fuch perfon and perfons fo acting as aforefaid, notwithstanding fuch defect of jurifdiction as aforefaid; and if the verdict fhall be given againft the juftice or juftices, that in fuch cafe the plaintiff or plaintiffs fhall recover his, her, or their cofts againft him or them, to be taxed in fuch manner by the proper officer, as to include fuch cofts as fuch plaintiff or plaintiffs are liable to pay to fuch defendant or defendants for whom fuch verdict fhall be found as aforefaid.

VII. Provided always, That where the plaintiff in any fuch action againft any juftice of the peace fhall obtain a verdict, in cafe the judge before whom the cafe fhall be tried, fhall in open court certify on the back of the record, that the injury for which fuch action was brought, was wilfully and maliciously committed, the plaintiff fhall be intitled to have and receive double cofts of fuit.

Where the judge fhall certify the cafe of action was wilfully committed, plaintiff to recover double cofts.

VIII. Provided alfo, and be it enacted by the authority aforefaid, That no action fhall be brought againft any juftice of the peace for any thing done in the execution of his office, or againft any conftable, headborough or other officer, or perfon acting as aforefaid, unlefs commenced within fix calendar months after the act committed.

Limitation of actions.

#### CAP. XLV.

*An act for the more effectual preventing of robberies and thefts upon any navigable rivers, ports of entry or difcharge, wharfs, and keys adjacent.*

**W**HEREAS divers wicked and ill-difpofed perfons are encouraged to commit robberies and thefts upon navigable rivers, ports of entry and difcharge, wharfs and keys adjacent, by the privilege, as the law now is, of being admitted to the benefit of their clergy; therefore, for the more effectual preventing fuch felonies for the future, be it enacted by the King's moft excellent majefty, by and with the advice and confent of the lords fpiritual and temporal and commons, in this prefent parliament affembled, and by the authority of the fame, That all and every perfon or perfons that fhall, at any time from and after the twenty fourth day of *June*, one thousand feven hundred and fifty one, feloniously steal any goods, wares or merchandize, of the value of forty fhillings, in any fhip, barge, lighter, boat or other vefel, or craft, upon any navigable river, or in any port of entry or difcharge, or in any creek belonging to any navigable river, port of entry or difcharge, within the kingdom of *Great Britain*; or fhall feloniously steal any goods, wares or merchandize, of the value of forty fhillings, upon any wharf or key adjacent to any navigable river, port of entry or difcharge, or fhall be prefent, aiding and affifting in the committing any of the offences aforefaid, being thereof convicted or attainted, or being indicted thereof fhall of malice ftand mute, or will not directly answer to the indictment; or fhall peremptorily challenge above

Persons convicted of theft of 40s. value on board any vefel,

or on any wharf, or affifting therein, &c. excluded from the benefit of the clergy.

the number of twenty persons returned to be of the jury; that be excluded from the benefit of clergy.

CAP. XLVI.

*An act for repealing the duties now payable upon foreign Linen yarns, and for granting other duties in lieu thereof.*

**W**HEREAS the support and encouragement of the British manufactures of striped and chequered linen, and of linen mixed with cotton, is of great importance to the trade and navigation of this kingdom: and whereas the exports of the said manufactures have of late years considerably decreased: and whereas the reducing of the duties now payable upon foreign linen yarns, would greatly tend to the encouragement and support of the said manufactures, by putting them upon a more equal footing with the manufactures of other nations, and thereby enable the British manufactures to regain and enlarge their export trade: may it therefore please your most excellent Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That from and after the twenty fifth day of *March* one thousand seven hundred and fifty two, all the rates, duties, subsidies, and impositions, which are now payable by virtue of several acts of parliament upon the importation of raw foreign linen yarns, known by the name of *Dutch yarn* and *French yarn*, and of *Spruce* or *Muscovia yarn*; and also upon the importation of whitened or bleached foreign linen yarns, known by the name of *Unwrought inle* and *Short spinnel*; and also upon the importation of all other raw and whitened or bleached foreign linen yarn, shall cease and determine, and be no longer paid.

II. And be it further enacted by the authority aforesaid, That in lieu of the said rates, duties, subsidies and impositions by this act repealed as aforesaid, there shall, from and after the said twenty fifth day of *March* one thousand seven hundred and fifty two, be granted and paid to his Majesty, his heirs and successors, the respective duties following, upon the importation of foreign linen yarns into this kingdom (that is to say)

For every pound weight of *French, Dutch, Muscovia, or Spruce* raw linen yarn, the sum of one penny.

And for every pound weight of whitened or bleached linen yarn, known by the name of *Unwrought inle* or *Short spinnel*, of the manufacture of any part or place not belonging to the crown of *Great Britain*, the sum of three pence.

And also the said duty of one penny for every pound weight of all other raw linen yarn.

And the said duty of three pence for every pound weight of all other whitened or bleached linen yarn respectively, of the manufacture of any part or place not belonging to the crown of *Great Britain*.

III. And

The present duties upon Dutch, French, and Spruce yarns,

and unwrought inle and short spinnel, and other foreign yarn imported, repealed.

Duties granted in lieu thereof.

III. And be it further enacted by the authority aforesaid, That the duties hereby granted shall be raised, levied, and collected, by the respective officers of his Majesty's customs in this kingdom, under the management and direction of the respective commissioners of the customs for the time being; and that the said duties shall be collected, raised and levied, in the same manner, and with the same authorities and powers, and under the like regulations, restrictions, penalties and forfeitures, as the rates, duties, subsidies and impositions, hereby repealed as aforesaid, are now raised, collected and levied, as fully and effectually, to all intents and purposes, as if the provisions and clauses, directions, matters and things, relating to the raising, collecting and levying of the said rates, duties, subsidies, and impositions, were herein particularly inserted and re-enacted.

Duties how to be levied, &c.

IV. And be it further enacted by the authority aforesaid, That all the monies arising by the said duties hereby granted, shall be paid into the exchequer separate and apart from all the branches of the publick revenues, and shall be subject and liable to the same uses and purposes respectively, as the duties hereby repealed and taken off are now liable and appropriated unto.

to be paid into the exchequer separate from other branches of the revenue.

#### C. A. P. XLVII.

*An act for granting to his Majesty the sum of six hundred thousand pounds out the sinking fund, for the service of the year one thousand seven hundred and fifty one; and for allowances to the poor widows of commission and warrant officers of the royal navy; and for the further appropriating the supplies granted this session of parliament; and for making forth duplicates of exchequer bills, lottery tickets, certificates, orders of loan, or annuity orders, payable at the exchequer in lieu of such as shall be lost, burnt or destroyed; and also for making forth new orders of loan or annuity orders, in lieu of such as shall become defaced, obliterated or otherwise incumbered with assignments or endorsements thereon.*

**M**OST gracious Sovereign, we your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, being desirous to raise the necessary supplies which we have cheerfully granted to your Majesty in this session of parliament, for the service of the year one thousand seven hundred and fifty one, in the easiest manner we are able, for the benefit of your Majesty's subjects, and also to use such ways and means therein as that your Majesty may have the better and more speedy effect of the said supplies, have resolved to give and grant unto your Majesty the sum of six hundred thousand pounds out of the surplusses, excesses and overplus monies, commonly called the *sinking fund*; and to that end and purpose do most humbly beseech your Majesty that it may be enacted, and be it

en-



enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That by or out of such monies as now are or shall from time to time be and remain in the receipt of the exchequer, of the said surplusses, excesses or overplus monies, commonly called the *sinking fund*, (after paying or reserving sufficient to pay all such sum and sums of money as have been directed by any former act or acts of parliament, to be paid out of the same) there shall and may be issued and applied, a sum not exceeding the said sum of six hundred thousand pounds, for and towards the supply granted to his Majesty for the service of the said year one thousand seven hundred and fifty one; and the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, are hereby authorized and impowered to issue and apply the same accordingly.

500,000l.  
granted out  
of the sinking  
fund, towards  
the supply for  
the current  
year.

Clause of loan  
at 3l. per cent.

II. And it is hereby enacted by the authority aforesaid, That in case the said commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall think it adviseable to raise the said sum of six hundred thousand pounds, or any part thereof, by loans or exchequer bills, in manner herein after mentioned, that it shall and may be lawful to and for any person or persons, natives or foreigners, bodies politick or corporate, to advance or lend to his Majesty, at the receipt of his Majesty's exchequer, any sum or sums of money not exceeding the said sum of six hundred thousand pounds, upon the credit of the said surplusses, excesses or overplus monies, commonly called the *sinking fund*, and to have and receive for the forbearance of the money lent, interest after a rate not exceeding three pounds *per centum per annum*, so as such loans be allowed to be made by the said commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, who are hereby authorized to issue their warrants for that purpose as fast as such loans shall be wanted for the publick service; and moreover, that no money to be lent upon the security of this act, shall be rated or assessed to any tax or assessment whatsoever.

III. And be it further enacted, That all and every person and persons who shall lend any money upon the credit of this act as aforesaid, and pay the same into the receipt of the exchequer, shall immediately have a talley of loan struck for the same, and an order for his, her or their repayment, bearing the same date with his, her or their talley, in or upon which order shall be also contained a warrant for payment of interest for the forbearance thereof, not exceeding the said rate of three pounds *per centum per annum*; and to be paid every three months, until the repayment of the principal; and all such orders for repayment of money so to be lent, shall be registered in course, according to

Tallies and  
orders for  
repayment.

to carry 3l.  
per cent. in-  
terest.  
The orders to  
be registered,

the dates refpectively, and that all and every perfon and perfons shall be paid in courfe, according as their orders shall stand registered in the faid register books, fo as the perfon or perfons, natives or foreigners, his, her or their executors, administrators or assigns who shall have his, her or their order or orders first entered in the faid books of register, shall be taken and accounted to be the first perfon or perfons to be paid out of the faid furplusses, excesses or overplus monies; and he, she or they who shall have his, her or their order or orders next entered, shall be taken and accounted to be the second perfon to be paid, and fo successively and in courfe; and that the monies to come in of or for the faid furplusses, excesses or overplus monies, commonly called the *sinking fund* as aforesaid, shall be in the same order liable to the satisfaction of the faid respective persons, and body or bodies politick or corporate, their executors, administrators, successors or assigns respectively, without any undue preference of one before another, and not otherwise, and shall not be diverted or divertible to any other use, intent or purpose whatsoever, (other than such uses and purposes as are appointed by any other act or acts of parliament in that behalf as aforesaid) and that no fee, reward or gratuity directly or indirectly shall be demanded or taken of any of his Majesty's subjects for providing or making of any such books or registers, or any entries, views or searches, in or for payment of money lent, or the interest thereof as aforesaid, by any of his Majesty's officer or officers, their clerks or deputies, on pain of payment of treble damages to the party grieved by the party offending, with full costs of suit; or if the officer himself take or demand any such fee or reward, then to lose his place also; and if any undue preference of one before another shall be made, either in point of registry or payment, contrary to the true meaning of this act, by any such officer or officers, then the party offending shall be liable by action of debt, or on the case, to pay the value of the debt, with full costs of suit, to the party grieved, and shall be forejudged of his place or office; and if any such preference be unduly made by any his deputy or clerk, without direction or privity of his master, then such deputy or clerk only shall be liable to such action, debt, damages and costs, and shall be for ever after incapable of his office or place, and in case the auditor of the receipt shall not direct the faid orders of loan, or the clerk of the pells record, or the teller make payment upon such orders, according to each person's due place and order as before directed, then he or they shall be adjudged to forfeit, and the respective deputies and clerks therein offending, to be liable to such action, debt, damages and costs in such manner as aforesaid; all which said penalties, forfeitures, damages and costs to be incurred by any the officers of the exchequer, or any their deputies or clerks, shall and may be recovered by action of debt, bill, plaint or information, in any of his Majesty's courts of record at *Westminster*, wherein no essoin, protection, privilege, wager of law, injunction or order of restraint shall be in any wise granted or allowed.

and paid in courfe,

No fee for registering.

Penalty.

Forfeitures how to be recovered

No undue preference where tallies are dated the same day.

IV. Provided always, and it is declared, That if it shall happen that several tallies of loan, or orders for payment as aforesaid, bear date or be brought the same day to the auditor of the receipt, to be registred, then it shall be interpreted no undue preference which of those be entered first, so as he enters them all the same day.

Nor if subsequent orders be paid before such as were not demanded in course.

V. Provided also, That it shall not be interpreted any undue preference to incur any penalty in point of payment, if the auditor direct, and the clerk of the pells record, and the tellers do pay subsequent orders to persons that come and demand their monies and bring their orders, before other persons that did not come to take their monies and bring their orders in course, so as there be so much money reserved as will satisfy precedent orders which shall not be otherwise disposed of, but kept for them, interest upon loan being to cease from the time the money is so reserved and kept in bank for them.

Orders assignable *toties quoties*.

VI. And be it further enacted, That all and every person and persons to whom any money shall be due for loans, to be registred by virtue of this act, after order entered in the book of register as aforesaid, his, her or their executors, administrators or assigns, by proper words of assignment to be indorsed and written upon his, her or their order, may assign and transfer his, her or their right, title, interest and benefit of such order, or any part thereof, to any other, which being notified in the office of the auditor of the receipt aforesaid, and an entry or memorial thereof also made in the book of registry aforesaid, for orders (which the officers shall upon request, without fee or charge, accordingly make) shall intitle such assignee, his, her or their executors, administrators, successors and assigns to the benefit thereof, and payment thereon, and such assignee may in like manner assign again, and so *toties quoties*; and afterwards it shall not be in the power of such person or persons who have or hath made such assignment, to make void, release or discharge the same, or any the monies thereby due, or any part thereof.

No fee for entry.

The assignment not to be voided.

VII. And, to the end there may be no want or failure of a certain sum, not to exceed in the whole the said sum of six hundred thousand pounds, to be raised either by such loans as aforesaid, or by issuing exchequer bills, as is herein after mentioned, or by both or either of those ways or means, for the publick service; be it further enacted by the authority aforesaid, That in case the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall judge it more adviseable, to raise the said sum of six hundred thousand pounds, or any part thereof, by exchequer bills, instead of such loans as aforesaid, that then they respectively are hereby authorized and empowered, at any time or times, to prepare and make, or cause to be prepared and made at the exchequer, any number of new exchequer bills, for any sum or sums of money not exceeding in the whole the said sum of six hundred thousand pounds, together with such loans as aforesaid, in  
the

Commissioners of the treasury may make new exchequer bills for raising the said 500,000 l.

the fame or like manner, form or order, and according to the fame or like rules and directions as in and by a certain act of parliament, (*For continuing and granting to his Majesty certain duties upon malt, mum, cyder and perry for the service of the year one thousand seven hundred and fifty one,*) are enacted and prescribed concerning the exchequer bills to be made in pursuance of the said act.

VIII. And be it further enacted by the authority aforesaid, That all and every the clauses, provisos, powers, privileges, advantages, penalties, forfeitures and disabilities contained in the said last-mentioned act, relating to the loans or exchequer bills, authorized to be made by the same act (except such clauses as do charge the same on the rates and duties granted by the same act) shall be applied and extended to the exchequer bills to be made in pursuance of this act, as fully and effectually to all intents and purposes as if the said exchequer bills had been originally authorized by the said last mentioned act, or as if the said several clauses or provisos had been particularly repeated and re-enacted in the body of this present act.

IX. And be it enacted by the authority aforesaid, That all the exchequer bills as shall be made in pursuance of this act, and the interest, *Premium*, rate and charges incident to or attending the same, shall be and are hereby charged and chargeable upon; and shall be repaid and borne by and out of the growing produce of the said surplusses, excesses and overplus monies, commonly called the *Sinking Fund*, (except such monies of the said *Sinking Fund*, as are appropriated to any particular use or uses by any former or other act or acts of parliament in that behalf;) and such monies of the said *Sinking Fund* shall and may be issued and applied as fast as the same can be regularly stated and ascertained for and towards the paying off, cancelling and discharging such exchequer bills, interest, *Premium*, rate, or charges, until the whole of them shall be paid off, cancelled and discharged, or money sufficient for that purpose be kept and reserved in the exchequer, to be payable on demand to the respective proprietors thereof.

X. And be it further enacted by the authority aforesaid, That from and after the twenty fourth day of *June* one thousand seven hundred and fifty one, there shall be allowed upon the books of every ship of war in sea pay, one other seaman in every hundred men that the complement of such ship of war shall consist of, for such time only as the number of men employed in the service of the royal navy shall not exceed twenty thousand; and that the produce of the wages of each such seaman, and the value of his victuals, shall be given and applied to the relief of the poor widows of commission and warrant officers of the royal navy, according to such rules, orders and regulations as his Majesty hath established or appointed, or shall establish or appoint for that purpose, over and above the one seaman allowed them by an act of the sixth year of his present Majesty's reign; and the principal officers and commissioners of the navy

The exchequer bills to be subject to the regulations in the malt act.

Exchequer bills, &c. to be repaid out of the sinking fund.

1 Man extraordinary in every 100. to be allowed on the books of ships of war in sea pay,

and his wages and value of his victuals, to be applied in relief of the widows of commission and warrant officers.

6 Geo. 2. c. 15. royal s. 12.

royal now and for the time being, and all other persons hereinafter concerned, shall and are hereby authorized and empowered, to give allowance on such ships books, of the said one other: many in every hundred men, borne thereupon accordingly.

Appropriation of the monies of the malt act, &c.

XI. Provided always, and it is hereby further enacted by the authority aforesaid, That all the monies coming into the exchequer either by loans or exchequer bills, upon one act of this session of parliament (intituled, *An act for continuing and granting to his Majesty duties upon malt, mow, cyder and honey, for the service of the year one thousand seven hundred and fifty one*), and so much money, if any such be, of the duties thereby granted as shall arise or remain after all the loans or exchequer bills made or to be made on the same act, and all the interest, Premium, rate and charges thereupon, and the charges thereby allowable for raising the said duties shall be satisfied, or monies sufficient shall be reserved in the exchequer to satisfy and discharge the same; and also all the monies coming into the exchequer either by loans or exchequer bills, upon one act of this session of parliament (intituled, *An act for granting an aid to his Majesty by a land-tax to be raised in Great Britain, for the service of the year one thousand seven hundred and fifty one*) and so much monies, if any such be of the tax thereby granted, as shall arise or remain after the loans or exchequer bills made or to be made on the same act, and all the interest, Premium, rate and charges thereupon, and the charges thereby allowable for raising the said land tax shall be satisfied, or money sufficient shall be reserved in the exchequer to discharge the same; and also all the monies coming into the exchequer by contributions for annuities and a lottery, after the rate of three pounds per centum per annum, granted by one other act of this present session of parliament (intituled, *An act for granting to his Majesty the sum of two millions one hundred thousand pounds, to be raised by annuities and a lottery, and charged on the sinking fund, redeemable by parliament*) and also all the monies coming into the exchequer by exchequer bills to be made forth in pursuance of one other act of this present session of parliament (intituled, *An act for enabling his Majesty to raise the several sums of money therein mentioned by exchequer bills, to be charged on the sinking fund; and for empowering the commissioners of the treasury to pay off the old and new unsubscribed South-Sea annuities out of the supply granted to his Majesty for the service of the year one thousand seven hundred and fifty one; and for enabling the bank of England to hold general courts, and courts of directors, in the manner therein directed; and for giving certain persons liberty to subscribe bank and South-Sea annuities omitted to be subscribed pursuant to two acts of the last session of parliament*) and also the sum of six hundred thousand pounds, by this act granted, shall be further appropriated and are hereby appropriated for and towards the several uses and purposes herein after expressed; that is to say,

Land tax,

Lottery act,

and sinking fund,

and the 600,000 l. granted by this act:

1,046,559 l. 9 s. 10 d. to

XII. It is hereby enacted and declared by the authority aforesaid, That out of all or any of the aids or supplies provided as

aforefaid, there shall and may be issued and applied any sum or sums of money not exceeding one million forty six thousand five hundred and fifty nine pounds seven shillings and ten pence, for or towards the naval services herein after more particularly expressed; that is to say, for or towards defraying the ordinary of his Majesty's navy, and for half-pay to sea officers, and for or towards victuals, wages, wear and tear of the navy, and the victualling thereof, performed and to be performed, and for or towards sea services, in the office of ordnance, performed and to be performed, and for or towards the buildings, re-buildings and repairs of his Majesty's ships for the year one thousand seven hundred and fifty one, and for or towards paying off and discharging such part of the debt of the navy as is due upon the head of seamens wages.

wards the  
naval services.

XIII. And it is hereby also enacted by the authority aforefaid, That out of all or any the aids or supplies aforefaid, there shall and may be issued and applied any sum or sums of money not exceeding ten thousand pounds upon account, towards the support of the royal hospital at *Greenwich*, for the better maintenance of the seamen of the said hospital, worn out and become decrepit in the service of their country.

10,000 l. to-  
wards the  
support of  
*Greenwich*  
hospital.

XIV. And it is hereby also enacted, That out of all or any the aids or supplies aforefaid, there shall and may be issued and applied any sum or sums of money not exceeding one hundred and ten thousand eight hundred and fifty pounds three shillings and one penny, for or towards defraying the charge of the office of ordnance for land service for the year one thousand seven hundred and fifty one, performed and to be performed, and for defraying the extraordinary expence of the office of ordnance for land service, not provided for by parliament.

110,850 l. 3 s.  
1 d. towards  
defraying the  
charge of the  
office of ord-  
nance for  
land service.

XV. And it is hereby likewise enacted, That out of all or any the aids or supplies provided as aforefaid, there shall and may be issued and applied any sum or sums of money not exceeding one million seventy seven thousand three hundred and forty five pounds nineteen shillings and one halfpenny, for and towards maintaining his Majesty's land forces, and other services herein after more particularly expressed; that is to say, any sum or sums of money not exceeding six hundred and twelve thousand three hundred and fifteen pounds seven shillings and eleven pence, for defraying the charge of eighteen thousand eight hundred and fifty seven effective men, including commission and non-commission officers, and one thousand eight hundred and fifteen invalids, for guards, garrisons and other his Majesty's land forces in *Great Britain*, *Guernsey* and *Jersey*, for the service of the year one thousand seven hundred and fifty one; and any sum or sums of money not exceeding two hundred and thirty six thousand four hundred and twenty pounds eighteen shillings and six pence halfpenny, for maintaining his Majesty's forces and garrisons in the plantations, *Minorca* and *Gibraltar*, and for provisions for the garrisons in *Nova Scotia*, *Newfoundland*, *Gibraltar* and *Providens*, for the year one thousand seven

1,077,345 l.  
19 s. 2 q. to-  
wards the  
land forces,

of which  
612,315 l. 7 s.  
11 d. for  
guards, &c.  
in *Great Bri-  
tain*, *Guern-  
sey* and *Jer-  
sey*;

236,420 l. 18 s.  
6 d. 2 q. for  
garrisons, &c.,  
in the planta-  
tions, *Minor-  
ca* and *Gi-  
braltan*, *No-  
va Scotia*,

Newfound-land and Providence. 62,567 l. 2 s. 6 d. to out pensioners of Chelsea hospital; 64,000 l. to the reduced officers;

3,370 l. to the reduced officers widows, &c.

6,747 l. 15 s. 10 d. to the two troops of horse guards, and regiment of horse reduced, &c.

28,000 l. for general and staff officers;

30,000 l. to the elector of Bavaria;

47,984 l. 14 s. 3 d. towards expences of the land forces in 1750.

57,582 l. 19 s. 3 d. 2 q. for charges of transporting, &c. to Nova Scotia a number of reduced officers and men;

hundred and fifty one; and any sum or sums of money not exceeding sixty two thousand five hundred and sixty seven pounds two shillings and six pence, upon account for out-pensioners of *Chelsea* hospital, for the year one thousand seven hundred and fifty one; and any sum or sums of money not exceeding sixty four thousand pounds, upon account of the reduced officers of his Majesty's land forces and marines for the year one thousand seven hundred and fifty one, subject to such rules to be observed in the application of the said half-pay, as are hereafter prescribed concerning the same; and any sum or sums of money not exceeding three thousand three hundred and ten pounds, for paying of pensions to the widows of such reduced officers of his Majesty's land forces and marines as died upon the establishment of half-pay in *Great Britain*, and who were married to them before the twenty fifth day of *December* one thousand seven hundred and sixteen, for the year one thousand seven hundred and fifty one; which said sum of three thousand three hundred and ten pounds shall be issued to such person or persons as his Majesty shall, by warrant or warrants under his Majesty's royal sign manual, direct and appoint to receive the same, to be by him or them paid over to such widows of half-pay officers, or their assigns, according to such establishments, lists or other directions, and with and subject to such conditions, qualifications and other allowances for the same as his Majesty, by such and the like warrant or warrants, shall be graciously pleased to direct and appoint; and any sum or sums of money not exceeding four thousand seven hundred and forty seven pounds fifteen shillings and ten pence, for defraying the charge for allowances to the several officers and private gentlemen of the two troops of horse guards, and regiment of horse reduced, and to the superannuated gentlemen of the four troops of horse guards for the year one thousand seven hundred and fifty one; and any sum or sums of money not exceeding sixteen thousand pounds, for the pay of the general and staff officers of his Majesty's land forces for the year one thousand seven hundred and fifty one; and any sum or sums of money not exceeding thirty thousand pounds, to enable his Majesty to make good his engagements with the elector of *Bavaria*, pursuant to treaty; and any sum or sums of money not exceeding forty seven thousand nine hundred and eighty four pounds fourteen shillings and three pence, for defraying the extraordinary expences of his Majesty's land forces and other services incurred in the year one thousand seven hundred and fifty, and not provided for by parliament.

XVI. And it is hereby also enacted by the authority aforesaid, That out of all or any the aids or supplies aforesaid, there shall and may be issued and applied any sum or sums of money not exceeding fifty seven thousand five hundred and eighty two pounds nineteen shillings and three pence halfpenny, upon account, for defraying the charges incurred by transporting to his Majesty's colony of *Nova Scotia* and supporting and maintaining there a number of reduced officers and private men dismissed his Majesty's land and sea service, and other his Ma-

jesty's

jeſty's ſubjects, ſettled in the ſaid colony in the year one thouſand ſeven hundred and forty nine, and by ſupporting, maintaining and enlarging the ſettlement of his Maſteſty's ſaid colony in the year one thouſand ſeven hundred and fifty, and not provided for by parliament; and any ſum or ſums of money not exceeding fifty three thouſand nine hundred and twenty ſeven pounds fourteen ſhillings and four pence upon account, for ſupporting and maintaining his Maſteſty's colony of *Nova Scotia* for the year one thouſand ſeven hundred and fifty one; and any ſum or ſums of money not exceeding ten thouſand pounds, towards the ſupport of the *British* forts and ſettlements upon the coaſt of *Africa*, to be applied in ſuch manner as his Maſteſty ſhall think proper; and any ſum or ſums of money not exceeding three thouſand pounds towards laying out, making and keeping in repair, a road proper for the paſſage of troops and carriages between the city of *Carlisle* and the town of *Newcaſtle upon Tyne*.

53,927 l. 24 s.  
4 d. for ſupporting the ſaid colony for the year 1751.

10,000 l. towards the ſettlements on the coaſt of *Africa*.

3,000 l. towards making a road from *Carlisle* to *Newcaſtle*.

XVII. And it is hereby alſo enacted by the authority aforeſaid, That out of all or any the aids or ſupplies provided as aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money not exceeding two millions two hundred and ſeventy ſix thouſand eight hundred and ninety three pounds eleven ſhillings and ſeven pence, to pay off and diſcharge the unſubſcribed *Old* and *New* annuities, after the rate of four pounds *per centum per annum*, transferrable at the *South-Sea* houſe, commonly called *Old* and *New South-Sea* annuities, at the ſtated times mentioned in one other act of this preſent ſeſſion of parliament in that behalf.

2,276,893 l.  
11 s. 7 d. to pay off the unſubſcribed *South-Sea* annuities.

XVIII. And it is hereby declared by the authority aforeſaid, That the ſum of one million thirteen thouſand one hundred and forty eight pounds four ſhillings and ſix pence, to be advanced by the governor and company of the bank of *England* for exchequer bills to be made forth in purſuance of the act herein before-mentioned in that behalf, ſhall be iſſued and applied to pay off and diſcharge the ſeveral unſubſcribed exchequer orders payable there, out of the duties on wrought plate, and alſo the ſeveral unſubſcribed annuities, after the rate of four pounds *per centum per annum*, transferrable at the bank of *England*, at the ſtated times appointed by the act herein before-mentioned in that behalf.

1,073,148 l.  
2 s. 6 d. to be advanced by the bank, to pay off the unſubſcribed exchequer orders, and four per cent. annuities.

XIX. And it is hereby alſo enacted by the authority aforeſaid, That out of all or any the aids or ſupplies aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money not exceeding ſix thouſand four hundred and ſixty one pounds one ſhilling and one penny, to replace to the ſinking fund the like ſum paid out of the ſame, to make good the deficiency of the additional ſtamp duties at *Chriſtmas* one thouſand ſeven hundred and forty nine; and any ſum or ſums of money not exceeding twelve thouſand five hundred and thirty four pounds two ſhillings and one halfpenny, to replace to the ſaid ſinking fund the like ſum paid out of the ſame, to make good the deficiency

6,461 l. 1 s.  
1 d. to make good the deficiency of the ſtamp duties.

12,534 l. 2 s.  
2 q. to make good the duties on ſweets.



35,000 l. for  
interest on the  
salt duties.

4,592 l. 16 s.  
8 d. to make  
good the ad-  
ditional du-  
ties on wines.

7,880 l. 17 s.  
3 d. to make  
good the duty  
on licences  
for retailing  
spirituous  
liquors.

30,422 l. 6 s.  
3 d. to make  
good the du-  
ties on glass  
and spirituous  
liquors at  
Midsummer  
1750.

70,097 l. 14 s.  
8 d. to make  
good the du-  
ties on houses,  
&c at  
Michaelmas  
1750.

42,559 l. 12 s.  
7 d. 2 q. to  
make good  
the subsidy of  
poundage on  
goods import-  
ed at Michael-  
mas 1750.

65,797 l. 8 s.  
11 d. 3 q. to  
make good  
the deficiency  
of the grants  
for 1750.

ciency of the duty of twelve shillings a barrel on sweets or wines made from *British* or foreign fruit or sugar at *Michaelmas* one thousand seven hundred and fifty; and any sum or sums of money not exceeding thirty five thousand pounds, to replace to the said sinking fund the like sum paid out of the same, to answer one year's interest due at *Michaelmas* one thousand seven hundred and fifty, after the rate of three pounds ten shillings *per centum per annum* on the principal sum of one million lent on credit of the salt duties, which were continued for six years from *Lady-day* one thousand seven hundred and fifty three, towards the supply for the year one thousand seven hundred and forty five; and any sum or sums of money not exceeding four thousand five hundred and ninety two pounds sixteen shillings and nine pence, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the additional duties on wines at *Midsummer* one thousand seven hundred and fifty; and any sum or sums of money not exceeding seven thousand eight hundred and eighty pounds seventeen shillings and one penny, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the duty on licences for retailing spirituous liquors at *Lady-day* one thousand seven hundred and fifty; and any sum or sums of money not exceeding thirty thousand four hundred and twenty two pounds six shillings and three pence, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the duties on glass and spirituous liquors at *Midsummer* one thousand seven hundred and fifty; and any sum or sums of money not exceeding seventy thousand and ninety seven pounds fourteen shillings and eight pence, to replace to the said sinking fund the like sums paid out of the same, to make good the deficiency of the rates and duties upon houses, windows and lights, at *Michaelmas* one thousand seven hundred and fifty; and any sum or sums of money not exceeding forty two thousand five hundred and fifty nine pounds twelve shillings and seven pence halfpenny, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency at *Michaelmas* one thousand seven hundred and fifty, of the subsidy of poundage upon all goods and merchandizes imported into this kingdom since the first day of *March* one thousand seven hundred and forty seven; and any sum or sums of money not exceeding sixty five thousand seven hundred and ninety seven pounds eight shillings and eleven pence three farthings, to make good the deficiency of the grants for the service of the year one thousand seven hundred and fifty.

XX. And be it further enacted by the authority aforesaid, That the said aids and supplies provided as aforesaid, shall not be issued or applied to any use, intent or purpose whatsoever, other than the uses and purposes before mentioned, or for the several deficiencies or other payments directed to be satisfied thereout by any act or acts, or any particular clause or clauses

The supplies  
to be applied  
only as this  
act directs.

for

for that purpose contained in any other act or acts of this present session of parliament.

XXI. And as to the said sum of sixty four thousand pounds by this act appropriated on account of half-pay as aforesaid, it is hereby enacted and declared by the authority aforesaid, That the rules herein after prescribed shall be duly observed in the application of the said half-pay; that is to say, That no person shall have or receive any part of the same who was a minor, and under the age of sixteen years, at the time when the regiment, troop, or company in which he served was reduced; that no person shall have or receive any part of the same, except such persons who did actual service in some regiment, troop or company; that no person having any other place or employment of profit civil or military under his Majesty, shall have or receive any part of the said half-pay; that no chaplain of any garrison or regiment who has any ecclesiastical benefice in Great Britain or Ireland, shall have or receive any part of the said half-pay; that no person shall have or receive any part of the same, who has resigned his commission and has had no commission since; that no part of the same shall be allowed to any person by virtue of any warrant or appointment, except to such persons who would have been otherwise intitled to the same as reduced officers; and that no part of the same shall be allowed to any of the officers of the five regiments of dragoons, and eight regiments of foot, lately disbanded in Ireland, except to such as were lately taken off the establishment of half-pay in Great Britain.

Rules to be observed in the application of the half-pay.

XXII. And whereas by an act of parliament made in the twenty third year of his Majesty's reign, (intituled An act for granting to his Majesty the sum of nine hundred thousand pounds out of the sinking fund for the service of the year one thousand seven hundred and fifty, and for applying certain surplus monies remaining in the exchequer, as part of the supply of the said year, and for the application of certain savings in the hands of the pay-master general; and for obviating a doubt in an act of the fifth year of King George the First, in respect to the payment of certain annuities thereby granted for the improvement of fisheries and manufactures in Scotland, and for the further appropriating the supplies granted this session of parliament, and for giving further time for the payment of duties omitted to be paid for the indentures or contracts of clerks and apprentices, and for transferring the bounties now payable upon the exportation of British sail cloth to the customs, and for enforcing the laws against the clandestine importation of soap, candles and starch into this kingdom) several supplies which had been granted to his Majesty, as is therein mentioned, were appropriated to several uses and purposes therein expressed, amongst which any sum or sums of money not exceeding sixty seven thousand pounds, was appropriated to be paid to the reduced officers of his Majesty's land forces and marines, subject nevertheless to such rules to be observed in the application of the said half-pay, as in and by the aforesaid act were prescribed in that

23 Geo. 2. c. 21.

Overplus of 67,000 l. appropriated to the reduced officers, to be applied to such objects of charity as his Majesty shall direct.

behalf; now it is hereby provided, enacted and declared by the authority aforesaid, That so much of the said sum of sixty seven thousand pounds, as is or shall be more than sufficient to satisfy the said reduced officers, according to the rules prescribed by the said act to be observed in the application thereof, or any part of such overplus, shall and may be disposed of to such officers who are maimed, or lost their limbs in the late wars, or such others as by reason of their long service, or otherwise, his Majesty shall judge to be proper objects of charity, or to the widows or children of such officers, according to such warrant or warrants, under his Majesty's royal sign manual, as shall be signed in that behalf; any thing in this act, or the said former act, to the contrary notwithstanding.

XXIII. And whereas several bills, commonly called exchequer bills, several tickets in the publick lotteries, and certificates made forth in lieu thereof, and likewise several orders of loan, and orders for annuities of several denominations payable at the receipt of his Majesty's exchequer, made forth by authority of parliament, have been or may hereafter by casualty or mischance be lost, burnt, or otherwise destroyed;

Duplicates to be made forth of such exchequer bills, lottery tickets, certificates, orders of loan, or annuity orders, as shall be lost, or otherwise destroyed.

be it therefore enacted by the authority aforesaid, That in all cases where it shall appear by affidavit to be made before any of the barons of the exchequer for the time being, (who shall interrogate the deponent thereupon) to the satisfaction of such baron or barons, That any such exchequer bills, lottery tickets, certificates, orders of loan or annuity orders as aforesaid, have been or shall hereafter be lost, burnt or destroyed, or that there be good reason to believe that the same have been lost, burnt or destroyed, it shall and may be lawful for the respective officers and persons appointed, to issue and make forth such exchequer bills, tickets, certificates, orders of loan, or annuity orders, or to pay or discharge the same, or to issue any monies thereon, upon producing a certificate from any of the said barons of such affidavit made before him or them; (which affidavit the said barons, or any of them, is and are hereby required to take, and which certificate he or they are hereby required to grant without fee or reward) and on sufficient security given to the King, his heirs and successors, to indemnify the said respective officers and persons against all other persons whatsoever, for and concerning the monies specified in or due upon such respective bill or bills, ticket or tickets, certificate or certificates, order or orders, they the said officers and persons respectively shall and are hereby required to make forth duplicates of the said bills, tickets, certificates and orders, at the request of the respective owners or proprietors thereof, and to pay and discharge the same, and all such interest as shall be due on any of them carrying interest, as he or they should have paid or discharged on the said original bills, tickets, certificates, orders of loan, or annuity orders, if the same had been produced; and shall be allowed all such payments in their respective accounts.

Commissioners of the treasury to

XXIV. And in all cases where the signing of the commissioners of his Majesty's treasury, or the high treasurer of Great Bri-

tain for the time being, is neceſſary for making the ſaid duplicates, or any of them effectual, for the purpoſes aforeſaid; it is hereby further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid commiſſioners of his Maſteſty's treaſury, or any three or more of them, or the ſaid high treaſurer for the time being, to ſign ſuch duplicates accordingly.

**XXV.** And whereas it may ſo happen that ſeveral of the ſaid orders of loan, and other orders for annuities of ſeveral denominations, payable at the ſaid receipt of exchequer, may become defaced, obliterated or incumbered with many aſſignments indorſed thereupon, and it may be neceſſary that new orders ſhould be made forth in lieu thereof; be it therefore further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid commiſſioners of the treaſury, or any three or more of them, or the high treaſurer for the time being, and they are hereby alſo impowered to cauſe new orders to be made out in lieu of ſuch reſpective orders as ſhall become defaced, obliterated, or otherwiſe incumbered as aforeſaid, which ſaid reſpective orders ſhall at the ſame time be delivered up and cancelled, and the new order or orders made out in lieu thereof, ſhall be made payable and delivered to the perſon or perſons who ſhall appear to be the proprietor or proprietors of the ſaid order or orders, ſo to be delivered up and cancelled, at the time of ſuch delivery up as aforeſaid; and the auditor of the ſaid receipt of exchequer ſhall always take care that ſuch entries or memorandums be made upon the ſaid new orders, as may denote their being made in lieu of ſuch defaced, obliterated, incumbered, or otherwiſe defective orders cancelled, and as may ſecure the publick againſt any double payments, for or by reaſon of the making out or iſſuing ſuch new orders in manner aforeſaid.

New orders of loan, and for annuities, &c. to be made out in lieu of ſuch as ſhall be filled up with indorſements, or defaced.

Entry to be made on the new orders.

### CAP. XLVIII.

*An act for the abbreviation of Michaelmas term.*

**WHEREAS** in the beginning of the term of Saint Michael, commonly called Michaelmas term, very little buſineſs can be done, on account of the ſeveral holidays that are obſerved by the high courts of record of our ſovereign lord the King, between the firſt day of the ſaid term and the ſixth day of November following: therefore for the eaſe and benefit of his Maſteſty's ſubjects, may it pleaſe your moſt excellent Maſteſty that it may be enacted; and be it enacted by the King's moſt excellent maſteſty, by and with the adviſe 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 feaſt day of Saint Michael the archangel in the year of our Lord one thouſand ſeven hundred and fifty two, there ſhall be in Michaelmas term four common days of return only (that is to ſay) the firſt day of return thereof ſhall be and be called the morrow of *All Souls*; the ſecond day of return of the ſame term ſhall be and be called

After 29 September 1752, four common days of return only to be in Michaelmas term;

the morrow of Saint *Martin*; the third day of return of the same term shall be and be called in eight days of Saint *Martin*; and the fourth day of return of the same term shall be and be called in fifteen days of Saint *Martin*.

the same days to be observed in all the courts.

No returns to be from Michaelmas day in 3 weeks, nor from that day in 1 month. The term to begin on the morrow of All Souls,

and the full term on the fourth day after, except those days shall happen on a Sunday.

Days of returns of writs.

II. And be it further enacted by the authority aforesaid, That the same days of returns shall be observed and kept in all the high courts of record of our sovereign lord the King, his heirs and successors, hereafter to be holden at *Westminster*, or other place or places, at the assignment or appointment of our sovereign lord the King, his heirs and successors; and that from and after the feast day of Saint *Michael* the Archangel in the year of our Lord one thousand seven hundred and fifty two, there shall not be nor be called any days of return from the day of Saint *Michael* in three weeks, nor from the day of Saint *Michael* in one month, nor either of them; and that the said term of Saint *Michael* yearly for ever, from and after the said feast of Saint *Michael* the Archangel one thousand seven hundred and fifty two, shall begin in and upon the said morrow of *All Souls* whensoever it shall happen to fall, (except it be on the Lord's day, commonly called *Sunday*) and then on the morrow next after the keeping of essoigns, profers, returns, and other ceremonies heretofore used and kept, in like manner and form as hath been used to be done in the day of the return, commonly called *From* the day of Saint *Michael* in three weeks; and that the full term of Saint *Michael* shall yearly for ever, from and after the said feast of Saint *Michael* one thousand seven hundred and fifty two, in all the aforesaid courts of record, begin and take its commencement upon the fourth day of the said morrow of *All Souls*, (except it be on the Lord's day, commonly called *Sunday*) and then on the morrow next after.

III. And for the more speedy proceeding in writs of *Dever unde nihil habet*, and writs of entry for common recoveries to be sued and prosecuted by writs of entry or writs of right of advowson, and in all other real actions; be it enacted by the authority aforesaid, That after the feast of Saint *Michael* the Archangel one thousand seven hundred and fifty two coming; if any writ in any such action come in, and be returnable in his Majesty's court of *Common Pleas*, in the day of the return of the morrow of *All Souls*, then day shall be given in fifteen days of Saint *Martin*; if on the morrow of Saint *Martin*, then in eight days of Saint *Hilary*; if in eight days of Saint *Martin*, then in fifteen days of Saint *Hilary*; if in fifteen days of Saint *Martin*, then on the morrow of *The Purification*; if in eight days of Saint *Hilary*, then in eight days of *The Purification*; if in fifteen days of Saint *Hilary*, then in fifteen days of *Easter*; if on the morrow of *The Purification*, then in three weeks from the day of *Easter*; if in eight days of *The Purification*, then in one month from the day of *Easter*; if in fifteen days of *Easter*, then in five weeks from the day of *Easter*; if in three weeks from the day of *Easter*, then on the morrow of *The Ascension of our Lord*; if in one month from the day of *Easter*, then on the morrow of the

*Holy Trinity*; if in five weeks from the day of *Easter*, then in eight days of the *Holy Trinity*; if on the morrow of *The Ascension of our Lord*, then in fifteen days of *The Holy Trinity*; if on the morrow of *The Holy Trinity*, then in three weeks from the day of *The Holy Trinity*; if in eight days of *The Holy Trinity*, then on the morrow of *All Souls*; if in fifteen days of *The Holy Trinity*, then on the morrow of *Saint Martin*; if in three weeks of *The Holy Trinity*, then in eight days of *Saint Martin*.

IV. Provided nevertheless, and be it further enacted by the authority aforesaid, That in all writs of *Dower unde nihil habet*, after issue joined, it shall not be needful or requisite to have above fifteen days betwixt the teste and return of the *Venire facias*, or any other process to be sued out for the trial of the said issue, but that the writ of *Venire facias*, and other process, after issue joined, until judgment be given, having only fifteen days between the teste and return thereof, shall be good and effectual in law, as is used in personal actions; any law, statute or usage, to the contrary heretofore notwithstanding.

V. And it is hereby further enacted by the authority aforesaid, That from and after the said feast of *Saint Michael* the Archangel one thousand seven hundred and fifty two, all writs and process hereafter to be made out of any of his Majesty's courts at *Westminster*, and having day from the fourth day of the morrow of *The Ascension*, to the morrow of *The Holy Trinity*, shall be good and effectual in law, notwithstanding there be not fifteen days between the teste and the return of the said writs.

VI. And be it further enacted by the authority aforesaid, That all writs or process made, or to be made returnable upon the following returns, *videlicet*; in three weeks of *Saint Michael*, or from the day of *Saint Michael* in one month next following, or having days between either of the said returns, shall, by force and virtue of this act, have day unto the said morrow of *All Souls*, and the parties to the said writs and process shall then appear and plead and proceed thereupon to all intents and purposes, as if the said writs and process had been made returnable on the said morrow of *All Souls*.

VII. And be it further enacted, That all common writs, as well personal as mixt, which shall happen to be returnable in the said *Michaelmas* term, shall have and keep the said returns of the morrow of *All Souls*, the morrow of *Saint Martin*, in eight days of *Saint Martin*, and in fifteen days of *Saint Martin*, or any of them.

VIII. And whereas before the making of this act, all writs of summons to warrant against the vouchers upon common recoveries had, in writs of entry and writs of right of advowson, were made for five returns inclusive; now for the more speedy perfecting of such recovery, be it enacted by the authority aforesaid, That from and after the said feast of *Saint Michael* the Archangel one thousand seven hundred and fifty two, all and every such writs of summons to warrant upon the appearance of the tenant to every five.

In writs of Dower, &c. after issue joined, 15 days sufficient between the teste and return of the *Venire*.

Writs, &c. having day from the fourth of the morrow of the Ascension of the Holy Trinity to be good.

Writs, &c. returnable in three weeks of *Saint Michael*, or in one month from that day.

to have day unto the morrow of *All Souls*.

Days of return of common writs in the term.

Writs of summons to warrant abridged to four returns inclusive.

such

such writ of entry and writ of right of advowson, shall and may be made and abridged to four returns inclusive.

Courts to appoint special days of returns where usual.

IX. Provided always, and it is hereby further enacted by the authority aforesaid, That in such and like cases and process as special days have been used to be appointed and assigned and given for the return of writs and process, it shall be lawful to the justices of every the King's said courts of record for the time being, in all the process by them awarded, to assign and appoint special days of returns, as by them shall be thought convenient.

Days of assize in Darrein Presentment and Quare impedit, and the days to be given in attaint to stand. 5 Ed. 3. c. 6. 23 H. 8. c. 3.

X. Provided also, and be it enacted by the authority aforesaid, That the days of assize in *Darrein Presentment* and in a plea of *Quare impedit* limited and appointed by the statute of *Martbridge*, and also the days to be given in attaint limited in the statute made in the fifth year of the reign of King *Edward the Third*, and also in the statute made in the three and twentieth year of the reign of the late King *Henry the Eighth*, being not contrary to the tenor of this act, shall be holden firm, and standing in their full force and effect.

XI. *And whereas by divers charters heretofore granted to the citizens of London, by his Majesty's royal predecessors Kings and Queens of England, it is directed that the mayor of the said city, after he is chosen, shall be presented and sworn before the King or Queen of England in their court of exchequer at Westminster, or before the barons of the said court: and whereas the said solemnity after every annual election of the said mayor, hath been usually kept, and observed by the said city on the twenty ninth day of October, except the same fall on a Sunday, and then on the day following; be it enacted by the authority aforesaid, That from and after the said feast of Saint Michael, which shall be in the year of our Lord one thousand seven hundred and fifty two, the said solemnity of presenting and swearing the mayors of the city of London, after every annual election into the said office, in the manner and form heretofore used on the twenty ninth day of October, shall be kept and observed on the ninth day of November in every year, unless the same shall fall on a Sunday, and in that case on the day following; any rule or order in any of the charters of the said city, or the usage or customs thereof to the contrary notwithstanding.*

The presenting and swearing the mayors of London to be on 9 November.

XII. *And whereas by the abbreviation of Michaelmas term pursuant to this act, the morrow of All Souls will not be in full term, and thereby will prove inconvenient for the purpose of ordaining sheriffs pursuant to an act of parliament made in the fourteenth year of the reign of King Edward the Third, intituled, How long a sheriff shall continue in his office; be it therefore enacted by the authority aforesaid, That from and after the commencement of this act the same officers and persons, who by virtue of the said last mentioned act, or any other law or statute, ought to assemble at the exchequer yearly on the morrow of All Souls, for the ordaining or nominating of sheriffs, shall not assemble on that day, but instead thereof shall assemble yearly on the morrow of Saint*

14 Ed. 3. c. 7.

The day of assembling at the exchequer for ordaining sheriffs to be on the morrow of Saint Martin.

Saint

Saint *Martin* at the exchequer, in the like manner, and for the fame intent and purpose.

C A P. XLIX.

*An act for allowing further time to the commissioners appointed by and in pursuance of an act of the twenty third year of his present Majesty's reign, intituled, An act for extending and improving the trade to Africa, to inquire into the claims of certain creditors of the royal African company therein mentioned, and for the relief of David Crichton; and for restraining the said company from disposing of such of their effects as are therein mentioned; and for staying all suits for money due from or on the account of the said company, for the time therein mentioned.*

**W**HEREAS by an act of parliament made and passed in the <sup>23 Geo. 2. c. 37.</sup> twenty third year of the reign of his present Majesty (intituled, An act for extending and improving the trade to Africa) it was enacted, That the accountant general of the high court of chancery for the time being, and such two of the other masters of the said court, as the lord high chancellor of Great Britain for the time being, or Lord keeper of the great seal of Great Britain for the time being, or the lords commissioners for the great seal of Great Britain for the time being, should from time to time nominate for that purpose, should be, and they were thereby constituted and appointed commissioners for examining into the claims of the creditors of the said royal African company; and to inquire and state how and when the same were respectively incurred, in such manner as in and by the said act is directed, together with their opinion of the justness and reasonableness of such debts respectively; and to lay the account of their proceedings before the parliament with all convenient speed: and where- as the said commissioners have laid an account of their proceedings before the parliament; but several claims of the company's officers and servants abroad, for salaries due to them, or for goods sold and delivered for the said company's use, and which are hereafter more particularly mentioned, for want of proper vouchers from abroad, could not be examined into within the time prescribed for that purpose by the said act; be it therefore enacted, &c.

The powers granted to the commissioners by the recited act to be in force, for stating the claims of the creditors herein named. Creditors to deliver in an account of their further demands, &c. by 1 December 1751. Commissioners to finish the examination of claims by 12 January, and to lay their proceedings before the parliament. African company not to dispose of any military stores, &c. for one year. Suits depending against the company stayed for one year. Stay of execution of judgment given by David Crichton to William Stead enlarged for one year.



## CAP. L.

An act to enable his Majesty to make leases and copies of offices, lands and hereditaments, parcel of his dutchy of Cornwall, or annexed to the same.

WHEREAS his most excellent Majesty now stands seized the dutchy of Cornwall and the possessions thereof; and whereas some doubts may arise in relation to his Majesty's granting leases and making copies of offices, lands and hereditaments, parcel of his said dutchy, or thereunto annexed or belonging; for obviating whereof, and for the ease and quiet of the minds of such persons as have taken, or shall hereafter take leases from his said most excellent Majesty; and to the end that such persons may be sure to have good and indefeizable estates, and be encouraged to lay out monies in building and repairing, or otherwise improving the several lands and tenements to them demised or to be demised; 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 leases and grants made or to be made by copy of court roll, according to the custom of the respective manor or manors of the said dutchy, or thereunto annexed or belonging; and all leases and grants to be made within seven years next ensuing, by letters patents or indentures under the great seal of Great Britain, or seal of the court of exchequer, or by copy of court roll according to the custom of the respective manors, of any offices, messuages, parks, lands, tenements, or hereditaments (other than honours, lordships, or manors) parcel of the possessions of the said dutchy of Cornwall, or annexed to the same, shall be good and effectual in law, according to the purport and contents of the same copies, leases and grants, against our sovereign lord the King, his heirs and successors, and against all and every other person or persons that shall at any time hereafter have, inherit, or enjoy the said dutchy by force of any act of parliament, or by other limitation whatsoever.

His Majesty enabled to make leases, and copies, of offices, lands, &c. parcel of his dutchy of Cornwall.

Leases to be made for a term of years or lives,

and not to be punishable of waste, and the usual or a reasonable rent to be reserved.

It. Provided always, That every such lease or grant so made or to be made, be not for more than one, two or three lives, or for one and thirty years, or under, or for some term of years, determinable upon one, two or three lives, and not above; and if such leases or grants be made in reversion or expectancy, that then the same, together with the estates in possession, do not exceed three lives, or the term of one and thirty years, and be not in any wise made punishable of waste; and so as upon every such lease or grant be, or shall be reserved the ancient or most usual rent, or more, or such rent as hath been reserved, yielded or paid for the same manors, lands or hereditaments, for the greater part of twenty years next before the making of the said leases; and where no such rent hath been reserved or payable, that then upon every such lease there be, or shall be reserved a reasonable rent, not being under the twentieth part of

of the clear yearly value of the manors, messuages, parks, lands, tithes, tenements or hereditaments contained in such lease or grant; and all leases and grants otherwise made or to be made, shall be null and void.

III. And be it further ordained and enacted by the authority aforesaid, That all covenants, conditions, reservations and other agreements contained in every lease, grant or copy of court roll made, or to be made as aforesaid, shall be good and effectual in law, according to the words and contents of the same, as well for and against them to whom the reversions of the same lands, tenements and hereditaments shall come, as for and against them to whom the interest of the said leases, grants or copies shall come respectively, as if our sovereign lord the King's majesty, at the time of making such covenants, conditions and reservations, and other agreements, were seized of an absolute estate in fee simple in the same lands, tenements or hereditaments.

Reservation in the leases, &c. deemed good,

IV. Saving always, To all and every person and persons, bodies politic and corporate, their heirs and successors, executors, administrators and assigns (other than to our said sovereign lord the King, and his heirs and successors, and the duke and dukes of Cornwall for the time being, and his and their heirs, and all and every other person and persons that shall hereafter have, inherit or enjoy the said dukedom of Cornwall, by force of any act of parliament or other limitation whatsoever) all such rights, titles, estates, customs, interests, tenures, claims and demands whatsoever, of what nature, kind or quality whatsoever, of, in, to, or out of the said offices, lands, tenements or hereditaments, or any of them, as they or any of them had, or ought to have had before the making of this act, to all intents and purposes, and in as large and ample manner and form, as if this act had never been had or made; this act or any thing herein contained to the contrary notwithstanding.

Rights of other persons saved.

### C A P. L I.

*An act for encouraging the making of pott ashes and pearl ashes in the British plantations in America.*

WHEREAS the making of pott ashes and pearl ashes in the British plantations in America would be advantageous to the trade of this nation, as great quantities thereof are used in the making of soap and other manufactures of this kingdom, which at present being chiefly furnished from foreign parts, the supply of that necessary commodity is uncertain, and the price often exorbitant: may it therefore please your Majesty that it may be enacted, and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That from and after the twenty ninth day of September, one thousand seven hundred and fifty one, the several and respective subsidies, customs, impositions, rates and duties now payable on pott ashes or pearl ashes made in and imported from

No duties to be paid on pott or pearl

from

ashes imported from his Majesty's colonies in *America* into any part of *Great Britain*, shall cease, determine and be no longer paid.

II. Provided always, and be it further enacted by the authority aforesaid, That a due entry shall be made of all pott ashes and pearl ashes which shall be made in, and imported from the said colonies into *Great Britain*, at the custom-house, at the time of the importation thereof, in the same manner and form (expressing the package, marks and numbers, together with the quantities of the respective goods) as was used and practised before the making of this act; and the same shall be landed in the presence of, and examined by the proper officer or officers of the customs appointed for that purpose; and shall be imported in ships or vessels that may lawfully trade to his Majesty's plantations, manned as by law is required; and on failure of the said conditions or directions herein before-mentioned, such pott ashes and pearl ashes shall be liable to the payment of the respective duties, as if this act had never been made.

Person loading pott or pearl ashes in *America*, to make oath before the collector, that the same are of the manufacture of the *British* colonies, &c.

III. Provided always, and be it further enacted by the authority aforesaid, That in order to intitle the importer and importers of pott ashes, or pearl ashes to the benefit of this act, every merchant or other person or persons whatsoever who shall, after the twenty ninth day of *September* one thousand seven hundred and fifty one, load any pott ashes or pearl ashes on board any ship or vessel in any of the *British* colonies or plantations in *America*, shall, before the clearing out of the said ship or vessel from thence, make proof on oath before the collector and comptroller of the customs; and naval officer, at the port or place where such pott ashes or pearl ashes shall be put on board, or any two of them, that the pott ashes or pearl ashes which he, she, or they hath or have shipped on board the said ship or vessel, is *bona fide* of the product and manufacture of some or one of the *British* colonies or plantations in *America*, expressing the exact quantity of such pott ashes or pearl ashes, and the parish or place in such plantation where the same was made, and by whom (which oath the said collector and comptroller of the customs, and naval officer, or any two of them, are hereby required and empowered to administer without fee or reward) and the master, commander, or other person taking charge of the ship or vessel on board which such pott ashes or pearl ashes shall be loaded, shall also bring with him a certificate or certificates from such collector and comptroller of the customs, and naval officer, or any two of them as aforesaid, under their hands and seals of office (which certificate or certificates such collector and comptroller of the customs and naval officer, are hereby required and directed to grant, without fee or reward) expressing the marks and number of casks or packages, also the weight and tale of the pott ashes and pearl ashes contained therein, and so shipped or loaded on board such ship or vessel, with the name or names place or places of abode of the exporter or exporters thereof, from the said *British* colonies or plantations in *America*, and the name or names, place or places of abode of such other person

and the master to bring a certificate from the officers, expressing the marks and number of packages, &c.

or persons who shall have sworn the goods therein mentioned to have been the product and manufacture of the said *British* colonies or plantations in *America*; which certificate or certificates the said master, commander or other person taking charge of such ship or vessel shall, on his arrival in this kingdom, deliver to the collector, comptroller or other chief officer of his Majesty's customs at the port where he shall arrive at, or before the entry of the said pott ashes or pearl ashes; and at the same time shall make oath before the said collector, comptroller or chief officer of his Majesty's customs (who are hereby required and impowered to administer the same, without fee or reward) that the said casks, and parcels and goods, contained in such certificate are the same casks, and parcels and goods, as were taken on board such ship or vessel in the said *British* colonies or plantations in *America*; and if any pott ashes or pearl ashes of the product and manufacture of the *British* colonies or plantations in *America*, shall, after the said twenty ninth day of *September* one thousand seven hundred and fifty-one, be imported as herein before-mentioned, without such certificate signed and delivered as herein before required, and oath made as before directed, by the master, commander or other person taking charge of the ship or vessel in which the same is imported, all such pott ashes and pearl ashes shall be liable to the payment of the respective duties, as if this act had never been made; any thing herein before contained to the contrary notwithstanding.

which he is to deliver at his arrival to the collector, and make oath to the identity of the goods,

on failure thereof the duties to be paid.

IV. And be it further enacted by the authority aforesaid, That if any person or persons shall, from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, make, or cause to be made, an entry or entries of any foreign pott ashes or pearl ashes, under the name or description of pott ashes or pearl ashes of the product or manufacture of any of the *British* colonies or plantations in *America*, or shall mix, or cause to be mixed, any foreign pott ashes or pearl ashes with pott ashes or pearl ashes of the product or manufacture of the *British* colonies or plantations in *America*, with intent to evade the duties payable on foreign pott ashes, and pearl ashes, every person or persons so making, or causing to be made, such entry or entries, or mixture, or causing such mixture or mixtures to be made, shall forfeit and pay the sum of fifty pounds for every such offence, and all such foreign pott ashes and pearl ashes; and in case of any mixture, the quantity so mixed, both of foreign and *British* plantation product and manufacture, or the value thereof, together with the casks or other packages containing the same, shall be forfeited, and shall and may be seized and prosecuted, or the value thereof be sued for by any officer or officers of his Majesty's customs.

Penalty of making an entry of foreign made goods under the denomination of the *British* plantations, or of mixing the same.

V. And be it enacted by the authority aforesaid, That if any collector or comptroller of the customs, and naval officer, shall falsely make any such certificate as herein before required or directed to be made, all and every such person so offending shall, for every such offence, forfeit and pay the sum of two hundred pounds,

Penalty on false certificate.

and on false oath ;

or counterfeiting certificate.

Forfeitures, how to be prosecuted.

and applied.

Onus probandi to lie on the owner.

Limitation of actions.

General issue.

pounds, and also forfeit and lose his office, and be incapable of serving his Majesty, his heirs and successors, in any office or trust of profit ; or if any merchant, factor, trader, master or commander of any ship or vessel, or any other person or persons, shall falsely make any oath required by this act, every such offender shall incur the punishment inflicted by the laws of this realm for wilful and corrupt perjury ; and if any person shall knowingly counterfeit any such certificate as herein before is directed to be made, or publish the same, knowing it to be counterfeit, every such person so offending shall incur the punishment inflicted by the laws of this realm for forgery.

VI. And it is hereby further enacted by the authority aforesaid, That the several penalties and forfeitures by this act inflicted, shall and may be prosecuted, determined and recovered, by bill, plaint or information, in any of his Majesty's courts of record at *Westminster*, or in the court of *exchequer* in *Scotland* ; or in any of the courts of admiralty in his Majesty's plantations in *America* respectively ; wherein no essoin, protection, wager of law, or more than one imparlance, shall be allowed.

VII. And be it further enacted by the authority aforesaid, That all penalties and forfeitures by this act imposed, shall, if in *Great Britain*, be applied, one moiety to the use of his Majesty, his heirs and successors, and the other moiety to such person or persons as shall seize, prosecute or sue for the same ; and all such penalties and forfeitures as shall be incurred in his Majesty's plantations in *America*, shall be applied, one third part thereof to the use of his Majesty, his heirs and successors, one third part to the use of the governor of the plantation where the forfeiture shall be incurred, and the remaining third part to such person or persons who shall seize, prosecute, or sue for the same.

VIII. Provided always, That if any doubt or dispute shall arise, whether the said pot ashes, or pearl ashes, or any part thereof, so to be imported as aforesaid, is of the product and manufacture of the *British* colonies or plantations in *America* ; or of foreign product or manufacture, the *Onus Probandi* shall lie on the owner or claimer thereof, and not on the informer or prosecutor ; any law, custom or usage to the contrary notwithstanding.

IX. And be it further enacted by the authority aforesaid, That if any action or suit shall be commenced against any person or persons for any thing done in pursuance of this act, every such action or suit shall be commenced within six months next after the fact committed ; and the defendant or defendants, in any such action or suit, may plead the general issue, and give this act, and the special matter in evidence, at any trial to be had thereupon, 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 ;

peared; or if judgment shall be given upon any verdict or demurrer against the plaintiff, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same as defendants have in other cases by law. Treble costs.

C A P. LII.

An act for continuing several laws therein mentioned, relating to the Premiums upon the importation of masts, yards, and bowsprits; tar, pitch and turpentine; to British made sail cloth, and the duties payable on foreign sail cloth; and to the allowance upon the exportation of British made gunpowder.

WHEREAS the laws herein after mentioned, are found to be very useful and beneficial to the publick, and are so near expiring, that it is fit they should now be continued; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That so much of an act made in the second year of the reign of his present Majesty, intituled, *An act for the better preservation of his Majesty's woods in America, and for the encouragement of the importation of naval stores from thence; and to encourage the importation of masts, yards and bowsprits, from that part of Great Britain called Scotland, as relates to the Premiums upon masts, yards and bowsprits, tar, pitch and turpentine*, which was made to be in force from the twenty ninth day of September one thousand seven hundred and twenty nine, for the space of thirteen years, and to the end of the then next session of parliament; and which by another act made in the thirteenth year of the reign of his present Majesty, was further continued until the twenty fifth day of December one thousand seven hundred and fifty, and from thence to the end of the then next session of parliament, shall be, and the same is hereby further continued from the time therein limited for the expiration thereof, unto the twenty fifth day of December one thousand seven hundred and fifty one, and from thence to the end of the then next session of parliament.

2 Geo. 2. c. 35. for encouraging the importation of naval stores from America, &c.

continued by 13 Geo. 2. c. 28. further continued unto 25 December 1751. See 25 Geo. 2. c. 35.

II. Provided, That no bounty shall be paid on any tar, unless each barrel thereof shall contain thirty one gallons and an half, and that the officers who survey such barrel, shall not survey the same, till the water shall be all drawn off, and every barrel filled up with tar.

No bounty on tar, unless each barrel contain 31 gallons and an half, &c.

III. And be it further enacted by the authority aforesaid, That an act made in the ninth year of the reign of his present Majesty, intituled, *An act for the further encouraging and regulating the manufacture of British sail cloth, and for the more effectual securing the duties now payable on foreign sail cloth imported into this kingdom*, which was to be in force from the twenty fourth day of June one thousand seven hundred and thirly six, for the space of five years, and to the end of the then next session of

9 Geo. 2. c. 37. for encouraging the manufacture of British sail cloth, &c.

continued by  
13 Geo. 2. c.  
28.

parliament; and which by another act made in the thirteenth year of the reign of his present Majesty, was further continued until the twenty fifth day of *December* one thousand seven hundred and fifty, and from thence to the end of the then next session of parliament, shall be and the same is hereby further continued from the time therein limited for the expiration thereof, unto the twenty fifth day of *December*, one thousand seven hundred and fifty seven, and from thence to the end of the then next session of parliament.

further conti-  
nued unto 25  
Dec. 1757.

4 Geo. 2. c.  
29. for an al-  
lowance on  
exportation of  
British gun-  
powder,

continued by  
10 Geo. 2. c.  
27. and 16  
Geo. 2. c. 26.

further conti-  
nued to 24  
June, 1757.

IV. And be it further enacted by the authority aforesaid, That an act made in the fourth year of the reign of his present Majesty, (intituled, *An act for granting an allowance upon the exportation of British made gunpowder*) which was to continue in force for five years from the twenty fourth day of *June* one thousand seven hundred and thirty one, and from thence to the end of the then next session of parliament, and which by another act made in the tenth year of the reign of his present Majesty, was further continued for seven years, and from thence to the end of the then next session of parliament, and which by another act made in the sixteenth year of the reign of his present Majesty, was further continued until the twenty fourth day of *June* one thousand seven hundred and fifty, and from thence to the end of the then next session of parliament, shall be, and the same is hereby further continued from the expiration thereof, until the twenty fourth day of *June*, one thousand seven hundred and fifty seven, and from thence to the end of the then next session of parliament.

### CAP. LIII.

*An act to regulate and restrain paper bills of credit in his Majesty's colonies or plantations of Rhode Island and Providence plantations, Connecticut, the Massachusetts Bay, and New Hampshire in America; and to prevent the same being legal tenders in payments of money.*

4 Ann. c. 30.

**W**HEREAS the act of parliament made in the sixth year of her late majesty Queen Anne, intituled, *An act for ascertaining the rate of foreign coins in her Majesty's plantations in America, hath been entirely frustrated in his Majesty's said colonies of Rhode Island and Providence plantations, Connecticut, the Massachusetts Bay, and New Hampshire in America, by their creating and issuing, from time to time, great quantities of paper bills of credit, by virtue of acts of assembly, orders, resolutions or votes, made or passed by their respective assemblies, and making legal the tender of such bills of credit in payment for debts, dues and demands; which bills of credit have, for many years past, been depreciating in their value, by means whereof all debts of late years have been paid and satisfied with a much less value than was contracted for; which hath been a great discouragement and prejudice to the trade and commerce of his Majesty's subjects, by occasioning confusion in dealings, and lessening of credit in those parts: therefore, for the more effectual*

tual preventing and remedying of the said inconveniencies, may it please your most excellent Majesty, that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That from and after the twenty ninth day of *September* one thousand seven hundred and fifty one, it shall not be lawful for the governor, council or assembly for the time being, or any of them, or for the lieutenant governor, or person presiding or acting as governor or commander in chief, for the time being, within all or any of the aforesaid colonies or plantations of *Rhode Island*, and *Providence* plantations, *Connecticut*; the *Massachusetts Bay*, and *New Hampshire*, to make or pass, or give his or their assent to the making or passing of any act, order, resolution, or vote, within any of the said colonies or plantations, whereby any paper bills or bills of credit, of any kind or denomination whatsoever, shall be created or issued under any pretence whatsoever; or whereby the time limited, or the provision made for the calling in, sinking or discharging of such paper bills, or bills of credit, as are already subsisting and passing in payment, within any of the said colonies or plantations, shall be protracted or postponed; or whereby any of them shall be depreciated in value, or whereby the same shall be ordered or allowed to be re-issued, or to obtain a new and further currency; and that all such acts, orders, resolutions or votes, which shall or may be passed or made, after the said twenty ninth day of *September* one thousand seven hundred and fifty one, within all or any of the said colonies or plantations, shall be, and are hereby declared to be null and void, and of no force or effect whatsoever.

No act to pass for creating paper bills of credit.

or for protracting the time for the calling in such,

or for depreciating or re-issuing the same.

II. And be it further enacted by the authority aforesaid, That all such paper bills, or bills of credit, as are now subsisting, and passing in payments, within any of the said colonies or plantations of *Rhode Island*, and *Providence* plantations, *Connecticut*, *Massachusetts Bay* and *New Hampshire*, shall be duly and punctually called in, sunk and discharged, according to the tenor of and within the periods limited by the respective acts, orders, votes or resolutions, for creating and issuing, or continuing the same respectively, unless where the same have been altered by any subsequent act or acts of assembly; and in that case, that the same be discharged according to the tenor mentioned in the said act or acts of assembly; and that no such paper bills, or bills of credit, shall, from and after such periods so limited, as aforesaid, be any longer current in all or any of the said colonies or plantations respectively.

Bills of credit now subsisting, to be called in.

III. Provided nevertheless, That nothing in this act contained shall extend, or be construed to extend, to restrain any governor or governors, council or assembly, within any of the said colonies or plantations, from making or passing any act or acts of assembly in any of the said colonies or plantations, for the

Acts may pass for issuing bills of credit for the current service of the year, &c.



creating and iffuing of fuch paper bills, or bills of credit, in lie u of, and for fecuring fuch reasonable fum or fums of money, as fhall be requisite for the current fervice of the year; fo as by fuch act or acts of afsembly, whereby fuch paper bills, or bills of credit, fhall be created or iffued, fufficient provision be made to fecure the calling in, difcharging and finking of the fame, within a fhort reasonable time, not exceeding the fpace of two years, to be computed from the dates of the refpective acts whereby fuch paper bills, or bills of credit, were created, and iffued; any thing herein before contained to the contrary thereto in any wife notwithstanding.

and for extraordinary emergencies, in cafe of war or invafion.

IV. Provided alfo, That nothing herein contained fhall extend, or be conftrued to extend to refrain any governor or governors, council or afsembly, within any of the faid colonies or plantations, from making or paffing any act or acts of afsembly, in any of the faid colonies or plantations, for creating and iffuing fuch paper bills, or bills of credit, in lieu of and for fecuring fuch reasonable fum or fums of money as fhall, at any time hereafter, be neceffary or expedient upon fudden and extraordinary emergencies of government, in cafe of war or invafion, fo as in every fuch act or acts of afsembly for the emission of paper bills, or bills of credit, fo iffued as aforefaid, due care be taken to afcertain the real value of all fuch principal fum or fums for which the fame fhall be fo made, created and iffued as aforefaid, and alfo the intereft to be paid thereon; and fo as care be likewise taken, in the faid act or acts, to eftablifh and provide an ample and fufficient fund for the calling in, difcharging and finking, within as fhort and reasonable a time as may be, not exceeding five years at the fartheft, all the faid bills, by actual payment of all and every the fum and fums of money for which the fame fhall be fo made, created and iffued as aforefaid, with the intereft due thereon.

V. And whereas there are now fubfifting and paffing in payment, within the faid colonies and plantations, divers kinds of paper bills, or bills of credit, of various denominations, which have been heretofore created and iffued within the faid colonies and plantations, or fome of them, on loans and otherwife, whereby private perfons and their eftates ftand liable to, and bound for the difcharge of the fums by them borrowed and received on fuch loans; without the payment of which fums (in cafe any difficulty or obftaculion fhould arife in the payment thereof) fuch paper bills, or bills of credit fo iffued on fuch loans, cannot be called in, difcharged and funk, according to the tenor of the refpective acts, orders, votes or refolutions, by virtue whereof the fame have been fo refpectively iffued: for the providing a remedy for fuch inconveniencies, be it further enacted by the authority aforefaid, That all fuch paper bills, or bills of credit, of what kind or denomination foever, which have at any time heretofore been created and iffued on fuch loans, within any of the faid colonies and plantations, be duly called in, and difcharged and funk, according to the tenor of the refpective acts, orders, votes or refolutions, for creating and iffuing, or continuing the

Bills of credit on loans, to be called in.

fame

same respectively, in like manner as all other paper bills or bills of credit, already subsisting within the said colonies or plantations, are herein before required to be called in, discharged and sunk.

VI. And be it further enacted by the authority aforesaid, That all persons who have borrowed and taken up any sum or sums of money on loans, for the discharge whereof they and their respective estates stand bound, shall be required and compelled, by all due and legal means, to satisfy and discharge the sums by them borrowed, according to the terms of such loans respectively; and the true intent and meaning thereof, except as is herein before excepted; and in case any deficiency or loss shall happen by failure of the security so taken on such loans respectively, that the same, and every part thereof, shall be supplied and made good by an adequate tax or imposition, to be equally and rateably assessed, levied and raised within the said colonies or plantations respectively, where such loss or deficiency shall so happen.

Persons who have borrowed money on loans, &c. compellable to discharge the same.

VII. And be it further enacted by the authority aforesaid, That from and after the twenty-ninth day of *September* one thousand seven hundred and fifty-one, no paper currency, or bills of credit, of any kind or denomination, which may be made, created or issued in any of the said colonies or plantations, pursuant to the provisions herein before made in this act, shall be a legal tender in payment of any private bargains, contracts, debts, dues or demands whatsoever, within the said colonies or plantations, or any of them.

No paper currency to be deemed a legal tender.

VIII. Provided, That nothing herein contained shall extend, or be construed to extend to make any of the bills now subsisting in any of the said colonies a legal tender.

IX. And be it further enacted by the authority aforesaid, That if any governor or commander in chief for the time being, in all or any of his Majesty's said colonies or plantations, whether commissioned by his Majesty, or elected by the people, shall, from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, give his assent to any act of assembly; order, resolution or vote, for the emission or issuing of any paper bills, or bills of credit, of any kind or denomination whatsoever; or for prolonging the time limited for calling in and sinking any such paper bills, or bills of credit, as are now subsisting and passing in payment; or for re issuing or depreciating the same, contrary to the true intent and meaning of this act; such act, order, resolution or vote, shall be *ipso facto* null and void, and such governor or commander in chief shall be immediately dismissed from his government, and for ever after rendered incapable of any publick office or place of trust.

Penalty on governor giving his assent to any act contrary to this act.

#### CAP. LIV.

An act for explaining, continuing and enforcing several laws therein mentioned, more effectually to prevent the spreading of the distemper which now rages amongst the horned cattle in this kingdom.

## C A P. LV.

*An act for amending and making more effectual a clause in an act passed in the last session of parliament, for the apprehending of persons in any county or place upon warrants granted by justices of the peace of any other county or place.*

23 Geo. 2. c. 26.  
f. 11.

**W**HEREAS by a clause in an act made in the twenty third year of his present Majesty's reign; it is amongst other things therein enacted, That from and after the twenty fourth day of June one thousand seven hundred and fifty, in case any person against whom a legal warrant shall be issued by any justice or justices of the peace, for any county, riding, division, city, liberty, town or place within this kingdom, shall escape or go into any other county, riding, division, city, liberty, town or place out of the jurisdiction of the justice or justices granting such warrant as aforesaid, it shall and may be lawful for any justice of the peace of the county, riding, division, city, liberty, town or place to which such person shall have gone or escaped, to indorse such warrant, upon application made to him for that purpose, and to cause the person against whom the same shall have been issued, to be apprehended and sent to the justice or justices who granted such warrant, or to some other justice or justices of the county, riding, division, city, liberty, town or place from whence such person shall have gone or escaped, to the end that he or she may be dealt with according to law: and whereas such offender or offenders may reside or be in some other county, riding, division, city, liberty, town or place out of the jurisdiction of the justice or justices granting such warrant as aforesaid, before the granting such warrant, and without escaping or going out of the county, riding, division, city, liberty, town or place after such warrant granted; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled; and by the authority of the same, That from and after the twenty fourth day of June one thousand seven hundred fifty one, in case any person, against whom a warrant shall be issued by any justice or justices of the peace of any county, riding, division, city, liberty, town or place within this kingdom, shall escape, go into, reside or be in any other county, riding, division, city, liberty, town or place out of the jurisdiction of the justice or justices granting such warrant as aforesaid, it shall and may be lawful for any justice or justices of the peace of the county, riding, division, city, liberty, town or place where such person shall escape, go into, reside or be, and such justice or justices is and are hereby required, upon proof being made upon oath, of the hand writing of the justice or justices granting such warrant, to indorse his or their name or names on such warrant, which shall be a sufficient authority to the person or persons bringing such warrant, and to all other persons to whom such warrant was originally directed, to execute such warrant in such other county, riding, division, city, liberty, town or place out

Person being out of the jurisdiction of the justice, who shall grant a warrant,

the justice where such persons shall be, to indorse the warrant,

of the jurisdiction of the justice or justices granting such warrant as aforesaid, and to apprehend and carry such offender or offenders before the justice who indorsed such warrant, or some other justice or justices of such other county, riding, division, city, liberty, town or place where such warrant was indorsed, in case the offence for which such offender shall be so apprehended in such other county, riding, division, city, liberty, town or place as aforesaid, shall be bailable in law, and such offender shall be willing and ready to give bail for his appearance at the next assizes or general gaol delivery, or next general quarter-sessions of the peace, to be held in and for the county, riding, division, city, liberty, town or place where the offence was committed, such justice or justices of such other county, riding, division, city, liberty, town or place before whom such offender or offenders shall be brought, shall and may take bail of such offender or offenders, for his or their appearance at the next assizes or general gaol delivery, or at the next general quarter-sessions of the peace to be held in and for the county, riding, division, city, liberty, town or place where such offence was committed, in the same manner as the justices of the peace of the proper county, riding, division, city, liberty, town or place should or might have done in such proper county, riding, division, city, liberty, town or place; and the justice or justices of such other county, riding, division, city, liberty, town or place so taking bail as aforesaid, shall deliver the recognizance, together with the examination or confession of such offender or offenders, and all other proceedings relating thereto, to the constable, tythingman or other person or persons so apprehending such offender or offenders as aforesaid, who are hereby required to receive the same, and to deliver over such recognizance, examination and other proceedings to the clerk of assizes, or clerk of the peace of the county, riding, division, city, liberty, town or place where such offender or offenders is or are required to appear by virtue of such recognizance; and such recognizance, examination or confession shall be as good and effectual in law, to all intents and purposes, and of the same force and validity as if the same had been entered into, taken or acknowledged before a justice or justices of the peace in and for the proper county, riding, division, city, liberty, town or place where the offence was committed, and the same proceedings shall be had thereon; and in case such constable, tythingman or other person to whom such recognizance, examination, confession or other proceedings shall be so delivered as aforesaid, shall refuse or neglect to deliver over the same to the clerk of assizes, or clerk of the peace of the county, riding, division, city, liberty, town or place where such offender is required to appear by virtue of such recognizance, such constable, tythingman or other person shall forfeit the sum of ten pounds, to be recovered against him by bill, plaint or information, in any of his Majesty's courts at Westminster, by any person or persons who will prosecute or sue for the same; wherein no essoin, protection or wager of law shall

and the offender to be apprehended and brought before a justice where the warrant was indorsed,

and to deliver the recognizance, &c. to the constable,

to be delivered over to the clerk of assizes, or clerk of the peace.

Penalty on constable not delivering over.

If the offence be not bailable, &c.

shall be allowed; or more than one imparlance; and in case the offence for which such offender or offenders shall be apprehended and taken in any other county, riding, division, city, liberty, town or place shall not be bailable in law, or such offender or offenders shall not give bail for his appearance at the next assizes or general gaol delivery, or next general quarter-sessions of the peace, to be held in and for the county, riding, division, city, liberty, town or place where the offence was committed; to the satisfaction of the justice before whom such offender or offenders shall be brought in such other county, riding, division, city, liberty, town or place, then and in that case the constable, tythingman or other person or persons so apprehending such offender or offenders, shall carry and convey such offender or offenders before one of his Majesty's justices of peace of the proper county, riding, division, city, liberty, town or place where such offence was committed; there to be dealt with according to law.

the constable to carry the offender before some justice where the offence was committed.

Justice indorsing the warrant not liable to action.

II. And it is hereby enacted by the authority aforesaid, That no action of trespass, false imprisonment, information or indictment, or other action shall be brought, sued, commenced or prosecuted by any person or persons whatsoever, against the justice or justices who shall indorse such warrant, for or by reason of his or their indorsing such warrant.

Action may lie against the justice originally granting the warrant.

III. Provided nevertheless, That such person or persons shall be at liberty to bring or prosecute his or their action or suit against the justice or justices who originally granted such warrant, in the same manner as such person or persons might have done in case this act had not been made.

Clause 23 Geo. 2. c. 26. f. 11. repealed.

IV. And it is hereby further enacted, That the said clause in the said recited act, and every thing in the said clause contained, shall from and after the said twenty fourth day of June be repealed.

CAP. LVI.

*An act for ascertaining the admeasurement of wheat meal, or other corn or grain ground, for which a bounty is payable upon exportation; and for making allowances to the East-India company for their charges and expences in managing, paying and transferring their reduced annuities.*

1 W. 3. ft. 1. c. 12.

WHEREAS by an act of parliament made and passed in the first year of the reign of his late majesty King William the Third of glorious memory, (intituled, An act for the encouraging the exportation of corn) it is amongst other things enacted, That when malt or barley, Winchester measure, should be at four and twenty shillings per quarter or under, rye at two and thirty shillings per quarter or under, and wheat at eight and forty shillings per quarter or under, in any port or ports in this kingdom or dominion of Wales, every merchant or other person who should put on ship-board in English shipping, the master and two thirds of his maniners at least being his Majesty's subjects, any sort of the corn aforesaid, from any such ports where the rates shall not then be higher than as aforesaid, with

with the intent to export the ſaid corn to parts beyond the ſeas, ſundry ſuch merchants or perſon ſo ſhipping off any of the aforeſaid corn, and giving ſuch certificate and bond as in the ſaid act is mentioned, ſhall have and receive from ſuch farmers, commiſſionars, collectors or other perſons in any port reſpectively, where the ſame corn ſhall be ſo ſhipped, for every quarter of barley or malt, ground or unground, two ſhillings and ſix pence; for every quarter of rye, ground or unground, ſeven ſhillings and ſix pence; for every quarter of wheat, ground or unground, five ſhillings: and whereas by one other act of parliament made in the ſecond year of his preſent Majeſty's reign, (intituled, An act to aſcertain the cuſtom payable for corn and grain imported; for better aſcertaining the price and quantity of corn and grain for which a bounty is payable upon exportation; for appropriating the ſupplies granted in this ſeſſion of parliament; and for giving further time to clerks and apprentices to pay duties omitted to be paid for their indentures and contracts) it is amongſt other things enacted, That the officers of the cuſtoms ſhould be impowered to admeaſure all corn and grain whereon there is an allowance payable for the exportation thereof, and for greater expedition therein, that ſuch admeaſurement ſhould and might be by a tub or meaſure, containing four Wincheſter buſbels; and that if ſuch corn or grain intended to be exported, ſhould be brought to be ſhipped off in ſacks, that then the ſaid officers are thereby impowered and required to make choice of two of thoſe ſacks, out of any number not exceeding twenty ſacks, and ſo in proportion for any greater quantity, before the ſame ſhall be put on board for exportation, and thereby compute the quantity of corn ſo intended to be ſhipped for exportation, and according to ſuch computation, the allowance or bounty-money ſhould be paid to the exporter, for the whole quantity proportionably, upon his producing a certificate from the proper officer or officers of the cuſtoms, attesting the quantity and quality of the corn or grain ſo ſhipped for exportation, with a proviso that nothing therein ſhould extend to alter the then practice, with reſpect to the manner of ſhipping corn from the port of London: and whereas the method above preſcribed for the meaſuring of corn to be exported, does not particularly aſcertain how wheat meal or other ground corn or grain, whereon there is a bounty, ſhall be meaſured for exportation: and whereas ſome doubts have ariſen in ſeveral of the ports of this kingdom, with regard to the exportation of corn ground and unground, as to the manner of computation and admeaſurement on the exportation thereof, and the bounty to be allowed thereon: and in order to reconcile all diſputes and differences that may ariſe in relation thereto, and to make the practice uniform in the ſeveral ports of this kingdom, we your Majeſty's moſt dutiful and loyal ſubjects the commons of Great Britain in parliament aſſembled, do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the firſt day of Auguſt one thouſand ſeven hundred and fifty one, the proper officers of his Majeſty's cuſ-

The ſame bounty to be allowed on the toms

exportation of  
224 lb. of  
wheat meal,  
and other  
ground corn,  
as on four  
bushels of  
wheat, &c.

Officer may  
weigh 2 sacks  
out of 20, to  
compute the  
weight.

Bounty to be  
paid the ex-  
porter.

Treasury to  
make allowan-  
ces to the East  
India compa-  
ny, for their  
charges in  
making and  
transferring  
their reduced  
annuities.

83 Geo. 2. c. 22.

toms shall, and they are hereby directed and impowered to allow the same bounty and no more, upon the exportation of two hundred and twenty four pounds weight of wheat meal, or other ground corn or grain whereon there is a bounty, as is allowed upon the exportation of four bushels of wheat or other corn or grain unground, and so in proportion for any greater or lesser quantity; and for greater expedition therein, in case such wheat meal or other ground corn or grain shall be brought to be shipped off in sacks, the proper officers may make choice of and weigh two sacks out of any number not exceeding twenty sacks; and so in proportion for any greater quantity of wheat meal, or other ground corn or grain, before or after the same shall be put on board for exportation, and thereby compute the weight of the wheat meal, or other ground corn or grain so shipped or intended to be shipped for exportation, by proportioning the same accordingly; and the bounty-money upon such wheat meal, or other ground corn or grain, shall be paid to the exporter for so much and no more, upon his producing a certificate from the proper officer or officers of the customs, attesting the true quantity, quality and weight thereof, according to the said computation only, and not otherwise; any law, custom or usage to the contrary notwithstanding.

II. And be it further enacted by the authority aforesaid, That the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall, and they are hereby authorized and impowered, to make such allowances to the united company of merchants of England, trading to the East-Indies, as they shall think just and reasonable for the charges and expences attending the receiving, paying, transferring and transacting the affairs of the several annuities, amounting to the principal sum of three millions, created in pursuance of an act of the last session of parliament, (intituled, *An act for giving further time to the proprietors of annuities, after the rate of four pounds per centum per annum, to subscribe the same in the manner and upon the terms therein mentioned; and for redeeming such of the said annuities as shall not be so subscribed, and for impowering the East-India company to raise certain sums by transferrable annuities*) which said allowances so to be made to the said united company, shall be charged upon and paid out of the said duties and revenues as are appropriated for the payment of the annuities aforesaid.

### CAP. LVII.

*An act to continue several laws therein mentioned; for preventing theft and rapine on the northern borders of England; for the more effectual punishing wicked and undisciplined persons going armed in disguise, and doing injuries and violences to the persons and properties of his Majesty's subjects, and for the more speedy bringing the offenders to justice;*

justice; for continuing two clauses to prevent the cutting or breaking down the bank of any river or sea bank; and to prevent the malicious cutting of hop-binds; for the more effectual punishment of persons maliciously setting on fire any mine, pit or delph of coal, or cannel coal; and of persons unlawfully hunting or taking any red or fallow deer in forests or chaces, or beating or wounding the keepers or other officers in forests, chaces or parks; for granting a liberty to carry sugars of the growth, produce or manufacture of any of his Majesty's sugar colonies in America, from the said colonies directly into foreign parts, in ships built in Great Britain, and navigated according to law; for preventing the committing of frauds by bankrupts; for giving further encouragement for the importation of naval stores from the British colonies in America; and for preventing frauds and abuses in the admeasurement of coals in the city and liberty of Westminster; and to make some further provisions in relation to the signing of certificates for the discharge of bankrupts.

**W**HEREAS the laws herein after-mentioned, which have by experience been found useful and beneficial, are near expiring; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That an act made in the thirteenth and fourteenth years of the reign of King Charles the Second, (intituled, *An act for preventing of theft and rapine upon the northern borders of England*) which by several acts hath from time to time been continued, and by an act made in the sixth year of the reign of his present Majesty, (for making perpetual several acts, and for other purposes therein mentioned) was further continued until the first day of *September* one thousand seven hundred and forty four, and from thence to the end of the then next session of parliament; and also several clauses, powers and authorities in the afore-mentioned act made in the sixth year of the reign of his present Majesty, for the more effectual preventing of theft and rapine upon the northern borders of *England*, and which by the said act were to continue in force until the first day of *September* one thousand seven hundred and forty-four, and from thence to the end of the then next session of parliament; and which said act, together with the said several clauses, powers and authorities were, by an act made in the seventeenth year of his present Majesty's reign, further continued until the twenty-fourth day of *June* one thousand seven hundred and fifty one, and from thence to the end of the then next session of parliament, shall be and the same is hereby further continued from the expiration thereof; until the first day of *September* one thousand

13 & 14 Car. 2.  
c. 22. for preventing theft upon the northern borders.

6 Geo. 2. c. 37.

17 Geo. 2. c. 40.

further continued to 1 Sep. 1757.



land seven hundred and fifty-seven, and from thence to the end of the then next session of parliament.

9 Geo. 1. c. 22.  
for punishing  
persons going  
in disguise, &c.

II. And be it further enacted by the authority aforesaid, That an act made in the ninth year of the reign of his late majesty King George the First (intituted, *An act for the more effectual punishing wicked and evil-disposed persons going armed in disguise, and doing injuries and violences to the persons and properties of his Majesty's subjects, and for the more speedy bringing the offenders to justice*) which was to continue in force from the first day of June one thousand seven hundred and twenty three, for three years, and from thence to the end of the then next session of parliament;

12 Geo. 1. c. 30.

and which by an act made in the twelfth year of the reign of his said late Majesty, was continued from the expiration thereof, for five years, and from thence to the end of the

6 Geo. 2. c. 37.

then next session of parliament; and which by a clause in another act made in the sixth year of the reign of his present Majesty (for making perpetual several acts, and for other purposes therein mentioned) was further continued until the first day of

10 Geo. 2. c. 32.

September one thousand seven hundred and thirty six, and from thence to the end of the then next session of parliament; and which by another act made in the tenth year of the reign of his present Majesty, was further continued from the expiration thereof until the first day of September one thousand seven hundred and forty four, and from thence to the end of the then

17 Geo. 2. c. 40.

next session of parliament; and which by another act made in the seventeenth year of his present Majesty's reign, was further continued until the twenty fourth day of June one thousand seven hundred and fifty one, and from thence to the end of the then next session of parliament, shall be, and the same is hereby further continued from the expiration thereof, until the first day of September one thousand seven hundred and fifty seven, and from thence to the end of the then next session of parliament.

further continued to 1 Sept.  
1757.

Clause in  
6 Geo. 2. c. 37.  
s. 5. to prevent  
the cutting  
the banks of  
rivers, &c.

III. And be it further enacted by the authority aforesaid, That a clause in an act made in the sixth year of the reign of his present Majesty (for making perpetual several acts, and for other purposes therein mentioned) to prevent the cutting or breaking down the bank of any river or sea bank, which was to continue in force during the continuance of an act made in the ninth year of the reign of his said late Majesty; and which by another act made in the tenth year of the reign of his present Majesty, was further continued during the continuance of the aforementioned act made in the ninth year of the reign of his said late Majesty; and which by another act made in the seventeenth year of his present Majesty's reign, was further continued until the twenty fourth day of June one thousand seven hundred and fifty one, and from thence to the end of the then next session of parliament, shall be, and the same is hereby further continued from the expiration thereof until the first day of September one thousand seven hundred and fifty seven, and from thence to the end of the then next session of parliament.

further continued to 1 September  
1757.

IV. And

IV. And be it further enacted by the authority aforeſaid, That a clause in an act made in the ſixth year of the reign of his preſent Maſteſty (for making perpetual ſeveral acts, and for other purpoſes therein mentioned) to prevent the malicious cutting of hop-binds growing on poles in any plantation of hops, which was to continue in force during the continuance of an act made in the ninth year of the reign of his ſaid late Maſteſty; and which by another act made in the tenth year of the reign of his preſent Maſteſty, was further continued during the continuance of the afore-mentioned act made in the ninth year of the reign of his ſaid late Maſteſty; and which by another act made in the ſeventeenth year of his preſent Maſteſty's reign, was further continued until the twenty fourth day of *June* one thousand ſeven hundred and fifty one, and from thence to the end of the then next ſeſſion of parliament, ſhall be, and the ſame is hereby further continued from the expiration thereof until the *firſt* day of *September* one thousand ſeven hundred and fifty ſeven, and from thence to the end of the then next ſeſſion of parliament.

Clause in 6  
Geo. 2. c. 37.  
ſ. 6. to prevent  
the malicious  
cutting of  
Hop-binds,  
&c.

further conti-  
nued to 1 Sep-  
tember 1757.

V. And be it further enacted by the authority aforeſaid, That a clause in an act made in the tenth year of the reign of his preſent Maſteſty, for extending (during the continuance of the ſaid act made in the ninth year of the reign of his ſaid late Maſteſty) all the provisions in the laſt-mentioned act contained, for the more ſpeedy and eaſy bringing the offenders againſt the ſaid act to juſtice, and the perſons who ſhall conceal, aid, abet or ſuccour ſuch offenders; and for making ſatisfaction and amends to all and every the perſon and perſons, their executors and administrators, for the damages they ſhall have ſuſtained or ſuffered by any offender or offenders againſt the ſaid act; and for the encouragement of perſons to apprehend and ſecure ſuch offender and offenders; and for the better and more impartial trial of any indictment or information, which ſhall be found commenced or proſecuted for any of the offences committed againſt the ſaid act, together with all reſtrictions, limitations and mitigations by the ſaid act directed, to all caſes of offences committed by unlawfully and maliciously breaking down or cutting down the bank or banks of any river, or any ſea bank, whereby any lands ſhall be overflowed or damaged; or by unlawfully and maliciously cutting any hop-binds growing on poles in any plantation of hops; or by wilfully and maliciously ſetting on fire, or cauſing to be ſet on fire, any mine, pit, or delph of coal, or cannel coal; and which by an act made in the ſeventeenth year of his preſent Maſteſty's reign, was further continued until the twenty fourth day of *June* one thousand ſeven hundred and fifty one, and from thence to the end of the then next ſeſſion of parliament, ſhall be, and the ſame is hereby further continued from the expiration thereof until the *firſt* day of *September*, one thousand ſeven hundred and fifty ſeven, and from thence to the end of the then next ſeſſion of parliament.

Clause in 10  
Geo. 2. c. 32.  
ſ. 4. &c. for  
extending the  
proviſions for  
bringing of  
offenders to ju-  
ſtice, &c.

further conti-  
nued to 1 Sep-  
tember 1757.

VI. And be it further enacted by the authority aforeſaid,  
That

Clauses in 10  
Geo. 2. c. 31.  
for punishing  
the malicious  
setting on fire  
any mines,  
&c.

That several clauses in an act made in the tenth year of the reign of his present Majesty, for the more effectual punishment of persons maliciously setting on fire any mine, pit or delph of coal, or cannel coal, or unlawfully hunting or taking any red or fallow deer in forests or chaces, or beating or wounding the keepers, or other officers, in forests, chaces or parks, which were to continue in force during the continuance of an act made in the ninth year of the reign of his said late Majesty; and which by an act made in the seventeenth year of his present Majesty's reign, were further continued until the twenty fourth day of *June* one thousand seven hundred and fifty one, and from thence to the end of the then next session of parliament, shall be, and the same are hereby further continued from the expiration thereof until the first day of *September* one thousand seven hundred and fifty seven, and from thence to the end of the then next session of parliament.

further conti-  
nued to 1 Sep-  
tember 1757.

13 Geo. 2. c.  
30. for liberty  
to carry sugars  
from the Brit-  
tish colonies to  
foreign parts,  
&c.

VII. And be it further enacted by the authority aforesaid, That an act made in the twelfth year of the reign of his present Majesty, (intituled, *An act for granting a liberty to carry sugars of the growth, produce or manufacture of any of his Majesty's sugar colonies in America, from the said colonies directly to foreign parts, in ships built in Great Britain, and navigated according to law*) which was to continue in force for five years, from the twenty ninth day of *September* one thousand seven hundred and thirty nine, and from thence to the end of the then next session of parliament; and which by another act made in the seventeenth

17 Geo. 2. c. 40.

year of the reign of his present Majesty, was further continued until the twenty fourth day of *June* one thousand seven hundred and fifty one, and from thence to the end of the then next session of parliament, shall be, and the same is hereby further continued from the expiration thereof until the first day of *September* one thousand seven hundred and fifty seven, and from thence to the end of the then next session of parliament.

further conti-  
nued to 1 Sep-  
tember 1757.

5 Geo. 2. c. 30.  
to prevent the  
committing of  
frauds by  
bankrupts,

VIII. And be it further enacted by the authority aforesaid, That an act made in the fifth year of the reign of his present Majesty, (intituled, *An act to prevent the committing of frauds by bankrupts*) which was to continue in force for three years, from the twenty fourth day of *June* one thousand seven hundred and thirty two, and from thence to the end of the then next session of parliament; and which by an act made in the ninth year of

9 Geo. 2. c. 18.

of the reign of his present Majesty, was further continued until the twenty ninth day of *September* one thousand seven hundred and forty three, and from thence to the end of the then next session of parliament; and which by another act made in the

16 Geo. 2. c. 17.

sixteenth year of the reign of his present Majesty, was further continued until the twenty ninth day of *September* one thousand seven hundred and fifty, and from thence to the end of the then next session of parliament, shall be, and the same is hereby further continued from the expiration thereof until the first day of *September* one thousand seven hundred and fifty se-

further conti-  
nued to 1 Sep-  
tember 1757.

ven, and from thence to the end of the then next session of parliament.

**IX.** And whereas many abuses have been committed by bankrupts, and persons who, with their priority, have attempted to prove fictitious and pretended debts under commissions of bankruptcy, in order that such persons might be enabled to sign their consent to the certificates for discharging such bankrupts from their debts: for remedy whereof, and in order to prevent the like fraudulent and wicked practices for the future, be it enacted by the authority aforesaid, That where any persons shall fraudulently swear or depose, or being of the people called *Quakers* affirm, before the major part of the commissioners named in any commission of bankruptcy, or by affidavit or affirmation exhibited to them, that a sum of money is due to him or her from any bankrupt or bankrupts, which shall in fact not be really and truly so due or owing; and shall, in respect of such fictitious and pretended debt, sign his or her consent to the certificate for such bankrupt's discharge from his debts; that in every such case, unless such bankrupt shall, before such time as the major part of the said commissioners shall have signed such certificate, by writing by him to be signed and delivered to one or more of the said commissioners, or to one or more of the assignees of his estate and effects under such commissioners, disclose the said fraud, and object to the reality of such debt, such certificate shall be null and void to all intents and purposes, and such bankrupt shall not in that case be intitled to be discharged from his debts, or to have or receive any of the benefits or allowances given or allowed to bankrupts by the said act of the fifth year of his present Majesty's reign; any thing therein contained to the contrary thereof in any wise notwithstanding.

Persons swearing to a fictitious debt from a bankrupt,

and signing the certificate;

unless the bankrupt shall disclose the fraud,

the certificate to be null, &c.

**X.** And it is hereby enacted, That where any creditor or creditors of any bankrupt reside in foreign parts, the letter of attorney of such creditor, attested by a notary publick in the usual form, shall be a sufficient evidence of the power and authority by which any person thereby authorized shall sign any bankrupt's certificate; any thing in the said act of the fifth year of his present Majesty's reign to the contrary thereof in any wise notwithstanding.

Letter of attorney from creditor in foreign parts, to authorize signing certificate.

**XI.** And be it further enacted by the authority aforesaid, That so much of an act made in the eighth year of the reign of his late majesty King George the First (intituled, *An act for giving further encouragement for the importation of naval stores, and for other purposes therein mentioned*) as relates to the importation of wood and timber, and of the goods commonly called *Lumber*, therein particularly enumerated, from any of his Majesty's *British* plantations or colonies in *America*, free from all customs and impositions whatsoever, which was to be in force for twenty one years from the twenty fourth day of *June* one thousand seven hundred and twenty two; and which by an act made in the sixteenth year of the reign of his present Majesty was further continued until the twenty fourth day of *June* one thousand seven

Part of 8 Geo. I. c. 12. for encouraging the importation of naval stores, &c.

16 Geo. 2. c. 26.

seven

seven hundred and fifty, and from thence to the end of the then next session of parliament, shall be, and the same is hereby further continued from the expiration thereof until the first day of *September* one thousand seven hundred and fifty seven, and from thence to the end of the then next session of parliament.

XII. And be it further enacted by the authority aforesaid, That an act made in the nineteenth year of the reign of his present Majesty, (intituled, *An act more effectually to prevent the frauds and abuses committed in the admeasurement of coals within the city and liberty of Westminster, and that part of the dutchy of Lancaster adjoining thereunto, and the several parishes of Saint Giles in the Fields, Saint Mary le Bon, and such part of the parish of Saint Andrew, Holborn, as lies in the county of Middlesex*) which was to continue in force from the twenty fourth day of *September* one thousand seven hundred and forty six, for the term of three years, and from thence to the end of the then next session of parliament; and which by another act made in the twenty third year of the reign of his present Majesty, was further continued until the twenty fourth day of *December* one thousand seven hundred and fifty, and from thence to the end of the then next session of parliament, shall be, and the same is hereby further continued from the expiration thereof until the first day of *September* one thousand seven hundred and fifty seven, and from thence to the end of the then next session of parliament.

## CAP. LVIII.

An act for making, widening and keeping in repair several roads in the several parishes of Lambeth, Newington, Saint George's *Southwark*, and Bermondsey, in the county of Surrey; and Lewisham in the county of Kent. *Certain tolls granted for 31 years.*

## CAP. LIX.

An act for the enlarging of the terms and powers, and making more effectual several acts of parliament for repairing and amending the highways leading from Royton in the county of Hertford to *Wansford Bridge* in the county of Huntingdon, so far as relates to the amending of that part of the road as lies between a place called the *White Post* on Alconbury Hill in the county of Huntingdon, and *Wansford Bridge* in the same county, called the North Division; and that the tolls taken at *Saltree* and *Wansford* toll gates may, from and after a certain time be lowered; and for repairing the road leading from *Stilton* in the said county of Huntingdon to *Peterborough* in the county of Northampton. *The acts 9 Ann. and 13 Geo. 1. c. 32. in part continued for 10 years.*

*Anno Regni GEORGII II. Regis Magnæ  
Britanniæ, Franciæ, & Hiberniæ, viceſimo quinto.*

**A**T the parliament begun and holden at Weſtmiſter, the tenth day of November, Anno Dom. 1747, in the twenty firſt year of the reign of our ſovereign lord George the Second, by the grace of God, of Great Britain, France, and Ireland, King, defender of the faith, &c. And from thence continued by ſeveral prorogations to the fourteenth day of November, 1751. being the fifth ſeſſion of this preſent parliament.

CAP. I.

An act for continuing and granting to his Maſteſty certain duties upon malt, mum, cyder, and perry, for the ſervice of the year one thouſand ſeven hundred and fifty two. EXP.

CAP. II.

An act for puniſhing mutiny and deſertion; and for the better payment of the army and their quarters. EXP.

CAP. III.

An act for granting an aid to his Maſteſty by a land tax, to be raiſed in Great Britain, within the ſpace of one year from the twenty fifth day of March one thouſand ſeven hundred and fifty two. EXP. At 3 s. in the pound.

CAP. IV.

An act for appointing the deputy or ſecondary of the chief clerk to enrol pleas in the King's Bench, called, The maſter of the King's Bench office, one of the regiſters or maſters for the enrolment of deeds, wills, and other conveyances, in the county of Middleſex, in the place and ſtead of ſuch chief clerk.

**W**HEREAS by an act of parliament made in the ſeventh year of the reign of her late maſteſty Queen Anne, (intituled, 7 Ann. c. 20. An act for the publick regiſtering of deeds, conveyances and wills, and other incumbrances which ſhall be made of or that may affect any honours, manors, lands, tenements or hereditaments within the county of Middleſex, after the twenty ninth day of September one thouſand ſeven hundred and nine) it is, among other things, enacted, That one publick office for regiſtering memorialls of and concerning any honours, manors, lands, tenements and hereditaments, that are ſituate, lying and being within the ſaid county, ſhall be erected and eſtabliſhed in manner therein mentioned; that is to ſay, That for the better and more effectual putting in execution

ention the feveral matters and things in the faid act contained, the fworn clerk to execute the office of inrolment in the high court of Chancery, who is appointed to inrol for the county of Middlefex; the chief clerk to inrol pleas in the Queen's Bench, the clerk of the warrants in the court of Common Pleas, and the Queen's remembrancer, or his deputy, in the court of Exchequer, fhall be the registers or mafters of the office for the matters and things in the faid act contained: and whereas the inrolling of pleas, figning of judgments, and divers other bufinefs tranfacted in his Majesty's court of King's Bench, is under the infpection and management of the faid chief clerk's deputy, or fecondary, called, The mafter of the King's Bench office, who might properly have executed the faid place or office of one of fuch registers or mafters for the purpofes mentioned in the faid act, inftead of the faid chief clerk, had there been authority given to fuch chief clerk's deputy to execute the faid place or office of one of the faid registers or mafters, as is by the faid recited act given to the Queen's (now King's) remembrancer's deputy in the court of Exchequer; be it therefore enacted by the King's moft excellent majefty, by and with the advice and confent of the lords fpiritual and temporal and commons in this prefent parliament afsembled, and by the authority of the fame, That from and after the

The deputy of the chief clerk appointed a register.

twenty fifth day of December one thousand feven hundred and fifty one, the deputy or fecondary of the chief clerk to inrol pleas in the King's Bench for the time being, called, *The mafter of the King's Bench office*, fhall be, and is hereby continued and appointed one of the registers or mafters of the office for the matters and things contained in the before recited act, in the room, place and ftead of the faid chief clerk, to inrol pleas in the King's Bench, with the like powers and authorities to all intents and purpofes as by the faid recited act is thereby given to fuch chief clerk; and the chief clerk to inrol pleas in the King's Bench fhall be; and is, by virtue of this act, difcharged from being one of the registers or mafters for inrolling fuch deeds, wills, and other conveyances for the faid county of Middlefex as are mentioned in the before-recited act, and of and from any difability or incapacity which fuch chief clerk, as one of the faid registers, would have been fubject or liable to by virtue thereof.

Chief clerk difcharged from being a register.

Deputy to take the oath of office,

II. And be it enacted by the authority aforefaid, That fuch deputy, or fecondary, called, *The mafter of the King's Bench office*, fhall, before he enters upon the execution of the faid office of one of fuch registers or mafters, take the oath mentioned and prefcribed to be taken by every fuch register or mafter in and by the afore-recited act; and fhall alfo enter into fuch recognizance in fuch fum of money, and with fufficient fureties, to be approved of in fuch manner and form as therein mentioned and fet forth; and fhall be liable to fuch and the like penalties and forfeitures for any mifbehaviour or neglect of duty in the execution of the faid office of one of fuch registers or mafters, as any of the other registers or mafters are liable and fubject to by virtue of the before-recited act.

and to enter into recognizance, &c.

III. And be it further enacted by the authority aforefaid, That

That this act, and every clause, matter and thing herein contained, shall be taken and allowed, in all courts within this Kingdom, as a publick act; and all judges, justices, and other persons therein concerned, are hereby required as such to take notice thereof, without specially pleading the same.

Publick act.

CAP. V.

An act to continue and make more effectual an act passed in the second year of the reign of his present Majesty, for repairing the highways between Sheppard's Shord and Horley Upright Gate, leading down Bagdown Hill, in the county of Wilts, and other ruinous parts of the highways thereunto adjacent. *The act 2 Geo. 2. c. 12. continued for 21 years.*

CAP. VI.

An act for avoiding and putting an end to certain doubts and questions relating to the attestation of wills and codicils concerning real estates in that part of Great Britain called England, and in his Majesty's colonies and plantations in America.

**W**HEREAS by an act made in the twenty ninth year of the reign of his late majesty King Charles the Second, intituled, <sup>29 Car. 2. c. 3.</sup> <sub>l. 5.</sub>

An act for prevention of frauds and perjuries; it is amongst other things enacted, That from and after the twenty fourth day of June in the year of our Lord one thousand six hundred and seventy seven, all devises and bequests of any lands or tenements devisable, either by force of the statute of wills, or by that statute, or by force of the custom of Kent, or the custom of any borough, or any other particular custom, shall be in writing, and signed by the party so devising the same, or by some other person in his presence, and by his express direction; and shall be attested and subscribed in the presence of the said devisor, by three or four credible witnesses, or else they shall be utterly void and of none effect, which hath been found to be a wise and good provision: but whereas doubts have arisen who are to be deemed legal witnesses within the intent of the said act; therefore, for avoiding the same, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled; and by the authority of the same, That if any person shall attest the execution of any will or codicil which shall be made after the twenty fourth day of June in the year of our Lord one thousand seven hundred and fifty two, to whom any beneficial devise, legacy, estate, interest, gift or appointment of or affecting any real or personal estate, other than and except charges on lands, tenements or hereditaments for payment of any debt or debts, shall be thereby given or made, such devise, legacy, estate, interest, gift or appointment, shall, so far only as concerns such person attesting the execution of such will or codicil, or any person claiming under him, be utterly null and void; and such person shall be admitted as a witness to the execution of such will or codicil, within the intent of the said act;

Devisee, &c. attesting, the devise void, but be admitted to prove the will.



notwithstanding such devise, legacy, estate, interest, gift or appointment mentioned in such will or codicil.

Creditor attending, admitted a witness.

II. And be it further enacted by the authority aforesaid, That in case, by any will or codicil already made or hereafter to be made, any lands, tenements or hereditaments are or shall be charged with any debt or debts; and any creditor whose debt is so charged, hath attested or shall attest the execution of such will or codicil, every such creditor, notwithstanding such charge, shall be admitted as a witness to the execution of such will or codicil, within the intent of the said act.

Legatee who has been paid, or shall refuse his legacy, admitted a witness.

III. And be it further enacted by the authority aforesaid, That if any person hath attested the execution of any will or codicil already made, or shall attest the execution of any will or codicil which shall be made on or before the said twenty fourth day of *June* in the year of our Lord one thousand seven hundred and fifty two, to whom any legacy or bequest is or shall be thereby given, whether charged upon lands, tenements or hereditaments, or not; and such person, before he shall give his testimony concerning the execution of any such will or codicil, shall have been paid, or have accepted or released, or shall have refused to accept such legacy or bequest, upon tender made thereof; such person shall be admitted as a witness to the execution of such will or codicil, within the intent of the said act, notwithstanding such legacy or bequest.

After refusal, he is barred from the legacy; but after acceptance, he may retain the same, tho' the will void.

IV. Provided always, and be it further enacted, That in case of such tender and refusal as aforesaid, such person shall in no wise be intitled to such legacy or bequest, but shall be for ever afterwards barred therefrom; and in case of such acceptance as aforesaid, such person shall retain to his own use the legacy or bequest which shall have been so paid, satisfied or accepted, notwithstanding such will or codicil shall afterwards be adjudged or determined to be void for want of due execution, or for any other cause or defect whatsoever.

Legatee attending, and dying in the life-time of the testator, or before he has received or refused his legacy, admitted a witness.

V. And be it further enacted, That in case any such legatee as aforesaid, who hath attested the execution of any will or codicil already made, or shall attest the execution of any will or codicil which shall be made on or before the said twenty fourth day of *June* in the year of our Lord one thousand seven hundred and fifty two, shall have died in the life-time of the testator, or before he shall have received or released the legacy or bequest so given to him as aforesaid, and before he shall have refused to receive such legacy or bequest, on tender made thereof, such legatee shall be deemed a legal witness to the execution of such will or codicil, within the intent of the said act, notwithstanding such legacy or bequest.

Credit of the witness to be determined by the court, &c.

VI. Provided always, That the credit of every such witness to attesting the execution of any will or codicil, in any of the cases in this act before-mentioned, and all circumstances relating thereto, shall be subject to the consideration and determination of the court, and the jury, before whom any such witness shall be examined, or his testimony or attestation made use of;

or of the court of equity, in which the testimony or attestation of any such witness shall be made use of; in like manner, to all intents and purposes, as the credit of witnesses in all other cases ought to be considered of and determined.

VII. And be it further enacted by the authority aforesaid, That no person to whom any beneficial estate, interest, gift or appointment shall be given or made, which is hereby enacted to be null and void as aforesaid, or who shall have refused to receive any such legacy or bequest, on tender made as aforesaid, and who shall have been examined as a witness concerning the execution of such will or codicil, (shall, after he shall have been so examined, demand or take possession of or receive any profits or benefit of or from any such estate, interest, gift or appointment so given or made to him, in or by any such will or codicil; or demand, receive or accept from any person or persons whatsoever, any such legacy or bequest, or any satisfaction or compensation for the same, in any manner or under any colour or pretence whatsoever.

No devisee, where the devise is made void, &c. being examined to the execution of the will, shall afterwards take any benefit or compensation for the same.

VIII. Provided always, and be it enacted by the authority aforesaid, That this act or any thing herein contained shall not extend or be construed to extend to the case of any heir at law, or of any devisee in a prior will or codicil of the same testator, executed and attested according to the said recited act, or any person claiming under them respectively, who has been in quiet possession for the space of two years next preceding the sixth day of *May* in the year of our Lord one thousand seven hundred and fifty one, as to such lands, tenements and hereditaments, whereof he has been in quiet possession as aforesaid; and also that this act or any thing herein contained, shall not extend or be construed to extend, to any will or codicil, the validity or due execution whereof hath been contested in any suit in law or equity commenced by the heir of such deviser, or the devisee in any such prior will or codicil, for recovering the lands, tenements or hereditaments mentioned to be devised in any will or codicil so contested, or any part thereof, or for obtaining any other judgment or decree relative thereto, on or before the said sixth day of *May* in the year of our Lord one thousand seven hundred and fifty one, and which has been already determined in favour of such heir at law, or devisee in such prior will or codicil, or any person claiming under them respectively, or which is still depending, and has been prosecuted with due diligence; but the validity of every such will or codicil, and the competency of the witnesses thereto, shall be adjudged and determined in the same manner, to all intents and purposes, as if this act had never been made; any thing herein before contained to the contrary thereof in any wise notwithstanding.

Cases where the validity of wills, and competency of witnesses, are not affected.

IX. Provided always nevertheless, and it is hereby declared, That no possession of any heir at law, or devisee in such prior will or codicil as aforesaid, or of any person claiming under them respectively, which is consistent with, or may be warranted by or under any will or codicil attested according to the true intent

Possessions which are not comprehended within the meaning of the preceding clause.

and meaning of this act, or where the eſtate deſcended or might have deſcended to ſuch heir at law, till a future or executory deviſe, by virtue of any will or codicil attested according to this act, ſhould or might take effect, ſhall be deemed to be a poſſeſſion within the intent and meaning of the claufe herein laſt before contained.

X. *And whereas in ſome of the British colonies or plantations in America, the ſaid act of the twenty ninth year of the reign of King Charles the Second, has been received for law, or acts of aſſembly have been made, whereby the attestation and ſubſcription of witneſſes to deviſes of lands, tenements and hereditaments have been required:* therefore, to prevent and avoid doubts which may ariſe in the ſaid colonies or plantations, in relation to the attestation of ſuch deviſes of lands, tenements and hereditaments; be it enacted by the authority aforeſaid, That this act, and every claufe, matter and thing therein contained, ſhall extend to ſuch of the ſaid colonies and plantations, where the ſaid act of the twenty ninth year of the reign of King Charles the Second, is by act of aſſembly made, or by uſage received as law, or where by act of aſſembly or uſage, the attestation and ſubſcription of a witneſs or witneſſes are made neceſſary to deviſes of lands, tenements or hereditaments; and ſhall have the ſame force and effect in the conſtruction of or for the avoiding of doubts upon the ſaid acts of aſſembly, and laws of the ſaid colonies and plantations, as the ſame ought to have in the conſtruction of or for the avoiding of doubts upon the ſaid act of the twenty ninth year of the reign of King Charles the Second in England.

This act to extend to ſuch of the British colonies, where the act of 29 Car. 2. c. 3. is received, &c.

Deviſes, &c. in the plantations by wills made after 1. March 1753, affected by this act,

XI. Provided always, That as to caſes ariſing in any of the ſaid colonies or plantations in America, no ſuch deviſe, legacy or bequeſt as aforeſaid, ſhall be made null and void by virtue of this act, unleſs the will or codicil whereby ſuch deviſe, legacy or bequeſt ſhall be given, ſhall be made after the firſt day of March which ſhall be in the year of our Lord one thouſand ſeven hundred and fifty three.

### C A P. VII.

*An act to rectify a miſtake in an act paſſed in the twenty fourth year of the reign of his preſent Maſteſty, intituled, An act for explaining and amending an act paſſed the twenty firſt year of his preſent Maſteſty, intituled, An act for the relief of the annuitants of the wardens and commonalty of the miſtery of Mercers in the city of London; and for other purpoſes therein mentioned.*

24 Geo. 2. c. 74.

WHEREAS by an act made and paſſed in the twenty fourth year of the reign of his preſent Maſteſty, intituled, An act for explaining and amending an act paſſed in the twenty firſt year of the reign of his preſent Maſteſty, intituled, *An act for the relief of the annuitants of the wardens and commonalty of the miſtery of Mercers of the city of London; and for other purpoſes there-*

in mentioned; it was among other things enacted, That it should and might be lawful to and for the said wardens and commonalty, and their successors, and they were thereby impowered at any time after the first day of June one thousand seven hundred and fifty one, by any indenture or indentures under their common seal, in consideration of the usual rent, and of the best fine that could be got for the same, to make or grant one or more leases of all or any part of the manor of Mercers in the said act mentioned, with the farms, lands, tenements and hereditaments, and all and every the rights, members and appurtenances thereto belonging, and of all other the lands, tenements and hereditaments of and belonging to the said company in the kingdom of Ireland, to such person or persons as they should think fit, such lease or leases to commence and to take effect from and immediately after the expiration or other determination of any former leases theretofore thereof granted by the said company, and then unexpired; and to endure and continue from thenceforth for and during, and unto the full end and term of sixty one years, or to commence and take effect from and immediately after the expiration or other determination of any lease or leases, theretofore thereof granted by the said company, and then unexpired, or to endure and continue from thenceforth for and during the natural lives of such three persons as should at the time of making such last-mentioned lease or leases respectively, be named by the respective lessee or lessees thereof, and be inserted in the said lease or leases for that purpose, and the life of the longer liver of them; and from and immediately after the decease of the survivor of such of the said three persons, further to endure and continue for and during, and unto the full end and term of sixty one years, to be computed from such the expiration or determination of the term or terms for which the same premisses were then leased out as aforesaid; by which said act power was meant and intended among other things to be given to the said wardens and commonalty, to make or grant a lease or leases in manner mentioned therein, of the said manor of Mercers, and other lands and premisses in Ireland, in the said act mentioned, to commence and take effect as in the said act is mentioned, and to endure and continue for three lives, and further to endure and to continue for sixty one years, in manner as is more fully contained and expressed in the said act; but in that part of the said recited clause, whereby power was intended to be given to the said wardens and commonalty to make such leases, to endure for three lives as aforesaid, the word Or, now standing there between the words, and now unexpired, and the words to endure and continue from thenceforth for and during the natural lives of such three persons, was there inserted by mistake, instead of the word And: therefore, for the rectifying and amending the said mistake, and for preventing and remedying all doubts and defects in and concerning the power so intended by the said act to be given to the said wardens and commonalty, may it please your Majesty that it may be enacted, &c.

The meaning of the recited act declared, and the mistake rectified.

## CAP. VIII.

An act for repairing the road leading from the Royal Oak on Wrotham Heath, to the town of Wrotham in the county of Kent; and from thence to the village of Foot's Cray in the said county. *Statute acts granted for 21 years.*

## CAP. IX.

An act for enlarging the term granted by two feveral acts of the third and ninth years of his late Majesty's reign, for continuing the duty of two pennies Scots upon every pint of ale and beer fold in the city of Edinburgh, for the purposes therein mentioned; and for discontinuing payment of the petty port customs there.

**W**HEREAS by an act passed in the parliament of Scotland in the year one thousand six hundred and ninety three, a duty of two pennies Scots was granted to the community of the city of Edinburgh, and to the magistrates and town council of the same, and their successors in office, for the uses therein specified, upon every pint of ale or beer either brewed, brought in, or vended, tapped and sold, within the said town and suburbs and liberties thereof, for the space of fifteen years and further, not exceeding the space of thirty years, commencing from the first day of July, one thousand six hundred and ninety three; which said duties were by an act of the third year of his late majesty King George the First, intimated, An act for continuing the duties of two pennies Scots upon every pint of ale and beer fold in the city and liberty of Edinburgh, for the purposes therein mentioned; and for discontinuing payment of the petty port customs there, further continued for the further term of nineteen years, for the purposes therein mentioned: and whereas by an act passed in the ninth year of his said late Majesty, intimated, An act for enlarging the term granted by an act made in the third year of his Majesty's reign, for continuing the duty of two pennies Scots upon every pint of ale and beer fold in the city of Edinburgh, for the purposes therein mentioned; and for discontinuing payment of the petty port customs there; and for making the said act more effectual, the said duties were continued for the further term of nineteen years from the expiration of the last recited act, and were also extended to the several brewers within the parishes of Saint Cuthbert, the Cannon Gate, and South and North Leith; and the produce of the said duties are by the said act directed to be applied in the carrying on and compleating such publick works and such other purposes, to the advantage of the said community, as are recited in the said last mentioned act: and whereas the said city of Edinburgh, being the metropolis and seat of government of Scotland; has been by its remarkable zeal in supporting the protestant interest, and upon unavoidable occasions, involved in very considerable debts, far exceeding what the common revenue of the said city could discharge; and it appears that the revenue granted by the said acts has been managed with the utmost oeconomy, and faithfully applied to the purposes thereby directed, yet the same having greatly decreased since the commencement of

the act of the ninth year of his late Majesty's reign, inſomuch that it now produces little more than ſufficient to answer the annual burthens already charged thereupon : and whereas ſeveral of the publick works by the ſaid former acts directed to be performed, remain ſtill unfiniſhed, and it will be impoſſible to finiſh the ſame, and diſcharge the debt already contracted upon the credit of the ſaid duties, without a further continuation of the term already granted for collecting the ſame : to the end therefore that the ſaid neceſſary works may be compleated, and the ſaid debt diſcharged, your Majesty's moſt dutiful and loyal ſubjects the provost, magiſtrates, and council of the ſaid city of *Edinburgh*, in behalf of themſelves and the community of the ſaid city, do moſt humbly beſeech your Majesty that it may be enacted, and be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled and by the authority of the ſame, That the rates duties and impositions made payable by the ſaid act of the ninth year of his late Majesty's reign, upon all ale and beer brewed, brought in, vended, tapped or ſold within the ſaid city of *Edinburgh* or ſuburbs or liberties thereof (except as in the ſaid act is excepted) and alſo the ſaid rates duties and impositions thereby granted upon all ale and beer brewed, brought in for ſale, vended, tapped or ſold within all or any of the pariſhes of *Saint Cuthbert*, *Cannon Gate*, *South* and *North Leith*, ſhall, from and after the expiration of the term granted by the ſaid act of the ninth year of his late Majesty, be further continued collected and made payable to the provost, magiſtrates and council of the ſaid city of *Edinburgh* for the time being, and their ſucceſſors, for and during the further term of thirty eight years ; and the ſaid duties ſhall be levied and paid by the ſame means and methods, and by and under the ſame penalties and forfeitures, and ſhall be ſubject and liable to the ſame reſtrictions, regulations and inſpection, and applicable to the ſame works and other purpoſes (except ſuch works as are already finiſhed and compleated) as are preſcribed, mentioned and expreſſed in the ſaid act of the ninth year of his late Majesty's reign ; and that the ſaid act, and every article, rule, clause, matter and thing therein contained ; ſhall be in full force and effect from the expiration thereof, for the ſaid further term of thirty eight years, to all intents and purpoſes as if the ſame were at large repeated and re-enacted in the body of this act.

The duties continued for 38 years.

II. Provided always, and be it enacted by the authority aforeſaid, That nothing contained in this act, or in the above-mentioned act of the ninth year of his late Majesty, ſhall be conſtrued to ſubject to the ſaid duty or imposition any ale or beer vended within the precincts of the caſtle of *Edinburgh*, for the uſe of the gariſon or any of the inhabitants of the ſaid caſtle.

Ale vended within the precincts of the caſtle exempted.

III. Provided always, That the produce of the ſaid tolls and duties ſhall, in the firſt place, be ſubject and liable to pay and diſcharge the reaſonable charges and expences incurred in procuring

Expences of this act to be firſt paid.

curing and paſſing this preſent act of parliament; any thing in the ſaid former act to the contrary notwithstanding.

Payments to the pariſhes of St. Cuthbert, &c. continued.

IV. And be it further enacted by the authority aforeſaid, That the annual payments which were awarded by the arbiters by virtue of the ſaid act of the ninth year of his late Maſteſty's reign, to be paid to the proprietors of the pariſhes of Saint Cuthbert, Cannon Gate, South and North Leith, ſhall continue to be paid to the ſaid proprietors during the continuance of this preſent act, in the ſame manner and under the ſame regulations as by the ſaid act is directed and preſcribed.

The preſent capital debt not to be increaſed.

V. And be it further enacted by the authority aforeſaid, That nothing in this act contained ſhall extend, or be conſtrued to extend to impower the perſons appointed to put the ſaid act of the ninth year of his late Maſteſty, or this preſent act, in execution, or any other perſon or perſons whatſoever, to borrow any further ſum, ſo as to increaſe the preſent capital debt, upon the credit of the ſaid duties by the ſaid former act and this preſent act made payable.

State of the accounts to be made up.

VI. And be it further enacted by the authority aforeſaid, That the magiſtrates and town council of the ſaid city for the time being ſhall, upon the third *Tueſday* of the month of *July*, which ſhall be in the year of our Lord one thouſand ſeven hundred and ninety nine, make up a full, compleat and perfect ſtate of all the money which ſhall have ariſen and been received by and from the ſaid duties granted by the ſaid former and this preſent act, and of all ſums of money laid out from time to time for the ſeveral purpoſes in the ſaid former acts and this preſent act mentioned, and of what debts ſhall be then owing on account of the ſaid former and this preſent act; to the end that it may appear, if any overplus money ſhall remain; and in caſe any overplus ſhall remain, the ſame ſhall be laid out and applied, with the approbation of the overſeers for the time being, in ſuch manner as directed by the ſaid act of the ninth year of his late Maſteſty.

When the payments charged on the duty are to ceaſe.

VII. And be it further enacted and declared, That the annual payments with which the ſaid duty is burthened, ſhall continue and endure only till the firſt day of *July* which ſhall be in the year of our Lord one thouſand ſeven hundred and ninety nine, and no longer.

Publick act.

VIII. And be it further enacted by the authority aforeſaid, That this act ſhall be deemed and taken to be a publick act, of which notice ſhall by all courts in this kingdom be judicially taken, and all judges, juſtices and other perſons are hereby required to take notice of it as ſuch.

### C A P. X.

*An act for the more effectual ſecuring mines of black lead from theft and robbery.*

**W**HEREAS by experience it hath been found, that wad or black tauke, commonly called Black Lead, is and hath been neceſſary for divers uſeful purpoſes, and more particularly in the caſt-  
ing

ing bomb ſhells, round ſhot, and cannon balls; and that ſuch wad, black cowke, or Black Lead, hath hitherto been diſcovered in one mountain, or ridge of hills, only in this realm; and that great waſte and deſtruction therein, hath of late years been made by wicked and evil-diſpoſed perſons, who, by reaſon of the ſituation of the mine or mines, wad-hole or wad-holes of the ſaid wad, black cowke or black lead, and of the great difficulty to ſecure and preſerve the ſame from being unlawfully broke, or by force entered into; and alſo by reaſon of the ſmall puniſhment by the laws now in being, annexed to offences of the like kind, have been encouraged unlawfully to enter, and by force to keep poſſeſſion of the ſame; and from thence unlawfully to take and carry away great quantities of the ſaid wad, black cowke or black lead; for the more effectual ſecurity of all and every mine or mines, wad-hole or wad-holes of wad or black cowke, commonly called Black Lead; and for preventing the unlawful breaking and entering into the ſame; or the unlawful taking and carrying away from ſuch mine or mines, wad-hole or wad-holes, any wad, black cowke or black lead; and for puniſhing ſuch offenders in a more exemplary manner, than by the laws in being can now be done; may it therefore pleaſe your moſt excellent Maſteſty, that it may be enacted; and be it enacted by the King's moſt excellent Maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That all and every perſon or perſons that ſhall from and after the twenty fourth day of June which ſhall be in the year of our Lord one thouſand ſeven hundred and fifty two, unlawfully break; or by force enter into any mine or mines, wad-hole or wad-holes of wad or black cowke, commonly called Black Lead, or into any pit, ſhaft, adit or vein of wad, black cowke or black lead, with an intent to take and carry way from thence any wad, black cowke or black lead; or ſhall unlawfully from thence take and carry away any wad; black cowke or black lead, although ſuch mine or mines, wad-hole or wad-holes, pit, ſhaft, adit or vein, be not actually broke, or by force entered into by ſuch offender or offenders; or ſhall aid, abet, aſſiſt, hire or command any perſon or perſons to commit ſuch offence or offences as aforeſaid; that then, and in every ſuch caſe all and every ſuch perſon or perſons ſhall be deemed and conſtrued to be guilty of felony; and it ſhall and may be lawful for the court, or judge, before whom any ſuch perſon or perſons ſo offending as aforeſaid, ſhall be lawfully convicted, to order ſuch offender or offenders to be committed to the priſon or gaol of the ſaid county, appointed for criminals, or to ſome houſe of correction within the ſame county, for a time not exceeding one year, there to be kept to hard labour during all the ſaid time, and to be publickly whipt by the common hangman, or by the maſter of ſuch houſe of correction, at ſuch times and at ſuch places, and in ſuch manner, as ſuch court or judge ſhall think proper; or it ſhall and may be lawful to and for ſuch court or judge, or for any other ſubſequent court held at the ſame place, with the like authority as the former, to order ſuch offender

The entering any mines of black lead, with intent to ſeal,

or the aſſiſting or hiring perſons to do ſo, deemed felony;

and the offenders to be committed for a year, and publickly whipt;

or to be tranſported for 7 years;

ſender



fender or offenders to be transported to fome of his Majesty's plantations beyond the feas, for a term not exceeding feven years as fuch court or judge fhall think moft proper; and thereupon judgment fhall be given, that the perfon or perfons fo convicted, fhall be committed and whipt, or transported accordingly; and if transportation fhall be directed, the fame fhall be executed in fuch manner, as is or fhall be provided by law for the transportation of felons; and if any fuch perfon or perfons fo committed or transported, fhall voluntarily efcape or break priſon, or return from transportation before the expiration of the time for which he, ſhe or they fhall be ordered to be transported, as aforeſaid, fuch perfon or perfons being thereof lawfully convicted, fhall ſuffer death as a felon, without benefit of clergy, and fhall be tried for fuch felony in the county where he, ſhe or they fo efaped, or where he, ſhe or they fhall be apprehended.

and if they efcape from priſon, or return from transportation, to ſuffer death;

and a certificate of the former conviction, deemed ſufficient proof thereof.

II. And be it further enacted by the authority aforeſaid, That if any perfon ſhall be convicted or attainted of any of the offences aforeſaid, and ſhall voluntarily efcape, break priſon or return from transportation as aforeſaid, and ſhall be apprehended in any other county or city different from that wherein the ſaid offence was committed, the clerk of the aſſize, or clerk of the peace for the county or city where ſuch conviction or attainder for the ſaid offence or offences was had, ſhall, at the requeſt of the proſecutor, or of any other on his Majesty's behalf, certify the ſame by a tranſcript in few words, containing the effect and tenor of ſuch conviction or attainder, for which certificate two ſhillings and ſix pence, and no more ſhall be paid; and ſuch certificate being produced in court ſhall be ſufficient proof of ſuch former conviction or attainder.

Receivers of lead, knowing ſuch to be ſtolen guilty of felony.

III. And be it further enacted by the authority aforeſaid, That all and every perfon or perfons who ſhall, from and after the ſaid twenty fourth day of *June*, one thouſand ſeven hundred and fifty two, buy or receive any wad or black cawke, commonly called *Black Lead*, knowing the ſame to be ſo unlawfully taken and carried away as aforeſaid, ſhall be deemed and conſtrued to be guilty of felony, and being convicted thereof, ſhall be ſubject and liable to all the pains and penalties, which any perfon or perfons can or may by the laws and ſtatutes of this realm, be ſubject and liable to, for buying or receiving any goods or chattels that have been feloniously taken or ſtolen, knowing the ſame to have been ſtolen.

#### CAP. XI.

An act to enable the pariſhioners of the pariſh of Eaſt Greenwich, in the county of Kent, to depoſit corpe in the vaults or arches under the church in the ſaid pariſh, and to aſcertain the fees that ſhall be paid for the ſame.

#### CAP. XII.

An act for repairing and widening the road from the town of Warminster, in the county of Wilts, to the city of Bath, in the county of Somerſet; and alſo the road from the town of Frome, in the ſaid county of Somerſet, to the town of Beckington in the ſame county; and for repairing the road from Heytesbury to Antrow Hill, in the county of Wilts. *Certain tolls granted for 21 years,*

## CAP. XIII.

An act for repairing the road from the town of Cirencefter to the town of Stroud, and that part of Rodborough Hill which leads to Dudbridge; and alfo the road leading from Cirencefter towards Bidley, fo far as the bottom of Gulph Hill; all in the county of Gloucefter. *Certain tolls granted for 21 years.*

## CAP. XIV.

*An act to open the port of Lancafter, for the importation of wool and woollen yarn from Ireland.*

**W**HEREAS the port of Lancafter, in the county palatine of Lancafter, is very conveniently fituated for the importation of wool and woollen yarn from Ireland; and the opening of the faid port for that purpofe, will be of great utility and advantage to the woollen manufactures in the northern parts of England, and more efppecially in the counties of Lancafter, York, and Weftmorland; and may alfo be a means of increafing the importation of wool and woollen yarn from Ireland, into this kingdom: may it therefore pleafe your moft excellent Majefty, that it may be enacted; and be it enacted by the King's moft excellent majefty, by and with the advice and confent of the lords fpiritual and temporal and commons in this prefent parliament affembled and by the authority of the fame, That from and after the firft day of *May* one thoufand feven hundred and fifty two, it fhall and may be lawful for any perfon or perfons to import into the port of *Lancafter*, in the county palatine of *Lancafter*, any wool or woollen or bay yarn, wool fells, fhortlings, mortlings, wool flocks, or worfted yarn, from *Ireland*; any act or acts of parliament to the contrary in any wife notwithstanding.

Port of Lancafter opened for importation of wool from Ireland,

**I**L. Provided always, and be it enacted by the authority aforefaid, That all fuch importations of wool and woollen or bay yarn, wool fells, fhortlings, mortlings, wool flocks and worfted yarn, from *Ireland*, into the faid port of *Lancafter*, fhall be made from fuch ports only, and under the fame reftriictions and regulations, in all refpects, as wool or woollen yarn is now by law permitted to be imported into the feveral ports of *Bideford*, *Barnftaple*, *Minehead*, *Bridgewater*, *Bristol*, *Milford Haven*, *Chefter* and *Liverpool*, or any of them, and in the fame manner, to all intents and purpofes, as if the faid port of *Lancafter* had been particularly named for the importation of the faid goods, in an act made in the tenth and eleventh years of the reign of the late King *William* the Third, intituled, *An act to prevent the exportation of wool out of the kingdoms of Ireland and England, into foreign parts; and for the encouragement of the woollen manufactures in the kingdom of England; or in any other act or acts of parliament whatfoever.*

under the fame regulations as in 10 and 11 Will. 3. c. 10.

## CAP. XV.

An act to indemnify perfons who have omitted to qualify themfelves for offices and employments; and alfo perfons who have omitted to make and file affidavits of the execution of articles of clerkfhip within the time limited by law; and for allowing further time for thofe purpofes. *Exp. Time*

*Time given to 28 Nov. 1752. to take the oaths, &c. and the same time for filing affidavits of clerks.*

## C A P. XVI.

An act for enlarging the terms and powers granted by two acts of parliament, for repairing and amending the highways between the town or village of Tittenfor, and the most northern part of Talk on the Hill, in Butt Lane in the county of Stafford. *The act 8 Geo. 2. c. 5. continued for 21 years.*

## C A P. XVII.

An act for repairing the road leading from the Green Man in the chapelry of Seend, in the county of Wilts, through Troubridge, to a place called White Trough, in the parish of Troubridge in the same county; and from thence by Road Church to Beckington, in the county of Somerset. *Certain tolls granted for 21 years.*

## C A P. XVIII.

An act for repairing the road leading from Long Horley bar or gate, on the post road near the town of Morpeth, by or through Long Horley, Weldon-Bridge, and Whittingham, to the river Breamish, and from thence to Piercy's Cross, in the county of Northumberland. *Certain tolls granted for 21 years.*

## C A P. XIX.

*An act to open the port of Great Yarmouth for the importation of wooll and woollen yarn from Ireland.*

**W**HEREAS the opening of the port of Great Yarmouth, in the county of Norfolk, for the importation of wool and woollen yarn from Ireland will be of great utility and advantage to the woollen manufactures in that part of England, by rendering the conveyance of those materials to the several towns and places where the said manufactures are carried on, more easy, cheap and expeditious; and may also be a means of increasing the importation of wool and woollen yarn from Ireland into this kingdom: may it therefore please your most excellent Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That from and after the first day of May one thousand seven hundred and fifty two, it shall and may be lawful for any person or persons to import into the port of *Great Yarmouth*, in the county of *Norfolk*, any wool or woollen or bay yarn, from *Ireland*; any act or acts of parliament to the contrary in any wise notwithstanding.

The port of Great Yarmouth opened for the importation of wool from Ireland;

under the regulations in 10 & 11 W. 3. c. 10.

II. Provided always, and be it enacted by the authority aforesaid, That all such importations of wool, and woollen or bay yarn, wool fells, shortlings, mordingings, wool flocks and worsted yarn, from *Ireland* into the said port of *Great Yarmouth*, shall be made from such ports only, and under the same restrictions and regulations in all respects, as wool or woollen yarn is now by law permitted to be imported into the several ports of *Bideford*, *Barnstaple*, *Minehead*, *Bridgwater*, *Bristol*, *Milford Haven*, *Chester* and *Liverpool*, or any of them; and in the same manner, to all intents

intents and purposes, as if the said port of *Great Yarmouth* had been particularly named for the importation of the said goods in an act made in the tenth and eleventh years of the reign of the late King *William the Third* (intituled, *An act to prevent the exportation of wool out of the kingdoms of Ireland and England into foreign parts; and for the encouragement of the woollen manufactures in the kingdom of England*) or in any other act or acts of parliament whatsoever.

## C A P. XX.

*An act to obviate doubts that have arisen with regard to the admission of the vassals of the principality of Scotland, and payment of their rents and duties.*

**W**HEREAS a doubt hath arisen, whether the lands and other heretages, commonly known by the name of *The principality of Scotland*, and as such possessed by his late royal highness *Frederick prince of Wales*, as prince and steward of Scotland, did, upon his death, descend to his royal highness *George William Frederick* now prince of Wales, or whether the same did return to the King's most excellent majesty; whereby it is rendered uncertain in what manner the vassals of the said principality ought to be entered, and to whom the rents, issues and profits of the principality ought to be paid, and by whom the vassals should be thereof acquitted: and whereas by reason, especially of the loss of great part of the ancient records of Scotland, the removing of that doubt may be attended with considerable delay and difficulty; and although the rents, issues, and profits of the principality itself are of very inconsiderable value, and have proved hardly sufficient to defray the expence of the officers necessary for collecting or administering the same; yet in the mean time it will be highly prejudicial to the vassals of the said principality, and to their heirs, or singular successors, or purchasers from them, if no certain method shall be settled, whereby the title to lands, or other heretages holding of the said principality, may be effectually made up and completed; for the relief therefore of the vassals, and all other persons, who may be interested in lands and heretages, holding of the said principality; 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, and by the authority of the same, That it shall and may be lawful for his Majesty, until his royal highness *George William Frederick* prince of Wales shall attain the full age of twenty one years, to hold and possess the said principality and stewartry of Scotland, and to give entries, charters, or infeftments, to the vassals thereof, containing clauses of *Novo damus*, and other clauses usual, and to do every other act concerning the said principality and stewartry of Scotland, in the same manner that hath been formerly practised and accustomed by his royal predecessors the Kings or Queens of Scotland, or of *Great Britain*, when there was no prince in being; and all such entries, charters, infeftments or other acts and deeds, concerning the said principality,

His Majesty to hold the principality of Scotland, to grant entries, &c. to the vassals, &c. thereof, till the prince of Wales shall be of the age of 21 years.

The rights of the crown, and of the prince of Wales, reserved; except that of avoiding the entries, &c.

pality, or any part thereof, shall be good, valid and effectual in law, to the vassals receiving the same, and all parties having interest therein, to all intents and purposes whatsoever; saving to the King's most excellent majesty, his heirs and successors, and to his royal highness *George William Frederick* prince of *Wales*, his heirs and successors, all such right, title or interest in, to, or out of the said principality or stewardry of *Scotland*, or to the rents, issues and profits of the same, as they would have had, in case this act had not been made; other than and except any right to avoid, impeach or call in question, any entry, charter, indentment, or other act and deed to be made or granted by his Majesty, to the vassals, as aforesaid; and the payment of any rents, feu duties, or other duties and casualties, as against any vassals, tenants, singular successors or purchasers; all which are by this act intended to be made good, valid and effectual, for and in respect of such vassals, tenants and singular successors, and all persons claiming, or to claim, by, from or under them, or any of them.

#### CAP. XXI.

An act for repairing the roads from *Wallingford* in the county of *Berks* to *Wantage*, and from thence to *Faringdon*, and also from *Wantage* to *Idson* in the said county. *Certain tolls granted for 21 years.*

#### CAP. XXII.

An act for repairing the roads from the town of *Shrewsbury* through *Ellesmere* in the county of *Salop*, and *Overton* in the county of *Denbigh*. *Certain tolls granted for 21 years.*

#### CAP. XXIII.

An act for the better relief and employment of the poor in the parishes of *Saint Margaret* and *Saint John the Evangelist* in the city of *Westminster*; and for cleaning the streets and repairing the highway within the said parishes.

#### CAP. XXIV.

An act for repairing and widening the roads from *Timbead Hill* to the *Round Stone* in *Trowbridge*; and from *Flinty Nap* to *Western Down* in the parish of *Edington* in the county of *Wilts*; and other roads in the counties of *Wilts* and *Somerset*, leading towards the cities of *Bristol* and *Bath*. *Certain tolls granted for 21 years.*

#### CAP. XXV.

An act for granting to his Majesty a certain sum of money therein mentioned, out of the *Sinking fund*; and for enabling his Majesty to raise a further sum of money therein also mentioned, by exchequer bills, to be charged on the said *Sinking fund*, for the service of the year one thousand seven hundred and fifty two; and for the further appropriating the supplies granted in this session of parliament.

*Most gracious Sovereign,*

**W**E your Majesty's most dutiful and loyal subjects, the commons of *Great Britain* in parliament assembled, being desirous

desirous to raise the necessary supplies which we have cheerfully granted to your Majesty in this session of parliament, for the service of the year one thousand seven hundred and fifty two, in the easiest manner we are able, for the benefit of your Majesty's subjects, and also to use such ways and means therein as that your Majesty may have the better and more speedy effect of the said supplies, have resolved to give and grant unto your Majesty the sum of five hundred thousand pounds out of the surplusses, excesses and overplus monies, commonly called the *Sinking fund*; and to that end and purpose do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That <sup>500,000 l.</sup> by or out of such monies as now are or shall from time to time be and remain in the receipt of the exchequer, of the said surplusses, excesses or overplus monies, commonly called the *Sinking fund*, (after paying or reserving sufficient to pay all such annuities, or annual sum and sums of money as have been directed by any former act or acts of parliament, to be paid out of the same) there shall and may be issued and applied, a sum not exceeding the said sum of five hundred thousand pounds, for and towards the supply granted to his Majesty for the service of the said year one thousand seven hundred and fifty two; and the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, are hereby authorized and empowered to issue and apply the same accordingly.

granted out of the sinking fund towards the supply for the current year.

II. *And whereas your Majesty's said dutiful and loyal subjects, the commons of Great Britain in parliament assembled, have also resolved to give and grant unto your Majesty the further sum of one million four hundred thousand pounds, towards the supply granted to your Majesty for the service of the said year one thousand seven hundred and fifty two, to be raised in manner hereafter mentioned: and whereas the governor and company of the bank of England have proposed to advance and pay into the receipt of your Majesty's exchequer, the sum of one million, for payment of part of the debt of the navy, and other publick services; and also the sum of four hundred thousand pounds charged on the additional duties on stamps herein after mentioned, now carrying an interest at three pounds ten shillings per centum per annum, which pursuant to notice given the last session of parliament are to be redeemed and paid off; upon condition that exchequer bills be issued to them on or before the times at which the said sums of one million and four hundred thousand pounds respectively shall be wanted to be advanced, carrying an interest at three pounds per centum per annum, to be charged on the Sinking fund; and that the said principal sums of one million and four hundred thousand pounds, shall be repaid to them out of the first excesses or surplusses of the said Sinking Fund that shall be applied to the payment of the principal of the national debt, next after the remainder of the sum of*

1,400,000 l. advanced by the bank to pay off the naval and other services.

one million one hundred and ninety thousand one hundred and eleven pounds sixteen shillings and one penny, which has been advanced by the said governor and company, pursuant to an act of the last session of parliament, shall be discharged and paid off; now we your Majesty's said dutiful and loyal commons in parliament assembled being of opinion that it will be of advantage to the publick to accept of the said proposal, and being also desirous to lessen the national debt as fast as conveniently may be consistent with justice and publick faith, do also most humbly beseech your Majesty, that it may be enacted; and be it enacted by the authority aforesaid, That it shall and may be lawful to and for the commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, on his Majesty's behalf, to contract and agree with the said governor and company of the bank of *England* to advance and pay into the said receipt of exchequer any sum or sums of money not exceeding in the whole the said sum of one million four hundred thousand pounds for exchequer bills, to be made forth at the said receipt in the manner herein after mentioned, in such proportions, and at such respective times, as the said commissioners of the treasury, or any three or more of them now being, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being, shall judge to be most for the advantage of the publick, for the purposes aforesaid

The bank allowed 3 l. per cent. interest.

III. And be it further enacted by the authority aforesaid, That the said governor and company of the bank of *England*, and their successors, shall have and receive an interest or *premium* after the rate of three pounds *per centum per annum*, for the said principal sum of one million four hundred thousand pounds, to be advanced by them into the said receipt of exchequer, from the respective times of advancing and paying the same, or any part thereof into the said receipt, which said interest or *premium* shall be paid from time to time to the said governor and company, and their successors, by quarterly payments out of the monies arising at the said receipt of exchequer, of or for the surplusses, excesses or overplus monies, commonly called the *Sinking fund*, until such times, as the said exchequer bills, or any part thereof, shall be discharged and cancelled in the manner and form by this act he waster provided.

Treasury to make out exchequer bills,

IV. And be it further enacted by the authority aforesaid, That the said commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being shall, and they are hereby authorized and empowered to prepare and make, or cause to be prepared and made at the exchequer, at once, or at such times, and in such proportions, and in such method and form as they or he shall think most safe and convenient, any number of new exchequer bills, containing one common sum of different sums in the principal monies, so as

such

such bills do not exceed in the whole the said principal sum of one million four hundred thousand pounds.

V. And be it further enacted by the authority aforesaid, That the said bills to be made and prepared in pursuance of this act, shall and may bear an interest not exceeding the said rate or *premium* of three pounds *per centum per annum*, and proportionably for any greater or less sum to be contained therein, and to be payable to the bearers thereof respectively; nevertheless the said interest shall be abated and saved upon such of the said bills to be made forth by this act, as shall at any time or times be in the receipt of the exchequer, or in the hands or power of any receivers or collectors of any taxes, aids or revenues whatsoever, payable to his Majesty, his heirs or successors, during such time and times respectively as such bills shall be or remain in the said receipt, or in such hands or power as aforesaid.

to carry an interest of 3l. per cent.

VI. And it is hereby enacted, That all the said bills shall be numbered arithmetically, beginning with N<sup>o</sup> 1. and so proceeding in an arithmetical progression, ascending, wherein the common excess or difference shall always be one, and shall be registered accordingly, so that the principal sum to be contained in every such bill may regularly be paid off and discharged in course, according to the number of every such bill, as it shall stand in the said register; and that the interest upon all and every the same bills shall be payable every three months, according to the purport and true meaning of this act; and that upon every such bill there shall be indorsed, printed or written, in words at length, or in figures, the sum, after which the principal to be contained therein, shall be payable in such course as aforesaid, according to the purport and true meaning of this act.

Bills to be numbered arithmetically.

and the interest to be paid quarterly.

VII. And it is hereby further enacted, That all the said bills shall be prepared and made with such cheques, indents or counterfoils, as shall be directed by the commissioners of the treasury, or any three or more of them being, or by the high treasurer, or any three or more of the commissioners of the treasury for the time being; and that the person or persons who shall be appointed to pay off the said bills in course, shall from time to time have the use and custody of one part of all the cheques, indents or counterfoils of the said exchequer bills, to be prepared and made by virtue of this act, from which the same shall have been cut, to prevent his or their being imposed upon by counterfeit or forged bills; and that the undertakers or contractors for exchanging and circulating the said bills, or such of them as shall be current, shall from time to time have the use and custody of one other part of all the said cheques, indents or counterfoils of the said exchequer bills from which the same shall have been cut off as aforesaid, in order to prevent their being imposed upon by any counterfeit or forged bills; and that all the said parts of the said cheques, indents or counterfoils, shall be delivered back into the exchequer, when the said bills to be made forth by virtue of this act shall be paid off, cancelled and discharged.

The bills to be made with cheques,

and the paymasters to have one part,

and the contractors the other.



Bills to be placed as cash in the exchequer.

VIII. And it is hereby enacted, That the said commissioners of the treasury, or any three or more of them now being, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being shall, and they are hereby respectively authorized and empowered to cause such bills, as shall be prepared by virtue of this act, to be placed as so much cash in the respective offices of the tellers of the said receipt of the exchequer, each and every of which tellers shall be severally charged with the proportion of the said bills which shall be so placed in his office respectively; any law or usage to the contrary notwithstanding.

Currency of the bills.

IX. And be it further enacted by the authority aforesaid, That all the said bills to be issued as aforesaid, shall be current in like manner, and with such privileges and advantages, and subject to such rules and directions, as are prescribed and enacted by an act of this present session of parliament, (intituled, *An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder and perry, for the service of the year one thousand seven hundred and fifty two*) for or concerning the exchequer bills thereby authorized to be made forth; and that all and every the clauses and provisos in the said last mentioned act, relating to the currency, exchanging or receiving the same last mentioned exchequer bills, by any publick receivers of aids, taxes or supplies, or in his Majesty's receipt of the exchequer, or for forging, counterfeiting or altering the same bills, or making out new bills in the room of such as shall be filled up with indorsements, lost, burnt, defaced, or otherwise destroyed, or for making out exchequer bills of five thousand pounds each, or for making out exchequer bills without bearing interest, or for making them afterwards to bear an interest, or a higher or lower rate of interest, from time to time, as the contractors shall agree to, or for preventing any misapplication of the fund on which the same are charged, or any other misbehaviour of any officers concerned in the receiving, issuing, exchanging, paying off or cancelling the same last-mentioned exchequer bills, or for obliging the contractors to pay the interest of, or exchange for ready money on demand, the exchequer bills thereby authorized to be issued at a rate or premium not exceeding three pounds per centum per annum, or for preventing any disabilities in any such contractors, or for making them not liable to be bankrupts on account of such contracts, or for appointing a paymaster or paymasters for paying off and cancelling the same exchequer bills in due course and order (not otherwise altered by this act) shall extend, and be construed to extend, as well to the exchequer bills by this act authorized to be made forth, as to the exchequer bills to be made forth in pursuance of the said act for continuing and granting the duties upon malt, mum, cyder and perry, (except such clauses as do charge the same on the rates and duties continued and granted by the same act) as amply, fully, and effectually, to all intents and purposes, as if the same clauses or pro-

viſoes had been particularly repeated and re-enacted *verbatim* in this act.

X. And be it further enacted by the authority aforeſaid, That the ſaid commiſſioners of the treaſury, or any three or more of them now being, or the ſaid high treaſurer, or any three or more of the commiſſioners of the treaſury for the time being, ſhall or may iſſue, or cauſe to be iſſued to ſuch paymaſter or paymaſters to be conſtituted as aforeſaid, by way of impreſt and upon account, ſo much monies out of the growing produce of the ſaid ſurpluſſes, exceſſes or overplus monies, commonly called the *Sinking fund*, as ſhall from time to time incur and grow due to the ſaid contractors for the intereſt or *premium* upon the ſaid exchequer bills to be made forth by this act during the continuance thereof, and ſuch other payments as are by this act directed or allowed to be paid or diſcharged out of the ſame; any thing in this or any former act or acts of parliament to the contrary notwithstanding.

Treaſury to iſſue money to pay the intereſt by way of impreſt,

XI. Provided alſo, and be it further enacted by the authority aforeſaid, That it is the true intent and meaning of this act, that all the exchequer bills hereby authorized to be made forth, not exceeding the ſaid ſum of one million four hundred thouſand pounds as aforeſaid, ſhall be, and they are hereby charged upon the ſaid ſurpluſſes, exceſſes or overplus monies, commonly called the *Sinking fund*; and the ſame exchequer bills ſhall (from and immediately after all the exchequer bills made forth for the principal ſum of one million one hundred ninety thouſand and forty one pounds ſixteen ſhillings and one penny, advanced by the governor and company of the bank of *England*, in purſuance of an act of the laſt ſeſſion of parliament, and charged on the ſaid *Sinking fund*, ſhall be paid off and diſcharged) from time to time be paid off to the ſaid governor and company of the bank of *England*, out of the monies that ſhall from time to time ariſe into the ſaid receipt of exchequer, of or for the ſaid *Sinking fund*, which may be applied to the payment of the principal of the national debt, and not otherwiſe: and the ſaid commiſſioners of the treaſury, or any three or more of them now being, or the ſaid high treaſurer, or any three or more of the commiſſioners of the treaſury for the time being, ſhall and may, and they are hereby authorized and enabled to cauſe ſuch monies which ſhall from time to time ariſe at the ſaid receipt of exchequer, of or for the ſaid *Sinking fund*, applicable to the payment of the principal of the national debt as aforeſaid (after paying off and diſcharging the exchequer bills before-mentioned) to be iſſued from time to time to ſuch paymaſter or paymaſters to be conſtituted as aforeſaid, by way of impreſt and upon account, to be by him or them applied towards the paying off and diſcharging the exchequer bills hereby authorized to be made forth as aforeſaid; or any part thereof, in the manner before directed; and at ſuch times, and in ſuch proportions, as the ſaid commiſſioners of the treaſury, or any three or more of them, or the high treaſurer for the time being, ſhall judge to be moſt for the advantage

The bills charged on the ſinking fund.

Interest to  
cease upon  
such of the  
bills as shall be  
paid of.

Appropriati-  
on of the sup-  
plies,

charge of the publick; from which respective time or times of paying off or discharging the said exchequer bills, or any part thereof, by such paymaster of paymasters as aforesaid, a proportionable part of the interest or *premium*, payable for such exchequer bills so paid off or discharged at the rate aforesaid, shall cease and determine; any thing in this or any other act or acts of parliament to the contrary in any wise notwithstanding.

XII. Provided always, and it is hereby further enacted by the authority aforesaid, That all the monies coming into the exchequer either by loans or exchequer bills, upon one act of this session of parliament, (intituled, *An act for granting an aid to his Majesty by a land tax; to be raised in Great Britain within the space of one year, from the twenty-fifth day of March one thousand seven hundred and fifty two*) and so much money, if any such be, of the tax thereby granted, as shall arise or remain after all the loans or exchequer bills made or to be made on the same act, and all the interest, *premium*, rate and charges thereupon, and the charges thereby allowable for raising the said land tax shall be satisfied, or money sufficient shall be reserved in the exchequer to satisfy and discharge the same; and also all the monies coming into the exchequer either by loans or exchequer bills, upon one other act of this session of parliament, (intituled, *An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder and perry, for the service of the year one thousand seven hundred and fifty two*) and so much money, if any such be, of the duties thereby granted as shall arise or remain after all the loans or exchequer bills made or to be made on the same act, and all the interest, *premium*, rate and charges thereon; and the charges thereby allowable for raising the said duties shall be satisfied, or money sufficient shall be reserved in the exchequer to satisfy and discharge the same; and also the sum of one million nine hundred thousand pounds by this act granted shall be further appropriated, and are hereby appropriated for and towards the several uses and purposes herein after expressed; that is to say, It is hereby enacted and declared by the authority aforesaid, That out of all or any the aids or supplies provided as aforesaid, there shall and may be issued and applied any sum or sums of money not exceeding one million seven hundred eighty two thousand and ninety pounds sixteen shillings and one penny, for or towards the naval services herein after more particularly expressed; that is to say, For or towards victuals, wages, wear and tear of the navy, and the victualling thereof, performed and to be performed, and for or towards sea services in the office of ordnance, performed and to be performed, for the year one thousand seven hundred and fifty two, consisting of three hundred fifty five days; and for or towards defraying the ordinary of his Majesty's navy, and for half-pay to sea officers; and for or towards the buildings, re-buildings and repairs of his Majesty's ships for the said year; and for or towards paying off or discharging the debt of the navy.

XIII. And it is hereby also enacted by the authority aforesaid,

612.  
1,782,090l.  
18 s. 1d. for  
naval services.

said, That out of all or any the aids or supplies aforesaid; there shall and may be issued and applied any sum or sums of money not exceeding nine thousand six hundred ninety nine pounds and nine shillings, upon account, towards the support of the royal hospital at *Greenwich*, for the better maintenance of the seamen of the said hospital, worn out and become decrepit in the service of their country.

2,691. 9s. to  
*Greenwich*  
Hospital.

XIV. And it is hereby also enacted by the authority aforesaid, That out of all or any the aids or supplies aforesaid, there shall and may be issued and applied any sum or sums of money not exceeding one hundred twenty four thousand nine hundred and twenty pounds three shillings and five pence, for or towards defraying the charge of the office of ordnance for land service for the year one thousand seven hundred and fifty two, performed and to be performed, and for defraying the extraordinary expence of the office of ordnance for land service, not provided for by parliament.

124,920 l. 3s.  
5d. to the  
charge of the  
ordnance for  
land service.

XV. And it is hereby also enacted, That out of all or any the aids or supplies provided as aforesaid, there shall and may be issued and applied any sum or sums of money not exceeding one million forty one thousand five hundred and fifty four pounds nineteen shillings and six pence, for and towards maintaining his Majesty's land forces, and other services herein after more particularly expressed; that is to say, Any sum or sums of money not exceeding six hundred and eleven thousand one hundred and one pounds six shillings and five pence halfpenny, for defraying the charges of eighteen thousand eight hundred and fifty seven effective men, including commission and non-commission officers, and also one thousand eight hundred and fifteen invalids, for guards, garrisons and other his Majesty's land forces in *Great Britain*, *Guernsey* and *Jersey*, for the year one thousand seven hundred and fifty two; and any sum or sums of money not exceeding two hundred twenty nine thousand nine hundred and forty three pounds thirteen shillings and nine pence halfpenny, for maintaining his Majesty's forces and garrisons in the plantations, *Minorca* and *Gibraltar*, and for provisions for the garrisons in *Nova Scotia*, *Newfoundland*, *Gibraltar* and *Providence*, for the year one thousand seven hundred and fifty two; and any sum or sums of money not exceeding fifty eight thousand four hundred forty eight pounds fourteen shillings and seven pence, upon account for out-pensioners of *Chelsea* hospital, for the year one thousand seven hundred and fifty two; and any sum or sums of money not exceeding sixty thousand pounds, upon account of the reduced officers of his Majesty's land forces and marines for the year one thousand seven hundred and fifty two, subject to such rules to be observed in the application of the said half-pay, as are hereafter prescribed concerning the same; and any sum or sums of money not exceeding four thousand five hundred twenty two pounds sixteen shillings and six pence, for defraying the charge for allowances to the several officers and private gentlemen of the two troops of horse guards, and

1,041,554 l.  
19s. 6d. to the  
land forces;

viz.  
611,101 l. 6s.  
5d. ag. for  
guards, &c. in  
*Great Britain*,  
*Guernsey* and  
*Jersey*;

229,943 l. 13s.  
9d. 2q. for  
the plantati-  
ons, *Minorca*  
and *Gibraltar*,  
and for provi-  
sions for the  
garrisons in  
*Nova Scotia*,  
*Newfound-*  
*land*, *Gibral-*  
*tar* and *Pro-*  
*vidence*.

58,448 l. 14s.  
7d. to out-  
pensioners of  
*Chelsea* Hos-  
pital;

60,000 l. to re-  
duced officers;  
4,522 l. 16s.  
6d. to the of-  
ficers and gen-  
tlemen of the

horie guards, &c. reduced; 3,125 l. 13 s. 1 d. to the pensions of officers widows;

ment of horie reduced, and to the superannuated gentlemen of the four troops of horie guards for the year one thousand seven hundred and fifty two; and any sum or sums of money not exceeding three thousand one hundred twenty five pounds thirteen shillings and one penny, for paying of pensions to the widows of such reduced officers of his Majesty's land forces and marines as died upon the establishment of half-pay in Great Britain, and who were married to them before the twenty fifth day of December one thousand seven hundred and sixteen, for the year one thousand seven hundred and fifty two; which said sum of three thousand one hundred and twenty five pounds thirteen shillings and one penny, shall be issued to such person or persons as his Majesty shall, by warrant or warrants under his royal sign manual, direct and appoint to receive the same, to be by him or them paid over to such widows of half-pay officers, or their assigns, according to such establishments, lists or other directions, and with and subject to such conditions, qualifications and other allowances for the same as his Majesty, by such and the like warrant or warrants, shall be graciously pleased to direct and appoint; and any sum or sums of money not exceeding twenty two thousand four hundred twelve pounds fifteen shillings and one penny, for defraying the extraordinary expences of his Majesty's land forces and other services incurred in the year one thousand seven hundred and fifty one, and not provided for by parliament; and any sum or sums of money not exceeding twenty thousand pounds, to enable his Majesty to make good his engagements with the Elector of Bavaria, pursuant to treaty; and any sum or sums of money not exceeding thirty two thousand pounds, to enable his Majesty to make good his engagements with the King of Poland, Elector of Saxony, pursuant to treaty.

20,412 l. 15 s. 1 d. for extraordinary expences of the land forces incurred in 1751.

20,000 l. to the Elector of Bavaria;

32,000 l. to the King of Poland.

21,042 l. 19 s. 6 d. a q. to the settling Nova Scotia in 1751.

and 40,450 l. and 10 d. for the present year.

6,997 l. 8 s. 3 d. to the deficiency of the additional stamp duties at Christmas.

XVI. And it is hereby also enacted by the authority aforesaid, That out of all or any the aids or supplies aforesaid, there shall be issued and applied any sum or sums of money not exceeding twenty one thousand and forty two pounds nineteen shillings and six pence halfpenny, upon account, for defraying the charges incurred by supporting and maintaining the settlement of his Majesty's colony of Nova Scotia in the year one thousand seven hundred and fifty one, and not provided for by parliament; and any sum or sums of money not exceeding forty thousand four hundred fifty pounds and ten pence, upon account, for supporting and maintaining the settlement of his Majesty's colony of Nova Scotia for the year one thousand seven hundred and fifty two.

XVII. And it is hereby also enacted by the authority aforesaid, That out of all or any the aids or supplies aforesaid, there shall and may be issued and applied any sum or sums of money not exceeding six thousand nine hundred ninety seven pounds eight shillings and three pence, to replace to the sinking fund the like sum paid out of the same, to make good the deficiency of the additional stamp duties at Christmas one thousand seven hundred

2750

hundred and fifty; and any sum or sums of money not exceeding five thousand four hundred thirty one pounds six shillings and four pence, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the duty on licences for retailing of spirituous liquors at *Lady-day* one thousand seven hundred and fifty one; and any sum or sums of money not exceeding eleven thousand seven hundred thirty seven pounds fourteen shillings and four pence halfpenny, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the duty of twelve shillings a barrel on sweets or wines made from *British* or foreign fruit or sugar at *Michaelmas* one thousand seven hundred and fifty one; and any sum or sums of money not exceeding twenty four thousand one hundred and two pounds nineteen shillings and five pence, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the additional duties on wines at *Midsummer* one thousand seven hundred and fifty one; and any sum or sums of money not exceeding fifty two thousand nine hundred sixty nine pounds one shilling and seven pence halfpenny, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the duties on glass and spirituous liquors at *Midsummer* one thousand seven hundred and fifty one; and any sum or sums of money not exceeding sixty one thousand and sixty six pounds seven shillings and ten pence farthing, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the rates and duties upon houses, windows and lights, at *Michaelmas* one thousand seven hundred and fifty one; and any sum or sums of money not exceeding fifty four thousand seven hundred fifty one pounds five shillings and five pence halfpenny, to make good the deficiency of the grants for the service of the year one thousand seven hundred and fifty one; and any sum or sums of money not exceeding seventeen thousand one hundred nineteen pounds fourteen shillings and four pence halfpenny, to make good the deficiency at *Christmas* one thousand seven hundred and fifty one, of the duties on spirituous liquors granted to his Majesty from the twenty fifth day of *March* one thousand seven hundred and forty three; and any sum or sums of money not exceeding six thousand six hundred ninety three pounds seventeen shillings and four pence, to make good the deficiency at *Christmas* one thousand seven hundred and fifty one, of the additional duty on wines; and any sum or sums of money not exceeding twenty four thousand nine hundred sixty eight pounds twelve shillings and ten pence halfpenny, to make good the deficiency at *Christmas* one thousand seven hundred and fifty one, of the duties on glass and spirituous liquors; and any sum or sums of money not exceeding ten thousand pounds, towards the support of the *British* forts and settlements upon the coast of *Africa*, to be applied in such manner as his Majesty shall think proper, and any sum or sums of money not exceeding four thousand pounds, to enable the trustees for establishing

5,431 l. 6s. 4d. to the deficiency of the duties on licences for retailing spirituous liquors at *Lady-day* 1751  
 11,371 l. 14s. 4d. 2q. to the deficiency of the duties on sweets at *Michaelmas* 1751.  
 24,102 l. 19s. 5d. to the deficiency of the additional duties on wines at *Midsummer* 1751.  
 52,969 l. 1s. 7d. 2q. to the deficiency of the duties on glass and spirituous liquors.  
 61,066 l. 7s. 10d. 3q. to the deficiency of the duties on houses, &c.  
 54,751 l. 5s. 5d. 2q. to the deficiency of the grants for 1751.  
 17,119 l. 14s. 4d. 2q. to the deficiency at *Christmas* 1751, of the duties on spirituous liquors.  
 6,693 l. 17s. 4d. to the additional duty on wines at *Christmas* 1751;  
 24,968 l. 12s. 10d. 2q. to the deficiency of the duties on glass and spirituous liquors.  
 10,000 l. to the settlements on the coast of *Africa*.  
 The 4,000 l. to the

trustees of  
Georgia i  
3,000 l. to-  
wards making  
a road from  
Carlisle to  
Newcastle.

the colony of *Georgia* in *America* to defray the expences incurred by them; and any sum or sums of money not exceeding three thousand pounds towards laying out, making and keeping in repair, a road proper for the passage of troops and carriages between the city of *Carlisle* and the town of *Newcastle upon Tyne*.

XVIII. *And whereas by an act of parliament made and passed in the sixth year of the reign of her late majesty Queen Anne, (intituled, An act for continuing one half part of the subsidies of tonnage and poundage, and other duties upon wines, goods, and merchandizes imported, which were granted to the crown in the twelfth year of the reign of King Charles the Second; and for settling a fund thereby, and by other ways and means for payment of annuities, not exceeding eighty thousand pounds per annum, to be sold for raising a further supply to her Majesty for the service of the year one thousand seven hundred and eight, and for other uses therein expressed) certain annuities were granted and made payable at the Exchequer out of the said duties by that act continued: and whereas in pursuance of an act made in the sixth year of the reign of his late majesty King George the First, (intituled, An act for enabling the South-Sea company to increase their present capital stock and fund, by redeeming such publick debts and incumbrances as are therein mentioned; and for raising monies to be applied for lessening several of the publick debts and incumbrances, and for calling in the present exchequer bills remaining uncanceled; and for making forth new bills in lieu thereof, to be circulated and exchanged upon demand at or near the exchequer) several of the proprietors of the annuities before mentioned did subscribe the same into the capital stock of the said South-Sea company, upon the terms in the said last recited act mentioned; by means whereof the said company are become intitled to the yearly sum of thirty nine thousand one hundred forty six pounds five shillings and seven pence, for interest and charges of management upon such part of the said annuities so subscribed into their capital: and whereas the monies arisen into the exchequer of or for the rates and duties by the said first recited act granted, have proved so low and deficient, that at the feast of the birth of our Lord Christ one thousand seven hundred and fifty-one, there was due and payable to the several persons intitled to such part of the said annuities as were not subscribed to the South-Sea company, as also to the South-Sea company upon their annuity aforesaid, the sum of eighty nine thousand nine hundred twenty five pounds ten shillings and seven pence: and whereas no provision is made by the said acts, or either of them, for making good such deficiency; be it therefore enacted by the authority aforesaid, That out of all or any the aids or supplies aforesaid, there shall and may be issued and applied any sum or sums of money not exceeding the sum of eighty nine thousand nine hundred twenty five pounds ten shillings and seven pence, to make good to the several proprietors of the said annuities, as also to the South-Sea company, the several sum or sums of money due to them, to satisfy their respective annuities payable by the said acts of parliament,*

6 Ann. c. 11.

6 Geo. 1. c. 4.

89,925 l. 10s. 7d. to make good to the proprietors of the annuities, and to the South-sea company the sums due by

liament, to or for any time before the said feaft day of the birth the recited  
of our Lord Chrifft one thousand feven hundred and fifty-one. acts.

XIX. *And whereas by an act of parliament made and paffed in 4 Geo. 2. c. 9. the fourth year of his prefent Majefty's reign, (intituled, An act for raising one million two hundred thousand pounds by annuities and a lottery, in manner therein mentioned; and for appropriating the fupplies granted in this feffion of parliament; and for making forth duplicates of exchequer bills, lottery tickets and orders loft, burnt or otherwife destroyed) it is amongst other things enacted, That it fhould and might be lawful to and for any perfon or perfons, bodies politick or corporate, to contribute, advance and pay into the receipt of his Majefty's Exchequer, for his Majefty's ufe, at fuch time or times as fhould be appointed by the commiffioners of the treasury then being, or by the high treafurer, or the commiffioners of the treasury for the time being, any fum or fums of money not exceeding four hundred thousand pounds, in part of the fald whole fum of one million two hundred thousand pounds, for the abfolute purchafe of any certain annuity or annuities, to commence from the twenty-ninth day of September one thousand feven hundred and thirty one, and to be paid and payable to fuch contributor or contributors, or fuch as he, fhe or they fhould nominate his, her or their executor, admifftrators, fucceffors and affigns refpectively, until redemption thereof by parliament, in manner therein after mentioned; which certain annuities were to be computed at the rate of three pounds ten fhillings per annum for every one hundred pounds, and proportionably for any greater fum to be advanced and paid; and the purchafe money fo to be paid for every fuch annuity at the rate aforefald, was thereby appointed to be paid into the fald receipt at the time or times before mentioned; and the fald annuities were by the fald act charged upon and made payable at the refpective half-yearly days of payment therein fpecified, out of the money arifing by the additional duties on flampft vellum, parchment and paper, by the fald act granted and appropriated for the payment thereof; and the fum of fourteen thousand pounds per annum is thereby directed to be iffued and applied at the fald receipt of exchequer, out of the fald additional duties on flampft vellum, parchment and paper, to answer and pay the fald annuities at the refpective half-yearly days of payment therein fpecified; and after referving fufficient to pay and fatisfy, from time to time, fuch half-yearly payments as fhould grow due upon the fald annuity of fourteen thousand pounds, that then the further yearly fum or annuity of twenty four thousand pounds fhould be iffued and paid to the cashier of the bank of England, out of the monies remaining in the fald receipt, of the fald additional duties on flampft vellum, parchment and paper, for answering and paying all and every the annuities or yearly payments, after the rate of three pounds per centum per annum, to the contributors of the lottery therein mentioned, in refpect of the principal fum of eight hundred thousand pounds, advanced by them upon the credit of the fald additional duties, at the refpective half-yearly days of payment therein fpecified, until the fald feveral and refpective annuities fhould be redeemed by parliament, according to the provifo therein contained for that purpofe; as in and by the fald act, relation being thereunto had,*



Treasury  
to issue  
400,000 l. to  
be paid to the  
proprietors of  
the orders of  
loan made in  
pursuance of  
4 Geo. 2. c. 9.  
pursuant to  
the notice  
given by the  
speaker.

may more fully appear: and whereas the speaker of the house of commons did, in pursuance of a resolution of the said house in the last session of parliament, give notice by writing inserted in the London Gazette, and affixed upon the Royal Exchange in London, that the said annuities will be redeemed and paid off on the tenth day of October one thousand seven hundred and fifty-two, agreeable to the power of redemption in the said act; be it therefore enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners of the treasury, or any three or more of them now being, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being, and they are hereby respectively authorized and required, on the said tenth day of October one thousand seven hundred and fifty two, to cause the said sum of four hundred thousand pounds to be issued and paid at the said receipt of his Majesty's Exchequer, out of all or any the aids or supplies provided as aforesaid, unto the proprietors of the several and respective orders of loan made forth in pursuance of the before recited act of the fourth year of his present Majesty's reign, all the principal sums contained in the said orders of loan, amounting in the whole to the said sum of four hundred thousand pounds, pursuant to the notice given by the speaker of the house of commons in that behalf as aforesaid.

On payment  
of the above  
sum, the an-  
nuities to  
cease;

XX. And be it further enacted by the authority aforesaid, That from and after the paying off and discharging all the principal sums contained in the said orders of loan, amounting in the whole to the said principal sum of four hundred thousand pounds, or reserving money sufficient for that purpose, and also upon full payment of all arrears of the annuities payable in respect thereof, the said several and respective annuities shall cease, determine and be understood to be redeemed; and from and after the redemption of the said annuities, all the monies which shall from time to time arise into the said receipt of exchequer, of or for the said additional duties on stamp vellum, parchment and paper, shall from thenceforth be wholly applied to answer and pay the further annuity of twenty four thousand pounds, charged upon and made payable by the said recited act of the fourth year of his present Majesty's reign, out of the said additional duties, until redemption thereof by parliament; according to the proviso therein contained in that behalf; any thing in this or the said recited act to the contrary thereof in any wise notwithstanding.

and the duties  
to be applied  
to pay the  
further an-  
nuity of  
24,000 l.

XXI. Provided always, and be it further enacted by the authority aforesaid, That in case there shall be any surplus or remainder of the monies arising by the said additional duties at the end of any one year, after the said annuity of twenty four thousand pounds, and all arrears thereof, are satisfied, or money sufficient shall be reserved for that purpose, that then such surplus or remainder shall from time to time be reserved for the disposition of parliament, and shall not be issued but by authority of parliament, and as shall be directed by future act or acts

and the sur-  
plus to be re-  
served for the  
disposition of  
parliament.

of parliament in that behalf; any thing in any former act or acts to the contrary thereof notwithstanding.

XXII. And be it further enacted by the authority aforesaid, That the said aids and supplies provided as aforesaid, shall not be issued or applied to any use, intent or purpose whatsoever, other than the uses and purposes before mentioned, or for the several deficiencies or other payments directed to be satisfied thereout by any act or acts, or any particular clause or clauses for that purpose contained in any other act or acts of this present session of parliament.

These aids to be applied only to the uses before-mentioned.

XXIII. And as to the said sum of sixty thousand pounds by this act appropriated on account of half-pay as aforesaid, it is hereby enacted and declared by the authority aforesaid, That the rules herein after prescribed shall be duly observed in the application of the said half-pay; that is to say, That no person shall have or receive any part of the same who was a minor, and under the age of sixteen years, at the time when the regiment, troop or company in which he served was reduced; that no person shall have or receive any part of the same, except such persons who did actual service in some regiment, troop or company; that no person having any other place or employment of profit civil or military under his Majesty, shall have or receive any part of the said half-pay; that no chaplain of any garrison or regiment who has any ecclesiastical benefice in *Great Britain* or *Ireland*, shall have or receive any part of the said half-pay; that no person shall have or receive any part of the same, who has resigned his commission and has had no commission since; that no part of the same shall be allowed to any person by virtue of any warrant or appointment, except to such persons who would have been otherwise entitled to the same as reduced officers; and that no part of the same shall be allowed to any of the officers of the five regiments of dragoons, and eight regiments of foot, lately disbanded in *Ireland*, except to such as were lately taken off the establishment of half-pay in *Great Britain*.

Rules to be observed in the application of the 60,000 l. appropriated to the reduced officers.

XXIV. And whereas by an act of parliament made and passed in the twenty fourth year of his Majesty's reign, (intituled An act for granting to his Majesty the sum of six hundred thousand pounds out of the sinking fund for the service of the year one thousand seven hundred and fifty one; and for allowances to the poor widows of commission and warrant officers of the royal navy; and for the further appropriating the supplies granted this session of parliament, and for making forth duplicates of exchequer bills, lottery tickets, certificates, orders of loan or annuity orders, payable at the exchequer, in lieu of such as shall be lost, burnt or destroyed; and also for making forth new orders of loan or annuity orders, in lieu of such as shall become defaced, obliterated or otherwise incumbered with assignments or indorsements thereon) several supplies which had been granted to his Majesty, as is therein mentioned, were appropriated to several uses and purposes therein expressed; amongst which any sum or sums of money not exceeding sixty four thousand pounds, was appropriated to be paid

24 Geo. 2.  
c. 47-

Overplus of last year's half pay to be applied to such objects of charity as his Majesty shall direct.

to the reduced officers of his Majesty's land forces and marines, shall never be less to such rules to be observed in the application of said half-pay, as in and by the aforesaid act were prescribed in that behalf; now it is hereby provided, enacted and declared by the authority aforesaid, That so much of the said sum of sixty thousand pounds, as is or shall be more than sufficient to satisfy the said reduced officers, according to the rules prescribed in the said act to be observed in the application thereof, or any part of such overplus, shall and may be disposed of to such officers who are maimed, or lost their limbs in the late wars, or such others as by reason of their long service, or otherwise, his Majesty shall judge to be proper objects of charity, or to the widows or children of such officers, according to such warrant or warrants, under his Majesty's royal sign manual, as shall be signed in that behalf; any thing in this act, or the said former act, to the contrary notwithstanding.

### C A P. XXVI.

*An act to restrain the making insurances on foreign ships bound to or from the East Indies.*

9 Geo. I. c. 26.

**W**HEREAS by an act passed in the ninth year of the reign of his late majesty King George the First, intituled, An act to prevent his Majesty's subjects from subscribing or being concerned in encouraging or promoting any subscription for an East-India company in the Austrian Netherlands; and for the better securing the lawful trade of his Majesty's subjects to and from the East Indies; all his Majesty's subjects are restrained and prohibited from subscribing, contributing to, encouraging, or promoting the raising, establishing or carrying on any foreign company erected for trading to the East Indies, from and after the twentieth day of June one thousand seven hundred and twenty three, in order the more effectually to secure by the provisions of the said act, as well as by several other laws now in force, the sole trade to and from the East Indies, and other places beyond the cape of Good Hope, to the united company of merchants of England trading to the East Indies, that thereby the British nation might enjoy the full fruits and advantages of so beneficial a trade: and whereas insuring the ships and vessels of foreigners trading to the East Indies, or the lending money on Bottomree or Respondentia of or upon any such foreign ships or vessels, may be a means of encouraging his Majesty's subjects to share with foreigners in the establishing or erecting of new companies, societies or corporations for carrying on the said trade in the dominions of foreign states or princes, whose subjects have never before adventured to carry it on; 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 May one thousand seven hundred and fifty two, all and every person or persons, bodies politick or corporate, being subjects of his Majesty in Great Britain or Ireland, or elsewhere, and

No insurances to be made on money to be lent on bottomree or respondentia

and

and all other persons whatsoever residing within *Great Britain* or *Ireland*, shall be restrained and prohibited by virtue of this act, from granting, signing or under-writing any policy or policies of assurance, or lending any money on *Bottomree* or *Respondentia*, or of or upon any foreign ship or ships trading or sailing, or to trade or sail to or from the *East Indies*, and other places beyond the cape of *Good Hope*, within the limits of trade granted to the united company of merchants of *England* trading to the *East Indies*, or to or from any ports or places within the said limits; or of or upon any goods, merchandizes or effects, laden or to be laden on board any such ship or ships, the said ships or goods not belonging to any companies, societies or corporations which were established or erected, or which had carried on such trade; or to any person or persons who had carried on such trade by virtue of any charter, licence or authority from their respective Sovereigns, on or before the seventh day of *October* one thousand seven hundred and forty eight; and all contracts, bargains and agreements by which any *Premium*, or consideration in the nature of a *Premium*, shall be taken for such policy or policies, upon any such ship or ships, or upon any goods, merchandizes or effects laden or to be laden thereon; and every other contract, wager, or agreement in the nature of a wager, concerning the event of the said voyage of such foreign ship or ships; and all bonds for any sum or sums of money lent, or agreed to be lent or advanced, by way of *Bottomree* or *Respondentia* on the same, contrary to the true intent and meaning of this act, shall be void.

II. And be it further enacted by the authority aforesaid, That all and every person and persons, bodies politick or corporate whatsoever, being the King's subjects, in *Great Britain* or *Ireland*, or elsewhere, and all other persons whatsoever residing within *Great Britain* or *Ireland*, who, from and after the said first day of *May* one thousand seven hundred and fifty two, shall by themselves or agents enter into or execute any such contract, bargain or agreement, or lend any money upon *Bottomree* or *Respondentia* Bonds as aforesaid, contrary to the true intent and meaning of this act, shall forfeit and pay treble the sum insured or lent upon *Bottomree* or *Respondentia* as aforesaid; and also all factors, brokers, agents, office-keepers, scriveners or other persons who shall prepare, write or negotiate any such contract, bargain, agreement or bond as aforesaid, shall forfeit and pay treble the sum insured or lent upon *Bottomree* or *Respondentia* as aforesaid; which said penalties shall and may be recovered by action of debt, bill, plaint or information, in any of his Majesty's courts of record at *Westminster*, or in the court of session in *Scotland*, or in any of his Majesty's courts of record at the four courts in *Dublin* respectively; in which action or suit no essoin, protection, privilege or wager of law, or more than one imparlance shall be allowed; one moiety of the said penalties to be to the use of his Majesty, his heirs and successors, and the other moiety

on forfeiture  
of treble the  
sum insured  
or lent;

moiety thereof to the use of him, her or them who shall sue for the same.

Not to extend to the ships or goods of the subjects of such Sovereigns, who traded there before 7 Oct. 1748.

This act to be in force for 7 years.

III. Provided, That this act shall not extend to the prohibiting insurances on such ships, goods or interests as shall belong to the subjects of such Sovereigns, who before the said seventh day of *October* one thousand seven hundred and forty eight, have granted charters, licences or authorities to trade within the said limits, and whose subjects were, at the said seventh day of *October*, actual traders within the said limits, and by virtue of such charters, licences or authorities.

IV. Provided also, That this act shall continue in force for seven years, and to the end of the then next session of parliament, and no longer.

### CAP. XXVII.

*An act for converting the several annuities therein mentioned into several joint stocks of annuities, transferrable at the bank of England, to be charged on the sinking fund; and also for consolidating the several other annuities therein mentioned, into several joint stocks of annuities, transferrable at the South-Sea house.*

4 Geo. 2. c. 9. **W**HEREAS in pursuance of an act of parliament made and passed in the fourth year of his Majesty's reign (for raising one million two hundred thousand pounds by annuities and a lottery, and for other purposes therein mentioned) several persons, bodies politick or corporate, did advance and lend the sum of eight hundred thousand pounds, part of the said sum of one million two hundred thousand pounds, upon the credit of the additional duties on stamp vellum, parchment and paper, by the said act granted and continued, for the purchase of annuities after the rate of three pounds per centum, transferrable at the bank of England, and redeemable by parliament: and whereas in pursuance of another act of parliament made and passed in the fifteenth year of his Majesty's reign (for granting to his Majesty the sum of eight hundred thousand pounds, to be raised by annuities transferrable at the bank of England; and for other purposes therein mentioned) several persons, bodies politick or corporate, did advance and lend the said sum of eight hundred thousand pounds upon the credit of the surplusses, excesses or overplus monies, commonly called The Sinking Fund, by the said act granted and appropriated in that behalf for the purchase of annuities after the rate of three pounds per centum, transferrable at the bank of England, and redeemable by parliament: and whereas in pursuance of another act of parliament made and passed in the sixteenth year of his Majesty's reign (for raising by annuities and a lottery, in manner therein mentioned, the sum of one million eight hundred thousand pounds at three pounds per centum per annum, for the service of the year one thousand seven hundred and forty three) several persons, bodies politick or corporate, did advance and lend the said sum of one million eight hundred thousand pounds upon the credit of the rates and duties on low wines, spirits and strong waters, granted to his Majesty by one other act of the same session of parliament,

15 Geo. 2. c. 19.

16 Geo. 2. c. 13.

liament, for the purchase of annuities after the rate of three pounds per centum, transferrable at the bank of England, and redeemable by parliament: and whereas by one other act of parliament made and passed in the seventeenth year of his Majesty's reign (for raising by annuities and a lottery, in the manner therein mentioned, the sum of one million eight hundred thousand pounds at three pounds per centum per annum, for the service of the year one thousand seven hundred and forty four) several persons, bodies politick or corporate, did advance and lend the said sum of one million eight hundred thousand pounds upon the credit of the surplus or remainder of the monies to arise into the receipt of exchequer, of or for the rates and duties on spirituous liquors, granted by the last-recited act of the sixteenth year of his Majesty's reign (after satisfying the annuity payable to the East-India company out of the said duties) for the purchase of annuities after the rate of three pounds per centum, transferrable at the bank of England, and redeemable by parliament: and whereas by one other act of parliament made and passed in the eighteenth year of his Majesty's reign (for granting to his Majesty several additional duties upon all wines imported, and for raising a certain sum of money by annuities and a lottery, in manner therein mentioned, to be charged on the said additional duties) several persons, bodies politick or corporate, did advance and lend the sum of two millions upon the credit of the said additional duties, for the purchase of annuities after the rate of three pounds per centum, transferrable at the bank of England, and redeemable by parliament; and the said additional duties were also charged with the payment of certain annuities for lives at the said receipt of exchequer, in the manner in the said act directed: and whereas in pursuance of one other act of parliament made and passed in the twenty third year of his Majesty's reign (for granting to his Majesty the sum of one million, to be raised by annuities at three pounds per centum per annum, and charged on the sinking fund, transferrable at the bank of England) several persons, bodies politick or corporate, did advance and lend the said sum of one million upon the credit of the said sinking fund, for the purchase of annuities after the rate of three pounds per centum per annum, transferrable at the bank of England, and redeemable by parliament: and whereas the said several principal sums before-mentioned, for which the said several and respective annuities now carrying an interest of three pounds per centum per annum, transferrable at the bank as aforesaid, are payable, do amount in the whole to the sum of eight millions two hundred thousand pounds; and it is thought necessary, that the said principal sum be (with the consent of the proprietors thereof, to be signified within the time herein after-mentioned) converted into one joint stock of annuities; and that the interest or annuities shall be paid out of the produce of the sinking fund, until redemption thereof by parliament, in manner herein after-mentioned; and that the several duties and revenues which were given and granted for payment of the said annuities, and on which the same were charged, shall be carried into and made part of the said sinking fund: now we your Majesty's most dutiful and loyal subjects the commons of Great Britain in parliament assembled, being of opinion that it will be of advantage to the

The afore-mentioned fums, amounting to 8,200,000 l. and carrying 3 l. per cent. interest, to be converted into one joint stock of annuities, transferrable at the bank.

Subscribers empowered to transfer.

The annuities to be paid unto 24 June 1752, out of the funds appropriated;

but if they be deficient out of the sinking fund;

thenceforth they are to be charged on

publick, and also a great convenience to the proprietors of the said annuities, if the same were consolidated into one joint stock of annuities as aforesaid; and being desirous to provide for the punctual payment of the said annuities, and to prevent any deficiencies or delay of payment thereupon, 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 after the twenty fourth day of *June* one thousand seven hundred and fifty two, and before the fifth day of *January* one thousand seven hundred and fifty three, the several fums afore-mentioned, amounting to eight millions two hundred thousand pounds, carrying an interest after the rate of three pounds *per centum per annum*, payable in pursuance of the before-recited acts of parliament in that behalf, shall (with the consent aforesaid) be converted into one joint stock of annuities, transferrable at the bank of *England*, in the same manner and form as the said several and respective annuities are now transferred, until redemption thereof by parliament, in manner herein after-mentioned; any thing in the said recited acts to the contrary thereof in any wise notwithstanding.

II. And be it enacted, That all and every person and persons, bodies politick or corporate, who shall subscribe or signify their consent to the making their said annuities part of the said joint stock of annuities, as aforesaid, shall be immediately intitled to the privilege of transferring such annuities as part of the said joint stock, from the said twenty fourth day of *June* one thousand seven hundred and fifty two, as aforesaid.

III. And be it enacted by the authority aforesaid, That all and every the said several and respective annuities transferrable at the bank of *England* as aforesaid, shall be paid unto the said twenty fourth day of *June* one thousand seven hundred and fifty two, out of the same rates, duties and impositions, as the said several and respective annuities are now paid and payable, together with other charges payable out of the same: but in case the monies arising into the receipt of the exchequer, shall not be sufficient to answer and pay the said several and respective annuities and other charges, at the time appointed for payment thereof, that then and in such case it shall and may be lawful to and for the commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, to cause so much money to be issued out of the said sinking fund, as shall be sufficient to answer and pay the said several and respective annuities as shall become due and payable, until the said twenty fourth day of *June* one thousand seven hundred and fifty two, and all the said other charges attending the same.

IV. And be it further enacted by the authority aforesaid, That from and after the said twenty fourth day of *June* one thousand seven hundred and fifty two, all the said several and re-

pective principal fums transferrable at the bank of *England* as the finking fund; aforefaid, amounting in the whole to the fum of eight millions two hundred thoufand pounds, as alfo fuch fum or fums of money as fhall or may be made payable to the governor and company of the bank of *England*, for the charges of management, fhall be, and are hereby charged and chargeable upon the faid finking fund, and fhall be iffued and paid half-yearly on the fifth day of *January*, and the fifth day of *July*, in every year, and to be paid out of the furplus funds, and other duties and revenues compofing the faid finking fund, and fhall be deemed and taken to be charges and incumbrances thereupon, until redemption thereof by parliament; fubject nevertheless to fuch charges and incumbrances as are already made thereupon by parliament: and the commiffioners of the treasury, or any three or more of them now being, or the high treafurer or commiffioners of the treasury of his Majesty, his heirs or fucceffors for the time being, without any further or other warrant to be fued for, had or obtained in that behalf, fhall and may, from time to time, iffue the fame at the refpective half-yearly or other days of payment, whereon the fame fhall become due and payable at the faid receipt of exchequer, to the firft or chief cashier or cashiers of the governor and company of the bank of *England*, and their fucceffors for the time being, by way of impreft and upon account, for the purpofes above-mentioned; and that all and every fuch cashier or cashiers, to whom the faid money fhall, from time to time be iffued, fhall without delay, apply and pay the fame accordingly, and render his account thereof according to the due courfe of the exchequer; any thing herein before contained to the contrary notwithstanding.

V. And be it further enacted by the authority aforefaid, That from and after the faid twenty fourth day of *June* one thoufand feven hundred and fifty two, all the faid rates, duties, impositions or revenues, granted and appropriated by the faid feveral and refpective acts herein before recited, for payment of the faid feveral and refpective annuities transferrable at the bank of *England*, as aforefaid, fhall be carried to, and made part of the faid finking fund (after referving fufficient to pay the annuities for lives at the exchequer, and other charges and incumbrances charged on the faid duties and revenues) and the fame fhall be deemed and taken to be part of the faid finking fund, and fhall be iffued and applied to fuch ufes and purpofes, as all and every other the furplus funds, duties and revenues, compofing the faid finking fund, are or may be iffued and applied; any thing in any former act or acts of parliament to the contrary thereof in any wife notwithstanding.

VI. And whereas by and in purfuance of two feveral acts of parliament, made and paffed in the ninth and eleventh years of his Majesty's reign, certain annuities, after the rate of three pounds per centum per annum, were created and made payable at the faid receipt of exchequer, out of the finking fund, amounting to the principal fum of nine hundred thoufand pounds, for which tallies and orders were made

The funds which were appropriated to the annuities, made part of the finking fund. |

9 Geo. 2. c. 34.  
11 Geo. 2. c. 27.

Proprietors of the 3l. per cent. annuities, granted



by acts 9 & 11  
Geo. 2. may  
subscribe into  
the joint stock,

made out at the said receipt, and as the proprietors of the said tallies and orders may be desirous to subscribe the same into the said joint stock of annuities, after the rate of three pounds per centum per annum; be it therefore enacted by the authority aforesaid, That the said proprietors may, at any time between the said twenty fourth day of June one thousand seven hundred and fifty two, and the said fifth day of January one thousand seven hundred and fifty three, subscribe the same into the said joint stock of annuities accordingly.

8 Geo. 2. c. 12.

VII. And whereas by and in pursuance of one other act made and passed in the eighth year of his Majesty's reign, certain orders for annuities after the rate of three pounds per centum per annum, were made forth at the said receipt of exchequer, payable out of the general fund, in lieu of debentures made forth to the sufferers of Nevis and Saint Christophers, to the amount of one hundred forty one thousand ninety three pounds fifteen shillings and one penny farthing; whereof there now remains the sum of thirty seven thousand eight hundred twenty one pounds five shillings and one penny farthing; be it therefore enacted by the authority aforesaid, That the proprietors of the said orders may, at any time between the said twenty fourth day of June one thousand seven hundred and fifty two, and the said fifth day of January one thousand seven hundred and fifty three, subscribe the said annuity orders into the said joint stock of annuities after the rate of three pounds per centum per annum, as aforesaid.

The proprie-  
tors of the 31.  
per cent. an-  
nuities grant-  
ed by 8 Geo. 1.  
in lieu of de-  
bentures to  
the sufferers of  
Nevis and St.  
Christopher's,  
may subscribe.

The subscrib-  
ers may im-  
mediately  
transfer,

VIII. And be it enacted, That all and every person or persons, bodies politick or corporate, who shall subscribe their said orders into the joint stock of annuities aforesaid, shall be immediately intitled to the privilege of transferring such annuities, as part of the said joint stock of annuities, from the said twenty fourth day of June one thousand seven hundred and fifty two, as aforesaid.

the orders to  
be paid quar-  
terly to Mid-  
summer 1752.

IX. And be it further enacted, That such of the said orders that shall be so subscribed, which are now made payable half-yearly at Michaelmas and Lady-day, shall be paid by the quarter, to grow due from Lady-day one thousand seven hundred and fifty two to Midsummer following; any thing in any former act to the contrary thereof in any wise notwithstanding.

Bank to pro-  
vide books for  
the subscrip-  
tions,

X. And be it further enacted by the authority aforesaid, That the governor and company of the bank of England shall, and they are hereby required to cause such books to be prepared as shall be necessary for receiving the subscription or consent of such of the proprietors of the several and respective annuities, after the rate of three pounds per centum per annum, transferrable at their office, and also of the proprietors of the several annuities, tallies and orders payable at the exchequer out of the sinking fund, as also of the several proprietors of the annuities and orders payable at the exchequer out of the general fund, as shall subscribe the same into the joint stock of annuities before mentioned, which books shall be constantly kept open at the bank of England for that purpose every day, Sundays and holidays

to be open  
17pm 24 June

days only excepted, from the faid twenty fourth day of *June* 1752, to 25 one thousand seven hundred and fifty two, to the faid fifth day of *Jan.* 1753, *January* one thousand seven hundred and fifty three inclusive, and no longer; subject nevertheless to such further directions, except the treasury shall allow further time. with respect to the taking in or receiving such subscriptions or consent from the proprietors of the faid annuities, after the faid rate of three pounds *per centum per annum*, as shall or may be given by the commissioners of the treasury, or any three or more of them now being, or by the high treasurer, or any three or more of the commissioners of the treasury for the time being, for the benefit and advantage of the publick; and it shall and may be lawful to and for the proprietors of the faid several and respective annuities, their respective attornies, representatives or assigns, or such person or persons as he, she or they shall respectively authorize and empower by writing in that behalf, to subscribe for them; and all persons empowered to receive any interest or dividend that shall become due on the faid annuities shall, and they have hereby power to make the subscriptions, and give consent in the faid respective books accordingly, without any fee or charge, at any time between the faid twenty fourth day of *June* one thousand seven hundred and fifty two, and the faid fifth day of *January* one thousand seven hundred and fifty three; and the several officers of the faid governor and company who shall be appointed to take in the faid subscriptions, or receive such consents, shall during the time aforesaid constantly attend at the faid office for that purpose at such hours as business is usually transacted there. The proprietors may subscribe. Officers to attend.

XI. *And whereas in pursuance of an act of parliament made and passed in the nineteenth year of his Majesty's reign for granting to his Majesty several rates and duties upon glass, and spirituous liquors, and for other purposes therein mentioned, several persons, bodies politick or corporate, did advance and lend upon the credit of the faid rates and duties the principal sum of three millions, for the purchase of annuities transferrable at the bank of England, and redeemable by parliament; and the faid rates and duties were also charged with the payment of certain annuities for lives, payable at the receipt of the exchequer, in the manner by the faid act directed; which faid sum of three millions is now reduced to the principal sum of two millions eight hundred twenty four thousand four hundred twenty eight pounds thirteen shillings and eleven pence, attended with annuities after the rate of three pounds ten shillings per centum, pursuant to certain acts of parliament in that behalf: and whereas by another act of parliament made and passed in the twentieth year of his Majesty's reign, for repealing the several rates and duties upon houses, windows and lights, and for granting to his Majesty other rates and duties upon houses, windows or lights, and for other purposes therein mentioned, several persons, bodies politick or corporate, did advance and lend upon the credit of the faid duties the principal sum of four millions for the purchase of annuities, transferrable at the bank of England, upon which (for the encouragement of persons who should advance and lend the same) there was an allowance of ten pounds per centum,*

fo that the capital fum amounted to the fum of four millions four hundred thoufand pounds redeemable by parliament; which faid fum of four millions four hundred thoufand pounds is now reduced to the principal fum of four millions one hundred eighty nine thoufand three hundred fixty five pounds and five fhillings, attended with annuities after the rate of three pounds ten fhillings per centum, purfuant to certain a<sup>ts</sup> of parliament in that behalf; and the faid rates and duties were likewife appropriated for the payment of the yearly fum of ninety one thoufand four hundred eighty five pounds and fix pence three farthings to the aggregate fund: and whereas by one other a<sup>t</sup> of parliament made and paffed in the twentieth year of his Majefty's reign, for granting feveral rates and duties upon coaches and other carriages, and for other purpofes therein mentioned, feveral perfons, bodies politick or corporate, did advance and lend upon the credit of the faid rates and duties the principal fum of one million, for the purchafe of annuities, transferrable at the bank of England, and redeemable by parliament; which faid fum of one million is now reduced to the principal fum of nine hundred twenty nine thoufand two hundred feventy fix pounds ten fhillings and fix pence, attended with annuities after the rate of three pounds ten fhillings per centum,

10 Geo. 2. c. 10. purfuant to certain a<sup>ts</sup> of parliament in that behalf: and whereas by an a<sup>t</sup> of parliament made and paffed in the twenty firft year of his Majefty's reign, for granting to his Majefty a fubfidy of poundage upon all goods and merchandizes imported, and for other purpofes therein mentioned, feveral perfons, bodies politick or corporate, did advance and lend upon the credit of the faid fubfidy the principal fum of fix millions three hundred thoufand pounds, for the purchafe of annuities, transferrable at the bank of England; and for the encouragement of all perfons who fhould advance and lend the fame, there was an advance of fix hundred and thirty thoufand pounds, being ten pounds per centum on the faid fum contributed, fo that the whole capital fum amounted to the fum of fix millions nine hundred and thirty thoufand pounds, redeemable by parliament; which faid fum of fix millions nine hundred and thirty thoufand pounds, is now reduced to the principal fum of fix millions fix hundred fixty thoufand and fix pounds eighteen fhillings and three pence, attended with annuities after the rate of three pounds ten fhillings per centum, purfuant to certain a<sup>ts</sup> of parliament in that behalf: and whereas by an a<sup>t</sup> of parliament made and paffed in the twenty fecond year of his Majefty's reign, for charging the finking fund with the payment of annuities in difcharge of navy, victualling and transport bills, and ordnance debentures to the amount therein mentioned, certain perfons, bodies politick and corporate, who were poffeffed of fuch bills and debentures, did fubfcribe the fame at the bank of England, to the amount of three millions feventy two thoufand four hundred feventy two pounds and ten pence, for annuities transferrable there, charged upon the faid finking fund, redeemable by parliament; which faid fum of three millions feventy two thoufand four hundred feventy two pounds and ten pence, is now reduced to the principal fum of two millions nine hundred fixty eight thoufand four hundred ninety fix pounds eight fhillings and eight pence, attended with annuities after the rate of three pounds

ten ſhillings per centum, purſuant to certain acts of parliament in that behalf: and whereas the principal ſums before-mentioned, now carrying an intereſt of three pounds ten ſhillings per centum per annum, transferrable at the bank of England as aforeſaid, do amount in the whole to the ſum of ſeventeen millions five hundred ſeventy one thouſand five hundred ſeventy three pounds ſixteen ſhillings and four pence; whereof the ſum of fourteen millions eight hundred fifty ſeven thouſand nine hundred fifty five pounds eighteen ſhillings and four pence was firſt ſubſcribed, in purſuance of an act of parliament of the twenty third year of his Majeſty's reign, for an annuity of three pounds ten ſhillings per centum, until the twenty fifth day of December one thouſand ſeven hundred and fifty ſeven, which will be the fifth day of January one thouſand ſeven hundred and fifty eight; and from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and fifty ſeven, for annuities at three pounds per centum; and the reſidue thereof, amounting to the ſum of two millions ſeven hundred thirteen thouſand ſix hundred and ſeventeen pounds eighteen ſhillings, was laſt ſubſcribed, in purſuance of another act of the ſame ſeſſion of parliament, for an annuity of three pounds ten ſhillings per centum, until the twenty fifth day of December one thouſand ſeven hundred and fifty five, which will be the fifth day of January one thouſand ſeven hundred and fifty ſix; and from and after the twenty fifth day of December one thouſand ſeven hundred and fifty five, for annuities of three pounds per centum: and whereas it is likewiſe thought neceſſary that the ſeveral principal ſums transferrable at the bank of England as aforeſaid, amounting to the ſum of fourteen millions eight hundred fifty ſeven thouſand nine hundred fifty five pounds eighteen ſhillings and four pence, ſhall, with the conſent of the proprietors thereof, (to be ſignified within the time herein after-mentioned) be converted into one joint ſtock of annuities, the intereſt or annuity to be charged and chargeable upon the ſinking fund; and that the ſaid ſeveral principal ſums as aforeſaid, amounting to the ſum of two millions ſeven hundred thirteen thouſand ſix hundred ſeventeen pounds eighteen ſhillings, be, with the conſent of the proprietors thereof, (to be ſignified as aforeſaid) converted into one other joint ſtock of annuities, the intereſt or annuity to be charged and chargeable upon the ſaid ſinking fund; and that from and after the fifth day of April one thouſand ſeven hundred and fifty eight, the ſaid intended joint ſtock of fourteen millions eight hundred fifty ſeven thouſand nine hundred fifty five pounds eighteen ſhillings and four pence, together with the ſaid intended joint ſtock of two millions ſeven hundred thirteen thouſand ſix hundred ſeventeen pounds eighteen ſhillings, or ſo much thereof as ſhall be then unſatisfied, ſhall be one joint ſtock of annuities, and that the ſeveral duties and revenues which were given and granted for payment of the ſaid annuities, and on which the ſame were charged, ſhall be carried into and made part of the ſaid ſinking fund; be it therefore further enacted by the authority aforeſaid, That after the tenth day of October one thouſand ſeven hundred and fifty two, and before the fifth day of April one thouſand ſeven hundred and fifty three, the ſaid ſeveral annuities, amounting to fourteen millions eight hundred fifty ſeven

The aforeſaid ſums amounting to 17,571,573 l. 16s. 4d. whereof 14,857,955 l. 18s. 4d. was firſt ſubſcribed in purſuance of 23 Geo. 2. c. 1.

and 2,713,617 l. 18s. the reſidue laſt ſubſcribed,

may be conſolidated into one joint ſtock, transferrable at the thouſand bank.

thousand nine hundred fifty five pounds eighteen shillings and four pence, may be consolidated and made one joint stock of annuities, transferrable at the bank of *England*; and that the said several annuities, amounting to two millions seven hundred thirteen thousand six hundred seventeen pounds eighteen shillings, may after the said tenth day of *October* one thousand seven hundred and fifty two, and before the said fifth day of *April* one thousand seven hundred and fifty three, be consolidated and made one other joint stock of annuities, transferrable at the bank of *England*, in the same manner as the said several and respective annuities are now transferrable until redemption thereof by parliament in manner herein after-mentioned; any thing in the said acts to the contrary thereof in any wise notwithstanding.

Subscribers  
may immedi-  
ately transfer  
the annuities;

XII. And be it enacted, That all and every person and persons, bodies politick or corporate, who shall subscribe or signify their consent to the making their said annuities part of either of the said joint stocks of annuities as aforesaid, shall be immediately intitled to the privilege of transferring such annuities as part of the said joint stock, from the said tenth day of *October*, one thousand seven hundred and fifty two, as aforesaid.

which are to  
be paid out of  
the funds ap-  
propriated  
thereto unto  
10 *October*  
1752;

XIII. And be it enacted by the authority aforesaid, That all and every the said several and respective annuities, transferrable at the bank of *England* as aforesaid; shall be paid unto the said tenth day of *October* one thousand seven hundred and fifty two, out of the same rates, duties and impositions, as the said several and respective annuities are now paid and payable, together with other charges payable out of the same; that is to say, such of the said annuities as are made payable half-yearly at *Lady-day* and *Michaelmas*, shall be paid for the half-year to grow due on the said tenth day of *October* one thousand seven hundred and fifty two; and such of the said annuities as are made payable half-yearly at *Christmas* and *Midsummer* shall be paid for the quarter to grow due from *Midsummer* one thousand seven hundred and fifty two, to the said tenth day of *October* following; any thing in any former act to the contrary thereof in any wise notwithstanding: but in case the said monies arising in the said receipt of the *exchequer* shall not be sufficient to answer and pay the said several and respective annuities; and other charges, at the days appointed for payment thereof respectively, that then and in such case it shall and may be lawful to and for the commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, to cause so much money to be issued out of the said sinking fund as shall be sufficient to answer and pay the said several and respective annuities as shall become due and payable until the said tenth day of *October* one thousand seven hundred and fifty two, and all other charges attending the same.

and if they  
are deficient,  
then out of  
the sinking  
fund;

after which  
they are  
charged on the  
sinking fund,

XIV. And be it further enacted by the authority aforesaid, That from and after the said tenth day of *October* one thousand seven hundred and fifty two, all the said several and respective annuities

annuities, transferrable at the bank of *England*, amounting in the whole to the sum of feventeen millions five hundred feventy one thoufand five hundred feventy three pounds fixteen fhillings and four pence, as alfo fuch fum or fums of money as fhall or may be made payable to the governor and company of the bank of *England* for the charges of management of the faid annuities, fhall be and they are hereby charged and chargeable upon the faid finking fund, and fhall be iffued and paid half-yearly, on the fifth day of *April* and the tenth day of *October* in every year, out of the furplus funds, and other duties and revenues compofing the faid finking fund, and fhall be deemed and taken to be charges and incumbrances thereupon, until redemption thereof by parliament; fubject nevertheless to fuch charges and incumbrances as are already made thereupon by parliament: and the commiffioners of the treasury, or any three or more of them now being, or the high treasurer, or commiffioners of the treasury of his Majesty, his heirs or fucceffors for the time being, without any further or other warrant to be fued for, had or obtained in that behalf, fhall and may, from time to time, iffue the fame at the refpective half-yearly or other days of payment, whereon the fame fhall become due or payable, at the faid receipt of exchequer, to the firft or chief cashier or cashiers of the governor and company of the bank of *England*, and their fucceffors for the time being, by way of impreft, and upon account, for the purpofes afore-mentioned; and that all and every fuch cashier or cashiers to whom the faid monies fhall be iffued, fhall from time to time, without delay, apply and pay the fame accordingly, and render his account thereof, according to the due courfe of the exchequer; any thing herein before contained to the contrary notwithstanding.

and to be paid half-yearly.

and money to be iffued to the chief cashier of the bank, by way of impreft.

XV. And be it further enacted by the authority aforefaid, That all and every the claufes and provifoes relating to the annuities afore-mentioned, which were made payable or transferrable at the bank of *England*, fhall remain in full force with refpect to the annuities continued or eftablifhed by this act, in all matters and things whatfoever, where the fame fhall not have been altered by this act, or other provifions made in refpect thereof.

Provifoes relating to the faid annuities to remain in force.

XVI. And be it further enacted by the authority aforefaid, That from and after the faid tenth day of *October* one thoufand feven hundred and fifty two, all the faid rates, duties, impositions or revenues granted and appropriated by the faid feveral and refpective acts herein before recited for payment of the faid feveral and refpective annuities, transferrable at the bank of *England* as aforefaid, fhall be carried to and made part of the faid finking fund (after referving fufficient to pay the annuities for lives at the exchequer, and other charges and incumbrances charged on the faid duties and revenues;) and the fame fhall be deemed and taken to be part of the faid finking fund, and fhall be iffued and applied to fuch ufes and purpofes as all and every other the duties and revenues compofing the faid finking fund,

The funds appropriated to the annuities to be carried into the finking fund.

are or may be issued and applied; any thing in any former act or acts of parliament to the contrary thereof in any wise notwithstanding.

The proprietors of exchequer orders payable out of the duties on plate, allowed to subscribe the same,  
6 Geo. I. c. 11.

XVII. *And whereas by an act of parliament made and passed in the sixth year of his late Majesty's reign, certain annuities were created at the exchequer payable out of the duties on wrought plate, in the amount of three hundred and twelve thousand pounds, whereof there is now remaining the sum of one hundred and twenty nine thousand seven hundred and fifty pounds; be it further enacted by the authority aforesaid, That all and every the proprietors of tallies and orders for the said annuities, which were subscribed pursuant to the two acts of parliament before recited, shall, from and after the said tenth day of October one thousand seven hundred and fifty two, until the said fifth day of April one thousand seven hundred and fifty three, have liberty to subscribe their said tallies and orders at the bank of England, into the several joint stocks of annuities; that is to say, such of the said annuities as were first subscribed pursuant to the said act of the twenty third year of his Majesty's reign, shall be added to the said joint stock of fourteen millions eight hundred fifty seven thousand nine hundred fifty five pounds eighteen shillings and four pence; and such of the said annuities as were subscribed pursuant to another act of the same session of parliament, shall be added to the said joint stock of two millions seven hundred thirteen thousand six hundred seventeen pounds eighteen shillings; and the said joint stocks of annuities respectively, shall have an additional annuity for such sum or sums of the said plate annuities as shall be so subscribed into the said joint stocks respectively, from the said tenth day of October one thousand seven hundred and fifty two, payable out of the said surplus funds, and any of the duties and revenues composing the said sinking fund.*

Power to transfer immediately.

XVIII. *And be it enacted, That all and every person or persons, bodies politick or corporate, who shall subscribe their said orders into either of the joint stocks of annuities aforesaid, shall be immediately intitled to the privilege of transferring such annuities as part of such joint stock of annuities, from the said tenth day of October one thousand seven hundred and fifty two as aforesaid.*

The duties to be carried into the sinking fund.

XIX. *And be it further enacted by the authority aforesaid, That the said duty on wrought plate, provided all the said annuities charged thereupon shall be so subscribed, or the surplus thereof, in case all the said annuities shall not be subscribed, shall be transferred unto and made part of the said sinking fund; any thing in any former act or acts of parliament to the contrary thereof in any wise notwithstanding.*

The said annuities to be one joint stock transferrable at the bank.

XX. *And be it further enacted by the authority aforesaid, That from and after the said fifth day of April one thousand seven hundred and fifty eight, the said joint stock of the first subscribed bank annuities, after the rate of three pounds ten shillings per centum per annum; as also such of the said plate annuities as shall be subscribed thereunto, with so much of the said*  
second

second subscribed bank annuities, after the said rate of three pounds ten shillings *per centum per annum*; as also such of the said plate annuities as shall be subscribed thereunto as aforesaid, and shall then remain unsatisfied and not paid off, shall be made one joint stock of annuities, transferrable at the bank of *England*, until redemption thereof by parliament, in manner herein after mentioned; any thing in this or any former act or acts of parliament to the contrary thereof in any wise notwithstanding.

XXI. And be it further enacted by the authority aforesaid, That the governor and company of the bank of *England* shall, and they are hereby required to cause such books to be prepared as shall be necessary for receiving the subscription or consent of such of the proprietors of the several and respective annuities, after the rate of three pounds ten shillings *per centum per annum*, transferrable at their office; and also of the proprietors of the several annuities, tallies and orders payable at the exchequer, out of the duties on wrought plate, as shall subscribe the same into the several joint stocks of annuities before mentioned; which books shall be constantly kept open at the said bank of *England* for that purpose, every day, *Sundays* and holidays only excepted, from the said tenth day of *October* one thousand seven hundred and fifty two, to the said fifth day of *April* one thousand seven hundred and fifty three inclusive, and no longer, subject nevertheless to such further directions, with respect to the taking in or receiving such subscriptions or consents from the proprietors of the said annuities, after the rate of three pounds ten shillings *per centum per annum*, as shall or may be given by the commissioners of the treasury, or any three or more of them now being, or by the high treasurer, or any three or more of the commissioners of the treasury for the time being, for the benefit and advantage of the publick; and it shall and may be lawful to and for the proprietors of the said several and respective annuities, their respective attornies, representatives or assigns, or such person or persons as he, she or they shall respectively authorize and empower, by writing, in that behalf, to subscribe for them; and all persons empowered to receive any interest or dividend that shall become due on the said annuities, shall, and they have hereby power to make their subscriptions and give their consents in the said respective books accordingly, without any fee or charge, at any time between the said tenth day of *October* one thousand seven hundred and fifty two, and the said fifth day of *April* one thousand seven hundred and fifty three, in manner following; that is to say, That such of the said annuities as were first subscribed in pursuance of the before recited act of the twenty third year of his Majesty's reign, shall be subscribed into the joint stock of annuities, amounting to the principal sum of fourteen millions eight hundred fifty seven thousand nine hundred fifty five pounds eighteen shillings and four pence; and such of the said annuities as were last subscribed in pursuance of one other act of the same session of parliament, shall be subscribed into the joint stock of annuities, amounting

Bank to provide books for subscriptions,

to be open from 10 October 1752, to 5 April 1753, &c.

The proprietors may subscribe;

viz. the annuities first subscribed to be subscribed into the joint stock, amounting to 14,857,955 l. 18 s. 4 d. and the last subscribed, into to



the joint stock, amounting to the sum of 2,713,617l. 18s.

Officers to attend to take in subscriptions.

Executors, &c. may subscribe.

to the principal sum of two millions seven hundred thirty thousand six hundred seventeen pounds eighteen shillings; and the several officers of the said governor and company who shall be appointed to take in the said subscriptions, or receive such contributions as aforesaid, shall, during the time aforesaid, constantly attend at the said office for that purpose, at such hours as business is usually transacted there.

XXII. And it is hereby enacted by the authority aforesaid That it shall and may be lawful for all executors, administrators, guardians, trustees, committees of the estates of idiots or lunatics, and the accomptant general of the court of Chancery, and the deputy remembrancer of his Majesty's court of Exchequer, and the attornies, representatives or assignees of such executors, administrators, guardians, trustees and committees, to make or cause to be made subscriptions in the book or books herein before mentioned, signifying their consent to subscribe the several and respective annuities herein before-mentioned, carrying an interest after the rate of three pounds ten shillings per centum per annum and three pounds per centum per annum into the several and respective joint stocks of annuities aforesaid, for and on the behalf of their respective testators, infants, minors, femes covert, idiots or lunatics, and the suitors of the court of Chancery, and of the said court of Exchequer, and others, for whom they are or shall be respectively intrusted; and such executors, administrators, guardians, trustees, committees, and the attornies, representatives or assignees of such executors, administrators, guardians, trustees and committees, and the accomptant general and deputy remembrancer, are and shall be, by virtue of this act, indemnified in and for the doing the same.

The tallies and orders to be delivered up to the accomptant general of the bank,

XXIII. And be it further enacted, That all and every the tallies and orders which shall be subscribed for annuities, transferrable at the bank of England, in pursuance of this act, shall be delivered up by the respective proprietor or proprietors thereof, or by his, her or their respective attornies or representatives, to the accomptant general of the bank of England, or to such person or persons who shall be employed by the governor and company of the bank of England, to take such subscriptions, who is hereby impowered to give credit to the said proprietor, for so much interest or share in the joint stocks of annuities respectively, to which the same shall be subscribed, pursuant to the directions in this act before-mentioned and expressed, as the said principal sums in the said tallies and orders shall amount unto; and the tallies and orders so subscribed, shall be transmitted by the said accomptant general, or other person or persons impowered to take such subscriptions as aforesaid, into the office of the auditor of the receipt of his Majesty's exchequer, to be there cancelled and made void.

and to be transmitted to the exchequer to be cancelled.

Clause of redemption.

XXIV. Provided also, and it is hereby enacted by the authority aforesaid, That at any time upon one year's notice to be printed in the London Gazette, and affixed upon the Royal Exchange in London, and upon repayment by parliament, according

o such notice, of the faid feveral and refpective fums, or any part thereof, for which the faid feveral and refpective annuities or any of them fhall be payable, by payments not lefs than five hundred thoufand pounds at one time, in fuch manner as fhall be directed by any future act or acts of parliament in that behalf and alfo upon full payment of all arrearages of the fame annuities; then, and not till then, fo much of the faid feveral and refpective annuities as fhall be attending on the faid principal fums fo paid off, fhall ceafe, determine and be underftood to be redeemed; and that any vote or refolution of the houfe of commons, fignified by the fpeaker in writing, to be inferted in the faid *London Gazette*, and affixed on the *Royal Exchange* in *London* as aforefaid, fhall be deemed and adjudged to be fufficient notice within the words and meaning of this act.

XXV. Provided neverthelefs, That no part of any of the Annuities fub-annuities which were fubfcribed in purfuance of the faid two fubfcribed not re-acts of the twenty third year of his Majefty's reign, fhall be deemed be-liable to be redeemed before the times therein refpectively limited. fore the times limited. ed; any thing herein contained to the contrary thereof in any wife notwithstanding.

XXVI. And be it further enacted by the authority aforefaid, That from and after the faid fifth day of *April* one thoufand feven hundred and fifty eight, the joint ftock of the firft fubfcribed *Old South Sea* annuities, with as much of the joint ftock of the fecond fubfcribed *Old South Sea* annuities as fhall be then unfatisfied, fhall be made one joint ftock of *Old South Sea* annuities. The firft and laft fubfcribed *Old South Sea* annuities, to be confolidated;

XXVII. And be it further enacted by the authority aforefaid, That from and after the faid fifth day of *January* one thoufand feven hundred and fifty eight, the joint ftock of the firft fubfcribed *New South Sea* annuities, with fo much of the joint ftock of the fecond fubfcribed *New South Sea* annuities as fhall be then unfatisfied, fhall be made into one new joint ftock of *South Sea* annuities. and the New *South Sea* annuities.

### C A P. XXVIII.

An act for repairing the poft road from the city of Edinburgh through the counties of Linlithgow and Sterling, from the Boat-houfe Ford on Almond Water, and from thence to the town of Linlithgow, and from the faid town to Falkirk, and from thence to Sterling: and alfo from Falkirk to Killyth, and to Inch Bellie Bridge, on the poft road to the city of Glasgou. *Certain tolls granted for 21 years.*

### C A P. XXIX.

*An act for giving a proper reward to coroners for the due execution of their office; and for the amoval of coroners upon a lawful conviction for certain mifdemeanors.*

WHEREAS the office of coroner is a very ancient and neceffary office: and whereas by an act made in the third year of the reign of King Henry the Seventh, reciting that coroners had not, nor ought to have, any thing by the law for their office doing; which oft-time had been the occafion that coroners had been remifs in doing Hen. 7. c. 1.

doing their office: it was ordained, That a coroner should have fee, upon every inquisition taken upon the view of the body, thirteen shillings and four pence, of the goods and chattels of him who is the slayer and murderer, if he have any goods; and if he have no goods, of such amerçiements as should fortune any township to be amerced, for the escape of the murderer: and whereas the said fee of thirteen shillings and four pence, due only upon an inquisition taken upon the view of a body slain or murdered, and payable out of the goods and chattels of the slayer or murderer, or out of the amerçiements imposed upon the township, if the murderer escape, is not an adequate reward for the general execution of the said office: it was intended therefore that coroners may be encouraged to execute their office with diligence and integrity; 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,

Coroner to be paid 20 s. for every inquisition taken in any township contributing to the county rates, (except on bodies dying in gaol) and 9d. for every mile he shall be obliged to travel, to be paid out of the county rates;

That for every inquisition, not taken upon the view of a body dying in a gaol or prison, which from and after the twenty fourth day of *June* one thousand seven hundred and fifty two, shall be duly taken within that part of *Great Britain* called *England*, by any coroner or coroners, in any township or place, contributory to the rates directed by an act made in the twelfth year of the reign of his present Majesty, intituled, *An act for the more easy assessing, collecting and levying of county rates*, the sum of twenty shillings; and for every mile which he or they shall be compelled to travel, from the usual place of his or their abode, to take such inquisition, the further sum of nine pence, over and above the said sum of twenty shillings, shall be paid to him or them out of any monies arising from the rates before-mentioned, by order of the justices of the peace in their general or quarter sessions assembled, for the county, riding, division or liberty where such inquisition shall have been taken, or the major part of them; which order the said justices of the peace so assembled, or the major part of them, are hereby authorized and directed to make; for which order no fee or reward shall be paid to the clerk of the peace or any other officer.

and for every inquisition on bodies dying in gaol, as the justices shall think fit;

II. And be it further enacted by the authority aforesaid, That for every inquisition, which from and after the said twenty fourth day of *June* one thousand seven hundred and fifty two, shall be duly taken upon the view of a body dying in any gaol or prison, within that part of *Great Britain* called *England*, by any coroner or coroners of a county, so much money not exceeding the sum of twenty shillings, shall be paid to him or them, as the justices of the peace in their general or quarter sessions assembled for the county, riding or division wherein such gaol or prison is situate, or the major part of them, shall think fit to allow as a recompence for his or their labour, pains and charges in taking such inquisition, to be paid in like manner by order of the said justices, or the major part of them, out of any monies arising from the said rates; which order the said justices of the peace so assembled, or the major part of them, are hereby authorized

thorized and directed to make; for which order no fee or reward shall be paid to the clerk of the peace or any other officer.

III. Provided nevertheless, That over and above the recompence hereby limited and appointed for inquisitions taken as aforefaid, the coroner or coroners who shall take an inquisition upon the view of a body slain or murdered, shall also have the fee of thirteen shillings and four pence, payable by virtue of the said act made in the third year of the reign of King *Henry* the Seventh, out of the goods and chattels of the slayer or murderer, or out of the amerçiements imposed upon the township, if the slayer and murderer escape; any thing in this act contained to the contrary thereof in any wise notwithstanding.

and for inquisitions on a body slain, 13 s. 4 d. over and above.

IV. Provided also, and be it declared and enacted by the authority aforefaid, That no coroner to whom any benefit is given by this act, shall, by colour of his office, or upon any pretext whatsoever, take for his office doing, in case of the death of any person, any fee or reward, other than the said fee of thirteen shillings and four pence, limited as is aforefaid by the said act made in the third year of the reign of King *Henry* the Seventh, and other than the recompence hereby limited and appointed, upon pain of being deemed guilty of extortion.

Coroner taking more, guilty of extortion.

V. Provided likewise, and be it further enacted by the authority aforefaid, That no coroner of the King's houthold, and of the verge of the King's palaces, nor any coroner of the admiralty, nor any coroner of the county palatine of *Durham*, nor any coroner of the city of *London* and borough of *Southwark*, or of any franchises belonging to the said city; nor any coroner of any city, borough, town, liberty or franchise, which is not contributory to the rates directed by the said act, made in the twelfth year of the reign of his present Majesty, or within which such rates have not been usually assessed, shall be intitled to any fee, recompence or benefit given to or provided for coroners by this act; but that it shall and may be lawful for all such coroners as are last-mentioned, to have and receive all such fees, salaries, wages and allowances as they were intitled to by law before the making of this act, or as shall be given or allowed to them by the person or persons by whom they have been or shall be appointed.

Coroners for particular places excepted.

VI. And be it further enacted by the authority aforefaid, That if any coroner who is not appointed by virtue of an annual election or nomination, or whose office of coroner is not annexed to any other office, shall from and after the said twenty fourth day of *June* one thousand seven hundred and fifty two, be lawfully convicted of extortion, or wilful neglect of his duty, or misdemeanor in his office, it shall be lawful for the court before whom he shall be so convicted, to adjudge that he shall be removed from his office; and thereupon, if such coroner shall have been elected by the freeholders of any county, a writ shall issue for the removing him from his office, and electing another coroner in his stead, in such manner as writs for the removal or discharge of coroners, and for electing coroners in their stead,

Coroner convicted of misdemeanor in his office, to be amoved.

are.

are in any cafes already directed by law: and if the coroner be convicted (hall have been appointed by the lord or lords of any liberty or franchise, or in any other manner than by the election of the freeholders of any county, the lord or lords of such liberty or franchise, or the person or persons intitled to the nomination or appointment of any such coroner, shall, upon notice of such judgment of amoval, nominate and appoint another person to be coroner in his stead.

## C A P. XXX.

*An act to amend an act made in the last session of parliament, (intituled, An act for regulating the commencement of the year, and for correcting the calendar now in use.)*

**W**HEREAS by an act of parliament made in the twenty-fourth year of the reign of his present Majesty, (intituled, An act for regulating the commencement of the year, and for correcting the calendar now in use) it is among other things enacted, That the natural day next immediately following the second day of September, which shall be in the year of our Lord one thousand seven hundred and fifty two, shall be reckoned and accounted to be the fourteenth day of September, omitting for that time only, the eleven intermediate nominal days of the common calendar, and that the days immediately succeeding shall be called, reckoned and numbered severals in numerical order, from the said fourteenth day of September, and that all meetings and assemblies of any bodies politick or corporate, either for the election of any officers or members thereof, or for any such officers entering upon the execution of their respective offices, or for any other purpose which by law, charter, custom or usage, are to be holden on any fixed or certain day of any month, shall from and after the said second day of September, be holden and kept upon or according to the same respective nominal days and times whereon the same are then to be holden; but which should be computed according to the new method of numbering and reckoning the days of the calendar as therein mentioned, as by the said act may more fully appear: and whereas by the charters, customs or usage of some cities, boroughs, towns or other communities, or bodies politick or corporate, the election of officers, or the entrance of officers on the execution of their offices, or the doing of some other corporate acts, may be fixed or required to be on some certain nominal day or days of the said month of September, falling between the second and fourteenth days of the same month, which said nominal days, are by the said act required to be dropt or omitted for this present year, so that there will not in fact be any nominal days between the said second and fourteenth days of the said month of September for this present year, whereon such corporate acts can be done; and doubts have arisen whether such corporate acts may be done at all without a special provision for that purpose, by authority of parliament; and inconveniencies may possibly ensue for want 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 it shall and may be lawful to and for all such bodies politick and corporate as aforesaid, and all and every the officers and members thereof, and they and every of them are hereby required to do all such acts, as by any law, charter or usage are appointed or required to be done on any of the nominal days of or in the said month of *September*, which by the said recited act are directed to be dropt or omitted for this present year, upon the same natural day or days of this year only, as such acts would, might or ought to be done, in case the said recited act had not been made; and that all acts so done in pursuance hereof shall be deemed and are hereby declared and enacted to be as good and effectual to all intents and purposes, as if the same were done on any of the nominal days so dropt or omitted as aforesaid; any law, statute, charter, custom or usage to the contrary in any wise notwithstanding.

The election of officers, &c. to be done up on upon the same natural days of this year only, as before.

II. *And whereas in divers parts of this kingdom, by custom, prescription or usage, or by virtue of some law or contract, certain lands and grounds are to be opened and used for common of pasture or other purposes, and the same lands and grounds are again inclosed and shut up, and certain rents or other payments are due and payable, and some other matters and things may be to be done upon some of the moveable feasts, or upon certain days or times depending upon or to be computed from the same: and whereas the said moveable feasts are hereafter to take place, and to be observed according to the new calendar by the said act directed to be used, whereby some doubts have already arisen, or may hereafter arise, about the time for opening and using, inclosing and shutting up such lands and grounds, the paying of such rents or other payments, and the doing such other matters or things as aforesaid; for remedy thereof be it further enacted by the authority aforesaid, That from and after the said second day of September* in the said year of our Lord one thousand seven hundred and fifty two, the respective times for opening, using, inclosing and shutting up all such lands and grounds as aforesaid, for the paying of such rents or other payments, and for the doing of such other matters or things as aforesaid, if such times are depending on any moveable feast or feasts, shall be computed and take place according to the said new calendar, and the tables and rules in the said recited act directed to be used, and not according to the method of supputation heretofore used, or to the tables heretofore commonly affixed to the book of common prayer; and the temporary and distinct property and right of all persons, bodies politick and corporate, of, to and in all such lands and grounds, shall commence and be enjoyed, and all such rents and payments shall become and be due and payable, and all such matters and things shall be transacted and done accordingly; any law, custom, prescription or usage to the contrary notwithstanding.

The times for opening and inclosing grounds for common, and payment of rents, &c. if the same depend on any moveable feast, are to be according to the new calendar.

III. Provided always, and it is hereby further declared and enacted by the authority aforesaid, That nothing in this act contained shall extend, or be construed to extend to the abridg-

The title to such lands not altered.

ing, enlarging; confirming or altering, the title of any person, body politick or corporate whatsoever, of in or to any such lands or grounds, but the same shall remain and continue the same in all respects, (except as to the new computation of time when such respective right or the enjoyment thereof shall commence, or be put in use.)

IV. *And whereas within the city of London the usual and accustomed time of the annual meeting and assembly of the citizens of the said city, for the admission and swearing of the mayor of the same city in the Guildhall there, hath been on the feast day of Saint Simon and Jude, being the twenty eighth day of October, in every year; and the usual and accustomed solemnity of presenting and swearing the mayor of the same city in the court of exchequer at Westminster, hath been on the day next following the said feast of Saint Simon and Jude, to wit, on the twenty ninth day of October in every year: and whereas by the said in part recited act it was enacted, That all meetings and assemblies of any bodies politick or corporate, either for the election of any officers or members thereof, or for any such officers entering upon the execution of their respective offices, or for any other purpose whatsoever, which by any law, statute, charter, custom or usage within this kingdom, were to be holden and kept on any fixed or certain day of any month, should, from and after the second day of September one thousand seven hundred and fifty two now next ensuing, be holden and kept upon or according to the same respective nominal days and times whereon or according to which the same were, at the time of making the said act, to be holden: and whereas by another act of parliament made in the same twenty fourth year of the reign of his present Majesty, intituled, An act for the abbreviation of Michaelmas term, it was enacted, That the said solemnity of presenting and swearing the mayors of the said city of London, before the King or Queen of England, in their court of Exchequer at Westminster, or before the barons of the said court, after every annual election into the said office, in the manner and form heretofore used, on the twenty ninth day of October, should, from and after the feast of Saint Michael in the year of our Lord one thousand seven hundred and fifty two, be kept and observed on the ninth day of November in every year; be it therefore enacted by the authority aforesaid, That the said annual admission and swearing of the mayor of the said city of London, at the Guildhall there, shall not at any time hereafter be had and performed on the said twenty eighth day of October; but the same, and all annual meetings and assemblies for that purpose, shall at all times hereafter be had, done and holden in the usual and accustomed manner on the eighth day of November in every year, being the day next preceding the said ninth day of November, whereon the said solemnity of presenting and swearing the mayor of the said city in the court of Exchequer is appointed for the future to be kept and observed as aforesaid, and not before; any thing in the said first recited act of parliament, or any law, custom or usage to the contrary thereof in any wise notwithstanding.*

24 Geo. 2. c. 48.

The annual admission and swearing of the mayor of London to be on 8 Nov.

## CAP. XXXI.

An act to continue, explain and amend feveral laws more effectually to prevent the spreading of the diftemper which now rages amongft the horned cattle in this kingdom.

## CAP. XXXII.

An act to allow the importation of gum fenega into this kingdom, from any part of Europe, upon the payment of a duty; and for relief of James Guthrie, with refpect to the duties paid and fecured upon a quantity of tobacco burnt at the port of Kircudbright; and for giving further time for payment of duties omitted to be paid for the indentures or contracts of clerks and apprentices.

WHEREAS the printing of filks, linens and callicoës, is greatly improved in this kingdom: and the value of the faid manufactures is thereby confiderably inbanced, and the exportation thereof increafed: and whereas the printing of ths faid manufactures cannot be carried to perfection without a fufficient quantity of gum fenega; the importation of which hath of late greatly decreased, and the price thereof advanced to an exceffive rate, whereby it is become neceffary that fome provision fhould be made for the more effectual and conftant fupply of that ufeul and valuable commodity, in order to encourage, fupport and extend the faid trade: and whereas gum fenega cannot otherwife be imported into this kingdom than according to the rules prefcribed by an act made in the twelfth year of the reign of King Charles the Second, intituled, An act for the encouraging and in-

12 Car. 2. c. 18.

creasing of fhipping and navigation: Therefore we, your Majesty's moft faithful commons, in order to fupport and extend the faid trade, by allowing the importation of gum fenega from any place in Europe, fo as not to difcourage the importation of the faid commodity from the places of its growth or produce, do moft humbly befeech your moft excellent Majesty, that it may be enacted; and be it enacted by the King's moft excellent Majesty, by and with the advice and confent of the lords fpiritual and temporal and commons in this prefent parliament afsembled, and by the authority of the fame, That from and after the tenth day of April one thoufand feven hundred and fifty two, it fhall and may be lawful to and for any of his Majesty's fubjects to import into this kingdom gum fenega, in British built fhips, navigated according to law, from any port or place in Europe, upon payment of the duty, and under the reftrictions and limitations herein after-mentioned; any thing in the faid act made in the twelfth year of the reign of King Charles the Second, or in any other act or acts of parliament to the contrary in any wife notwithstanding.

Gum Senega allowed to be imported from any part of Europe,

II. And be it further enacted by the authority aforefaid, That there fhall be paid to his Majesty, his heirs and fucceffors, for every hundred pounds weight of gum fenega, which at any time or times after the faid tenth day of April one thoufand feven hundred and fifty two, fhall be imported or brought into this

upon payment of 10s. per hundred weight.



kingdom, from any port or place in *Europe*, by the import of such gum senega, before the landing thereof, a duty of five shillings; and so in proportion for any greater or less quantity.

To be under the management of the commissioners of the customs.

12 Car. 2. c. 4.

III. And be it further enacted by the authority aforesaid, That the said duty hereby granted and made payable, shall be raised, levied and collected, by the respective officers of his Majesty's customs in this kingdom, under the management and direction of the respective commissioners of the customs for the time being; and that all and every the clauses, powers, directions, penalties, forfeitures, matters and things whatsoever, contained in any act made in the twelfth year of the reign of King *Charles the Second*, intituled, *A subsidy granted to the King of tonnage and poundage, and other sums of money payable upon merchandize exported and imported*, or in any other laws or statutes whatsoever now in force for raising, levying, collecting, answering and paying the subsidy of tonnage and poundage thereby granted, shall be applied, practised and put in execution, for raising, levying, securing, collecting, answering and paying the duty by this act granted and made payable, as fully and effectually to all intents and purposes as if all and every the said clauses, powers, directions, penalties and forfeitures were particularly repeated, and again enacted, in the body of this present act.

Making a false entry,

to forfeit the same, and double the value;

one moiety to the King, and the other to the prosecutor.

*Onus Probandi* to lie on the importers.

Duties to be kept apart, to be applied by parliament.

IV. And be it further enacted by the authority aforesaid, That if any person or persons shall enter, or cause to be entered, any gum senega as imported immediately from the place of its growth or produce, or from any of his Majesty's colonies or plantations in *America*, in order to avoid the payment of the duty by this act granted and made payable, which gum senega shall afterwards appear to have been imported from some port or place in *Europe*, the person or persons making, or causing to be made, such entry or entries, shall forfeit all such gum senega so entered, and also double the value thereof, to be sued for and recovered by bill, plaint or information, in any of his Majesty's courts of record at *Westminster*, or in the court of *Exchequer* in *Scotland* respectively, wherein no effoin, protection, wager of law, or more than one imparlance, shall be allowed; and one moiety of the said forfeiture, when recovered, shall go and be applied to the use of his Majesty, his heirs and successors, and the other moiety to the use of the person or persons who shall sue or prosecute for the same.

V. Provided always, and be it enacted, That upon all disputes which shall arise touching the port or place from whence any gum senega shall have been imported, the *Onus Probandi* shall lie on the importer, and not on the informer or prosecutor; any law, custom or usage to the contrary notwithstanding.

VI. And be it further enacted by the authority aforesaid, That the money arising by the duty hereby granted and made payable (the necessary charges of raising the same excepted) shall from time to time be paid into the receipt of his Majesty's exchequer, distinctly and apart from all other branches of the public revenues,

venues,

venues, fubject and liable to the ufes, applications and purpofes, as fhall by any future act or acts of parliament be directed or appointed.

VII. *And whereas the fhip Neptune of Dumfries, James Sturgeon mafter, being loaded with tobacco, and bound to the port of Diepe in France, was on the fixteenth day of June one thoufand feven hundred and fifty overfet within the limits of the port of Kircudbright, whereby a quantity of tobacco, amounting to two hundred and twenty three thoufand four hundred and eight pounds, was totally damaged and rendered ufelefs, the duties whereof had been paid and fecured at the faid port of Kircudbright, by James Guthrie and company, merchants in Dumfries, and others, at importation, according to law: and whereas the whole of the faid damaged tobacco was burnt in the fight, and by the direction of the officers of his Majefty's customs at the faid port of Kircudbright, and no part thereof fold or confumed in Great Britain; Be it therefore enacted by the authority aforefaid, That the collector or other proper officer or officers at the faid port of Kircudbright fhall, and they are hereby impowered and required to make out and grant a proper debenture or debentures for the faid two hundred and twenty three thoufand four hundred and eight pounds of tobacco, whereby the faid James Guthrie and company may be intitled to draw back fuch part of the duties of the faid tobacco as had been paid at the importation thereof, and whereby the bonds or securities granted for the remainder of the faid duties may be difcharged and vacated, together with any intereft become due thereon fince the faid fixteenth day of June one thoufand feven hundred and fifty, in the fame manner as if the faid tobaccos had been then exported to parts beyond fea; and the faid bonds and securities fo given, with the faid intereft, fhall from henceforth be difcharged and vacated, and the fame are hereby declared to be difcharged and vacated accordingly; any act or acts of parliament to the contrary notwithstanding.*

Collectors of Kircudbright to make a debenture for 223,480 lb. of tobacco belonging to James Guthrie, for which duty had been paid, &c.

Time given to make payment of the duties omitted to be paid for the indentures or contracts of clerks and apprentices, and for tendering the fame to be stamped, &c.

### C A P. XXXIII.

An act for repairing the road leading from the town of Morpeth, by or through Mitford, Thropple, Long Witton, and by the north fide of Rothley Park wall to Sting Crofs, and to the High Crofs in Elfdon in the county of Northumberland. *Certain tolls granted for 21 years.*

### C A P. XXXIV.

An act for the more eafy and fpeedy recovery of fmall debts within the town of Birmingham, and hamlet of Deritend thereto adjoining, in the county of Warwick.

## C A P. XXXV.

*An act for continuing the act for encouraging the growth of coffee in his Majesty's plantations in America; and alſo for continuing, under certain regulations, ſo much of an act as relates to the Præmiums upon the importation of maſts, yards and bowsprits, tar, pitch and turpentine.*

5 Geo. 2. c. 24.  
for encourag-  
ing the growth  
of coffee, con-  
tinued to 25  
March 1758,  
&c.

**W**HEREAS the laws herein after-mentioned have by experience been found uſeful and beneficial, and are near expiring: may it therefore pleaſe your Majesty, that it may be enacted; and be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That an act made in the fifth year of the reign of his preſent Majesty, (intituled, *An act for encouraging the growth of coffee in his Majesty's plantations in America*) which was to continue in force from the twenty fifth day of *March* one thouſand ſeven hundred and thirty nine, and from thence to the end of the then next ſeſſion of parliament; and which by an act made in the eleventh year of his preſent Majesty's reign, was further continued from the expiration thereof for the further term of ſeven years, and from thence to the end of the then next ſeſſion of parliament; and which by an act made in the nineteenth year of his preſent Majesty's reign, was further continued from the expiration of the ſaid laſt-mentioned term for the further term of ſeven years, and from thence to the end of the then next ſeſſion of parliament, ſhall be, and the ſame is hereby further continued from the expiration thereof until the twenty fifth day of *March* one thouſand ſeven hundred and fifty eight, and from thence to the end of the then next ſeſſion of parliament.

So much of 1  
Geo. 2. c. 35.  
as relates to  
the præmiums  
on the impor-  
tation of  
maſts, yards  
and bowsprits,  
tar, pitch and  
turpentine,  
further conti-  
nued to 25  
March 1758.

II. And be it further enacted by the authority aforeſaid, That ſo much of an act made in the ſecond year of his preſent Majesty (intituled, *An act for the better preſervation of his Majesty's woods in America; and for the encouragement of the importation of naval ſtores from thence, and to encourage the importation of maſts, yards and bowsprits, from that part of Great Britain called Scotland*) as relates to the Præmiums upon maſts, yards and bowsprits, tar, pitch and turpentine; which was to continue in force from the twenty ninth day of *September* one thouſand ſeven hundred and twenty nine, for the term of thirteen years, and to the end of the then next ſeſſion of parliament; and which by another act made in the thirteenth year of the reign of his preſent Majesty, was continued until the twenty fifth day of *December* one thouſand ſeven hundred and fifty, and from thence to the end of the then next ſeſſion of parliament; and which, by another act made in the twenty fourth year of his Majesty's reign, was further continued, from the expiration thereof, until the twenty fifth day of *December* one thouſand ſeven hundred and fifty one, and from thence to the end of the then next ſeſſion

of parliament, shall be, and the same is hereby further continued from the expiration thereof until the twenty fifth day of *March* one thousand seven hundred and fifty eight, and from thence to the end of the then next session of parliament.

III. Provided, That no bounty shall be paid on any tar, unless each barrel shall contain thirty one gallons and one half, and that the officers who survey such barrel, shall not survey the same till the water shall be all drawn off, and every barrel filled up with tar.

Regulation to be observed concerning tar.

### C A P. XXXVI.

*An act for the better preventing thefts and robberies, and for regulating places of publick entertainment, and punishing persons keeping disorderly houses.*

WHEREAS the advertising a reward with no questions asked, for the return of things which have been lost or stolen, is one great cause and encouragement of thefts and robberies; be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That from and after the first day of *June* one thousand seven hundred and fifty two, any person publicly advertising a reward with no questions asked, for the return of things which have been stolen or lost, or making use of any words in such publick advertisement, purporting that such reward shall be given or paid without seizing or making enquiry after the person producing such thing so stolen or lost, or promising or offering, in any such publick advertisement, to return to any pawnbroker, or other person, who may have bought or advanced money by way of loan upon such thing so stolen or lost the money so paid or advanced, or any other sum of money or reward for the return of such thing; and any person printing or publishing such advertisement, shall respectively forfeit the sum of fifty pounds for every such offence, to any person who will sue for the same.

The person advertising a reward for the return of things stolen or lost, &c.

and the printer to forfeit 50 l.

II. And whereas the multitude of places of entertainment for the lower sort of people is another great cause of thefts and robberies, as they are thereby tempted to spend their small substance in riotous pleasures, and in consequence are put on unlawful methods of supplying their wants, and renewing their pleasures: in order therefore to prevent the said temptation to thefts and robberies, and to correct as far as may be the habit of idleness, which is become too general over the whole kingdom, and is productive of much mischief and inconvenience; be it enacted by the authority aforesaid, That from and after the first day of *December* one thousand seven hundred and fifty two, any house, room, garden, or other place kept for publick dancing, musick, or other publick entertainment of the like kind, in the cities of *London* and *Westminster*, or within twenty miles thereof, without a licence had for that purpose, from the last preceding *Michaelmas* quarter-sessions of the peace, to be holden for the county, city, riding,

Unlicens'd places of entertainment, deemed disorderly houses.

Constables  
may seize per-  
sons found  
therein.

Person keep-  
ing the same,  
to forfeit 100l.

Licensed pla-  
ces to have an  
inscription o-  
ver them,

and not to be  
opened before  
5 in the even-  
ing.

On breach of  
either of the  
conditions the  
licence to be  
revoked.

The theatres  
royal or per-  
formances li-  
censed by the  
crown or lord  
chamberlain,  
excepted.

liberty or division in which such house, room, garden, or other place is situate, (who are hereby authorized and empowered to grant such licences as they in their discretion shall think proper) signified under the hands and seals of four or more of the justices there assembled, shall be deemed a disorderly house or place: and every such licence shall be signed and sealed by the said justices in open court, and afterwards be publickly read by the clerk of the peace, together with the names of the justices subscribing the same; and no such licence shall be granted at any adjourned sessions; nor shall any fee or reward be taken for any such licence: and it shall and may be lawful to and for any constable, or other person, being thereunto authorized, by warrant under the hand and seal of one or more of his Majesty's justices of the peace of the county, city, riding, division or liberty where such house or place shall be situate, to enter such house or place, and to seize every person who shall be found therein, in order that they may be dealt with according to law: and every person keeping such house, room, garden, or other place, without such licence as aforesaid, shall forfeit the sum of one hundred pounds to such person as will sue for the same; and be otherwise punishable as the law directs in cases of disorderly houses.

III. Provided always, and it is hereby further enacted by the authority aforesaid, That in order to give publick notice what places are licensed pursuant to this act, there shall be affixed and kept up in some notorious place over the door or entrance of every such house, room, garden, or other place, kept for any of the said purposes, and so licensed as aforesaid, an inscription in large capital letters, in the words following; *videlicet*, LICENSED PURSUANT TO ACT OF PARLIAMENT OF THE TWENTY-FIFTH OF KING GEORGE THE SECOND; and that no such house, room, garden, or other place, kept for any of the said purposes, although licensed as aforesaid, shall be open for any of the said purposes before the hour of five in the afternoon; and that the affixing and keeping up of such inscription as aforesaid, and the said limitation or restriction in point of time, shall be inserted in, and made conditions of, every such licence; and in case of any breach of either of the said conditions, such licence shall be forfeited, and shall be revoked by the justices of peace in their next general or quarter sessions, and shall not be renewed; nor shall any new licence be granted to the same person or persons, or any other person on his or their or any of their behalf, or for their use and benefit, directly or indirectly, for keeping any such house, room, garden, or other place, for any of the purposes aforesaid.

IV. Provided always, That nothing in this act contained shall extend, or be construed to extend, to the theatres royal in *Drury Lane* and *Covent Garden*, or the theatre commonly called *The King's Theatre* in the *Hay Market*, or any of them; nor to such performances and publick entertainments as are or shall

be lawfully exercifed and carried on under or by virtue of letters patents, or licence of the crown, or the licence of the lord chamberlain of his Majefty's houfhould; any thing herein contained notwithstanding.

V. And in order to encourage profecutions againft perfons keeping bawdy houfes, gaming houfes or other diforderly houfes, be it enacted by the authority aforefaid, That if any two inhabitants of any parifh or place, paying fcot, and bearing lot therein, do give notice in writing to any conftable (or other peace officer of the like nature, where there is no conftable) of fuch parifh or place, of any perfon keeping a bawdy houfe, gaming houfe, or any other diforderly houfe, in fuch parifh or place, the conftable or fuch officer as aforefaid, fo receiving fuch notice, fhall forthwith go with fuch inhabitants to one of his Majefty's juftices of the peace of the county, city, riding, divifion or liberty in which fuch parifh or place does lie; and fhall, upon fuch inhabitants making oath before fuch juftice, that they do believe the contents of fuch notice to be true, and entering into a recognizance in the penal fum of twenty pounds each, to give or produce material evidence againft fuch perfon for fuch offence, enter into a recognizance in the penal fum of thirty pounds, to profecute with effect fuch perfon for fuch offence at the next general or quarter feflion of the peace, or at the next affizes to be holden for the county in which fuch parifh or place does lie, as to the faid juftice fhall feem meet; and fuch conftable or other officer fhall be allowed all the reasonable expences of fuch profecution, to be afcertained by any two juftices of the peace of the county, city, riding, divifion or liberty where the offence fhall have been committed, and fhall be paid the fame by the overfeers of the poor of fuch parifh or place; and in cafe fuch perfon fhall be convicted of fuch offence, the overfeers of the poor of fuch parifh or place fhall forthwith pay the fum of ten pounds to each of fuch inhabitants; and in cafe fuch overfeers fhall neglect or refufe to pay to fuch conftable or other officer fuch expences of the profecution as aforefaid, or fhall neglect or refufe to pay upon demand, the faid fums of ten pounds and ten pounds, fuch overfeers, and each of them, fhall forfeit to the perfon intitled to the fame, double the fum fo refufed or neglected to be paid.

Conftable's duty upon notice of perfons keeping a bawdy houfe, gaming houfe, &c.

The charges of profecution,

and 10 l. on conviction to each of the two inhabitants, to be paid by the overfeers,

on penalty of forfeiting double.

VI. Provided always, and be it enacted by the authority aforefaid, That upon fuch conftable or other officer entering into fuch recognizance to profecute as aforefaid, the faid juftice of the peace fhall forthwith make out his warrant to bring the perfon fo accused of keeping a bawdy houfe, gaming houfe or other diforderly houfe, before him, and fhall bind him or her over to appear at fuch general or quarter feflion or affizes, there to answer to fuch bill of indictment as fhall be found againft him or her for fuch offence; and fuch juftice fhall and may, if in his difcretion he thinks fit, likewise demand and take fecurity for fuch perfon's good behaviour in the mean time, and until fuch

Perfon keeping fuch bawdy-houfe, &c. to be bound over.

indict-

indictment shall be found, heard and determined, or be returned by the grand jury not to be a true bill.

Constable neglecting his duty forfeits sol.

VII. Provided also, That in case such constable shall neglect or refuse, upon such notice, to go before any justice of the peace, or to enter into such recognizance, or shall be wilfully negligent in carrying on the said prosecution, he shall for every such offence forfeit the sum of twenty pounds to each of such inhabitants so giving notice as aforesaid.

Who shall be deemed the keeper of such bawdy-house, &c.

VIII. *And whereas, by reason of the many subtle and crafty contrivances of persons keeping bawdy-houses, gaming-houses or other disorderly houses, it is difficult to prove who is the real owner or keeper thereof, by which means many notorious offenders have escaped punishment;* be it enacted by the authority aforesaid, That any person who shall at any time hereafter appear, act or behave him or herself as master or mistress, or as the person having the care, government or management of any bawdy-house, gaming-house or other disorderly house, shall be deemed and taken to be the keeper thereof, and shall be liable to be prosecuted and punished as such, notwithstanding he or she shall not in fact be the real owner or keeper thereof.

Evidence may be given by an inhabitant, &c.

IX. Provided nevertheless, That upon any such prosecution against any person for keeping a bawdy-house, gaming-house or other disorderly house, any person may give evidence against the defendant or on behalf of the defendant in such prosecution, notwithstanding his or her being an inhabitant or parishioner of the said parish or place, or having entered into such recognizance as aforesaid.

Indictment not removable by Certiorari.

X. And be it further enacted by the authority aforesaid, That no indictment which shall at any time after the said first day of June be preferred against any person for keeping a bawdy-house, gaming-house or other disorderly house, shall be removed by any writ of *Certiorari* into any other court; but such indictment shall be heard, tried and finally determined, at the same general or quarter session or assizes, where such indictment shall have been preferred (unless the court shall think proper, upon cause shewn, to adjourn the same) any such writ or allowance thereof notwithstanding.

In prosecutions for felony; court may make orders for payment of the prosecutor's expences;

XI. *And whereas many persons are deterred from prosecuting persons guilty of felony, upon account of the expence attending such prosecutions, which is another great cause and encouragement of thefts and robberies;* in order therefore to encourage the bringing offenders to justice, be it enacted by the authority aforesaid, That it shall and may be in the power of the court, before whom any person has been tried and convicted of any grand or petit larceny, or other felony, at the prayer of the prosecutor, and on consideration of his circumstances, to order the treasurer of the county in which the offence shall have been committed, to pay unto such prosecutor such sum of money as to the said court shall seem reasonable, not exceeding the expences which it shall appear to the court the prosecutor was put unto in carrying on such prosecution, making him a reasonable allowance for his

Clerks fee for such order.

time

time and trouble therein; which order the clerk of assize, or clerk of the peace respectively, is hereby directed and required forthwith to make out and to deliver unto such prosecutor, upon being paid for the same the sum of one shilling, and no more; and the treasurer of the county is hereby authorized and required, upon sight of such order, forthwith to pay to such prosecutor, or other person authorized to receive the same, such sum of money as aforesaid, and shall be allowed the same in his accounts.

County treasurer to pay the order.

XII. And, for the better discovering and bringing to justice thieves, robbers and other persons maintaining themselves by pilfering and defrauding mankind; be it enacted by the authority aforesaid, That it shall and may be lawful to and for any two or more of his Majesty's justices of the peace, in any county, city or liberty, in case any person apprehended upon any general privy search, or by virtue of any special warrant, shall be charged before them with being a rogue and vagabond, or an idle and disorderly person, or with suspicion of felony, (although no direct proof be then made thereof) to examine such person upon oath, not only as to the parish or place where he was last legally settled, but also as to his means of livelihood; the substance of which examination shall be put into writing, and be subscribed or signed by the person so examined; and the said justices shall likewise sign the same, and transmit it to the next general or quarter sessions of the peace to be holden for the same county, city or liberty, there to be filed, and to be kept on record; and if such person shall not make it appear to such justices, that he has a lawful way of getting his livelihood, or shall not procure some responsible house-keeper to appear to his character, and to give security for his appearance before such justices at some other day to be fixed for that purpose (in case the same shall be required) to commit such person to some prison or house of correction, for any time not exceeding six days; and in the mean time to order the overseers of the poor, or one of them, of the parish or place in which such person shall be apprehended, to insert an advertisement in some publick paper, describing such suspicious person, and any thing or things which shall have been found upon him, or in his custody, and which he shall be suspected not to have come honestly by, and mentioning the place to which such person is committed, and specifying the time and place when and where such person is to be again brought before them to be re-examined; and if no accusation shall be then laid against him, then such person shall be discharged, or otherwise dealt with according to law.

Justices may examine on oath rogues, vagabonds and other disorderly persons;

the examination to be transmitted to the sessions.

Person not giving a satisfactory account, &c. to be committed.

and an advertisement to be published, describing his person, and the things found on him.

XIII. And be it further enacted by the authority aforesaid, That any person intitled to any of the forfeitures by this act imposed, may sue for the same by action of debt, in any of his Majesty's courts of record at *Westminster*, in which it shall be sufficient to declare, That the defendant is indebted to the plaintiff in the sum of \_\_\_\_\_ being forfeited by an act, intituled, *An act for the better preventing thefts and robberies, and for regulating*

Recovery of forfeitures.



are or may be issued and applied; any thing in any former act or acts of parliament to the contrary thereof in any wise notwithstanding.

The proprietors of exchequer orders payable out of the duties on plate, allowed to subscribe the same,  
6 Geo. I. c. 11.

XVII. *And whereas by an act of parliament made and passed in the sixth year of his late Majesty's reign, certain annuities were created at the exchequer payable out of the duties on wrought plate, to the amount of three hundred and twelve thousand pounds, whereof there is now remaining the sum of one hundred and twenty nine thousand seven hundred and fifty pounds; be it further enacted by the authority aforesaid, That all and every the proprietors of tallies and orders for the said annuities, which were subscribed pursuant to the two acts of parliament before recited, shall, from and after the said tenth day of October one thousand seven hundred and fifty two, until the said fifth day of April one thousand seven hundred and fifty three, have liberty to subscribe their said tallies and orders at the bank of England, into the several joint stocks of annuities; that is to say, such of the said annuities as were first subscribed pursuant to the said act of the twenty third year of his Majesty's reign, shall be added to the said joint stock of fourteen millions eight hundred fifty seven thousand nine hundred fifty five pounds eighteen shillings and four pence; and such of the said annuities as were subscribed pursuant to another act of the same session of parliament, shall be added to the said joint stock of two millions seven hundred thirteen thousand six hundred seventeen pounds eighteen shillings; and the said joint stocks of annuities respectively, shall have an additional annuity for such sum or sums of the said plate annuities as shall be so subscribed into the said joint stocks respectively, from the said tenth day of October one thousand seven hundred and fifty two, payable out of the said surplus funds, and any of the duties and revenues composing the said sinking fund.*

Power to transfer immediately.

XVIII. *And be it enacted, That all and every person or persons, bodies politick or corporate, who shall subscribe their said orders into either of the joint stocks of annuities aforesaid, shall be immediately intitled to the privilege of transferring such annuities as part of such joint stock of annuities, from the said tenth day of October one thousand seven hundred and fifty two as aforesaid.*

The duties to be carried into the sinking fund.

XIX. *And be it further enacted by the authority aforesaid, That the said duty on wrought plate, provided all the said annuities charged thereupon shall be so subscribed, or the surplus thereof, in case all the said annuities shall not be subscribed, shall be transferred unto and made part of the said sinking fund; any thing in any former act or acts of parliament to the contrary thereof in any wise notwithstanding.*

The said annuities to be one joint stock transferrable at the bank.

XX. *And be it further enacted by the authority aforesaid, That from and after the said fifth day of April one thousand seven hundred and fifty eight, the said joint stock of the first subscribed bank annuities, after the rate of three pounds ten shillings per centum per annum; as also such of the said plate annuities as shall be subscribed thereunto, with so much of the said*  
second

second subscribed bank annuities, after the said rate of three pounds ten shillings *per centum per annum*; as also such of the said plate annuities as shall be subscribed thereunto as aforesaid, and shall then remain unsatisfied and not paid off, shall be made one joint stock of annuities, transferrable at the bank of *England*, until redemption thereof by parliament, in manner herein after mentioned; any thing in this or any former act or acts of parliament to the contrary thereof in any wise notwithstanding.

XXI. And be it further enacted by the authority aforesaid, That the governor and company of the bank of *England* shall, and they are hereby required to cause such books to be prepared as shall be necessary for receiving the subscription or consent of such of the proprietors of the several and respective annuities, after the rate of three pounds ten shillings *per centum per annum*, transferrable at their office; and also of the proprietors of the several annuities, tallies and orders payable at the exchequer, out of the duties on wrought plate, as shall subscribe the same into the several joint stocks of annuities before mentioned; which books shall be constantly kept open at the said bank of *England* for that purpose, every day, *Sundays* and holidays only excepted, from the said tenth day of *October* one thousand seven hundred and fifty two, to the said fifth day of *April* one thousand seven hundred and fifty three inclusive, and no longer, subject nevertheless to such further directions, with respect to the taking in or receiving such subscriptions or consents from the proprietors of the said annuities, after the rate of three pounds ten shillings *per centum per annum*, as shall or may be given by the commissioners of the treasury, or any three or more of them now being, or by the high treasurer, or any three or more of the commissioners of the treasury for the time being, for the benefit and advantage of the publick; and it shall and may be lawful to and for the proprietors of the said several and respective annuities, their respective attornies, representatives or assigns, or such person or persons as he, she or they shall respectively authorize and empower, by writing, in that behalf, to subscribe for them; and all persons empowered to receive any interest or dividend that shall become due on the said annuities, shall, and they have hereby power to make their subscriptions and give their consents in the said respective books accordingly, without any fee or charge, at any time between the said tenth day of *October* one thousand seven hundred and fifty two, and the said fifth day of *April* one thousand seven hundred and fifty three, in manner following; that is to say, That such of the said annuities as were first subscribed in pursuance of the before recited act of the twenty third year of his Majesty's reign, shall be subscribed into the joint stock of annuities, amounting to the principal sum of fourteen millions eight hundred fifty seven thousand nine hundred fifty five pounds eighteen shillings and four pence; and such of the said annuities as were last subscribed in pursuance of one other act of the same session of parliament, shall be subscribed into the joint stock of annuities, amounting

Bank to provide books for subscriptions,

to be open from 10 October 1752, to 5 April 1753, &c.

The proprietors may subscribe;

viz. the annuities first subscribed to be subscribed into the joint stock, amounting to 14,857,955 l. 18 s. 4 d. and the last subscribed, into

The joint stock, amounting to the sum of 2,713,617l. 18 s.

Officers to attend to take in subscriptions.

Executors, &c. may subscribe.

to the principal sum of two millions seven hundred thirteen thousand six hundred seventeen pounds eighteen shillings; and the several officers of the said governor and company who shall be appointed to take in the said subscriptions, or receive such consents as aforesaid, shall, during the time aforesaid, constantly attend at the said office for that purpose, at such hours as business is usually transacted there.

XXII. And it is hereby enacted by the authority aforesaid, That it shall and may be lawful for all executors, administrators, guardians, trustees, committees of the estates of ideots or lunaticks, and the accomptant general of the court of *Chancery*, and the deputy remembrancer of his Majesty's court of *Exchequer*, and the attornies, representatives or assignees of such executors, administrators, guardians, trustees and committees, to make or cause to be made subscriptions in the book or books herein before mentioned, signifying their consent to subscribe the several and respective annuities herein before-mentioned, carrying an interest after the rate of three pounds ten shillings *per centum per annum* and three pounds *per centum per annum* into the several and respective joint stocks of annuities aforesaid, for and on the behalf of their respective testators, infants, minors, femes covert, ideots or lunaticks, and the suitors of the court of *Chancery*, and of the said court of *Exchequer*, and others, for whom they are or shall be respectively intrusted; and such executors, administrators, guardians, trustees, committees, and the attornies, representatives or assignees of such executors, administrators, guardians, trustees and committees, and the accomptant general and deputy remembrancer, are and shall be, by virtue of this act, indemnified in and for the doing the same.

The tallies and orders to be delivered up to the accomptant general of the bank,

XXIII. And be it further enacted, That all and every the tallies and orders which shall be subscribed for annuities, transferrable at the bank of *England*, in pursuance of this act, shall be delivered up by the respective proprietor or proprietors thereof, or by his, her or their respective attornies or representatives, to the accomptant general of the bank of *England*, or to such person or persons who shall be employed by the governor and company of the bank of *England*, to take such subscriptions, who is hereby empowered to give credit to the said proprietor, for so much interest or share in the joint stocks of annuities respectively, to which the same shall be subscribed, pursuant to the directions in this act before-mentioned and expressed, as the said principal sums in the said tallies and orders shall amount unto; and the tallies and orders so subscribed, shall be transmitted by the said accomptant general, or other person or persons empowered to take such subscriptions as aforesaid, into the office of the auditor of the receipt of his Majesty's exchequer, to be there cancelled and made void.

and to be transmitted to the exchequer to be cancelled.

Clause of redemption.

XXIV. Provided also, and it is hereby enacted by the authority aforesaid, That at any time upon one year's notice to be printed in the *London Gazette*, and affixed upon the *Royal Exchange* in *London*, and upon repayment by parliament, according

to such notice, of the said several and respective sums, or any part thereof, for which the said several and respective annuities or any of them shall be payable, by payments not less than five hundred thousand pounds at one time, in such manner as shall be directed by any future act or acts of parliament in that behalf and also upon full payment of all arrearages of the same annuities; then, and not till then, so much of the said several and respective annuities as shall be attending on the said principal sums so paid off, shall cease, determine and be understood to be redeemed; and that any vote or resolution of the house of commons, signified by the speaker in writing, to be inserted in the said *London Gazette*, and affixed on the *Royal Exchange* in *London* as aforesaid, shall be deemed and adjudged to be sufficient notice within the words and meaning of this act.

XXV. Provided nevertheless, That no part of any of the Annuities subscribed in pursuance of the said two acts of the twenty third year of his Majesty's reign, shall be liable to be redeemed before the times therein respectively limited; any thing herein contained to the contrary thereof in any wise notwithstanding.

XXVI. And be it further enacted by the authority aforesaid, That from and after the said fifth day of *April* one thousand seven hundred and fifty eight, the joint stock of the first subscribed *Old South Sea* annuities, with as much of the joint stock of the second subscribed *Old South Sea* annuities as shall be then unsatisfied, shall be made one joint stock of *Old South Sea* annuities.

XXVII. And be it further enacted by the authority aforesaid, That from and after the said fifth day of *January* one thousand seven hundred and fifty eight, the joint stock of the first subscribed *New South Sea* annuities, with so much of the joint stock of the second subscribed *New South Sea* annuities as shall be then unsatisfied, shall be made into one new joint stock of *South Sea* annuities.

#### CAP. XXVIII.

An act for repairing the post road from the city of Edinburgh through the counties of Linlithgow and Sterling, from the Boat-house Ford on Almond Water, and from thence to the town of Linlithgow, and from the said town to Falkirk, and from thence to Sterling: and also from Falkirk to Killyth, and to Inch Bellie Bridge, on the post road to the city of Glasgow. *Certain tolls granted for 21 years.*

#### CAP. XXIX.

*An act for giving a proper reward to coroners for the due execution of their office; and for the removal of coroners upon a lawful conviction for certain misdemeanors.*

WHEREAS the office of coroner is a very ancient and necessary office: and whereas by an act made in the third year of the reign of King Henry the Seventh, reciting that coroners had not, nor ought to have, any thing by the law for their office doing; which act-time had been the occasion that coroners had been remiss in doing

and water,  
except, &c.

thereof, fuch offender fhall be fed with bread and water only, and with no other food or liquor whatfoever (except in cafe of receiving the facrament of the Lord's fupper, and except in cafe of any violent ficknefs or wound, in which cafe fome known phyfician, furgeon or apothecary may be admitted by the gaoler or keeper of the faid prifon to adminifter neceffaries; the chriitian and furname of fuch phyfician, furgeon or apothecary, and his place of abode, being firft entered in the books of fuch prifon or gaol, there to remain) and in cafe fuch gaoler or prifon-keeper fhall offend againft or neglect to put in execution any of the direCTIONS or regulations hereby enacted to be obferved, fuch gaoler or prifon-keeper fhall for fuch offence forfeit his office, and be fined in the fum of twenty pounds, and fuffer imprifonment until the fame be paid.

Gaoler making default to forfeit his office, and 20l.

Penalty of refcuing a murderer.

IX. And be it enacted by the authority aforefaid, That if any perfon or perfons whatfoever fhall by force fet at liberty, or refcue or attempt to refcue or fet at liberty, any perfon out of prifon who fhall be committed for, or found guilty of murder, or refcue or attempt to refcue any perfon convicted of murder going to execution, or during execution, every perfon fo offending fhall be deemed, taken and adjudged to be guilty of felony, and fhall fuffer death without benefit of clergy.

Penalty of refcuing the body after execution.

X. And be it further enacted by the authority aforefaid, That if any perfon or perfons whatfoever fhall, after fuch execution had, by force refcue or attempt to refcue the body of fuch offender out of the cuftody of the fheriff or his officers, during the conveyance of fuch body to any of the places hereby directed, or fhall by force refcue or attempt to refcue fuch body from the company of *Surgeons*, or their officers or fervants, or from the houfe of any furgeon where the fame fhall have been depofited in purfuance of this act; every perfon fo offending fhall be deemed and adjudged to be guilty of felony, and fhall be liable to be transported to fome of his Majesty's colonies or plantations in *America* for the term of feven years, in like manner as is directed by the laws now in force relating to the transportation of felons; and fhall be fubject to the like punifhment and methods of conviction, in cafe of returning into, or being found at large within *Great Britain*, within the faid term of feven years, in all refpects, as by law other felons are fubject to, in cafe of unlawfully returning from transportation.

This act not to extend to 11 Geo. 1. c. 26.

XI. Provided always, and it is hereby enacted by the authority aforefaid, That nothing herein contained fhall extend to repeal or alter fo much of an act made in the eleventh year of his late Majesty's reign (intituled, *An act for the more effectual difarming the Highlands in that part of Great Britain called Scotland; and for the better fecuring the peace and quiet of that part of the kingdom*) as relates to the fufpention of the execution of perfons convicted of capital offences within that part of *Great Britain* called *Scotland*, for the refpective times in the faid act mentioned; any thing herein before contained to the contrary notwithstanding.

## C A P. XXXVIII.

An act for the more easy and speedy recovery of small debts within the borough of St. Albans, in the county of Hertford, and the several towns, parishes, wards, hamlets, and places within the liberty of St. Albans.

## C A P. XXXIX.

*An act to obviate doubts that may arise upon an act made and passed in the eleventh and twelfth years of the reign of his late majesty King William the Third, intituled, An act to enable his Majesty's natural born subjects to inherit the estate of their ancestors, either lineal or collateral, notwithstanding their father or mother were aliens.*

**W**HEREAS in and by an act of parliament made and passed in the eleventh and twelfth years of the reign of his late majesty King William the Third, intituled, An act to enable his Majesty's natural born subjects to inherit the estate of their ancestors, either lineal or collateral, notwithstanding their father or mother were aliens; it is enacted, That all and every person or persons, being the King's natural-born subject or subjects, within any of the King's realms or dominions, should and might thereafter lawfully inherit and be inheritable, as heir or heirs, to any honours, manors, lands, tenements or hereditaments, and make their pedigrees and titles by descent from any of their ancestors, lineal or collateral, although the father and mother, or father or mother, or other ancestor of such person or persons by, from, through, or under whom he, she or they should or might make or derive their title or pedigree, were or was, or should be born out of the King's allegiance, and out of his Majesty's realms or dominions, as freely, fully and effectually, to all intents and purposes, as if such father or mother, or fathers or mothers, or other ancestor or ancestors by, from, through, or under whom he, she or they should or might make or derive their title or pedigree, had been naturalized or natural-born subjects: and whereas many doubts and inconveniencies may arise upon the said recited act, in case of persons gaining capacities to inherit and derive their pedigrees by virtue of the said recited act, after the deaths of their ancestors to whom they claim to be heirs, whereby estates well vested by descent, mortgages, purchases, and settlements duly made, may be defeated: for remedy whereof be it enacted and declared by the King's most excellent Majesty, by and with the 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 statute shall not extend, or be deemed, taken, or construed to extend to give any right, or title to any person or persons to inherit as heir or heirs, or coheir or coheirs, to any person dying seised of any manors, lands, tenements or hereditaments, in possession, reversion or remainder, by enabling any such person or persons to claim or derive his, her or their pedigree through any alien ancestor or ancestors, unless the person or persons so claiming or deriving his, her, or their title as heir or heirs,

11 & 12 W. 3.  
c. 6.

None to inherit by the recited act, but such as shall be in being at the death of the ancestor who shall die seised.

heirs, coheir or coheirs, was or were, or shall be in being, and capable to take the same estate as heir or heirs, coheir or coheirs, by virtue of the said statute, at the death of the person who shall so last die seized of such manors, lands, tenements or hereditaments, and to whom he, she or they shall so claim to be heir or heirs, coheir or coheirs, by force of the said statute.

If the descent shall be cast upon a daughter,

and the alien father, &c. shall afterwards have a son, the daughter to be divested,

and where no son, the daughters afterwards born in his Majesty's dominions shall jointly inherit.

II. Provided always, and be it enacted by the authority aforesaid, That in case the person or persons who shall be in being, and capable to take at the death of the ancestor so dying seized of any such honours, manors, lands, tenements or hereditaments, and upon whom the descent shall be cast by virtue of this act, or of the said recited act, shall happen to be a daughter or daughters of an alien, and that the alien father or mother, through whom such descent shall be derived by such daughter or daughters, shall afterwards have a son born within any of his Majesty's realms or dominions; the descent so cast upon such daughter or daughters shall be divested in favour of such son; and such son shall inherit and take the estate in like manner as is allowed by the common law of this realm in cases of the birth of a nearer heir; or in case such father or mother shall have no son or sons, but shall have one or more daughter or daughters afterwards born within any of his Majesty's realms or dominions, the daughter or daughters so born afterwards shall inherit and take in coparcenary with the daughter or daughters upon whom the descent shall be cast at the death of the ancestor last seized; any thing in this act contained to the contrary in any wise notwithstanding.

### C A P. XL.

*An act for the application of a sum of money therein mentioned, granted to his Majesty, for making compensation and satisfaction to the royal African company of England, for their charter, lands, forts, castles, slaves, military stores, and all other their effects whatsoever; and to vest the lands, forts, castles, slaves and military stores, and all other their effects in the company of merchants trading to Africa; and for other purposes in the act mentioned.*

**W**HEREAS his late majesty King Charles the Second, by his royal charter or letters patent, under the great seal of England, bearing date the twenty seventh day of September in the twenty fourth year of his reign, in consideration of the surrender of a former grant in the said letters patent recited, did give and grant unto certain persons therein named, all and singular the regions, countries, dominions, territories, continents, coasts and places, lying and being within the limits and bounds in the said letters patent mentioned, that is to say, Beginning at the port of Sally in South Barbary, inclusive, and extending from thence to cape de bona Esperanza, inclusive, with all the islands near adjoining to these coasts, and comprehended within the limits aforesaid: which regions, countries, dominions, territories, continents, coasts and places, and islands, had been theretofore

fore called or known by the name of South Barbary, Guinny, Binny or Angola, or by some or any other name or names, and which were or had been reputed, esteemed or taken to be part, parcel, or member of any country, region, dominion, territory or continent, within the limits aforesaid; and all and singular ports, harbours, creeks, islands, lakes and places in the parts of Africa, to them or any of them belonging; or being under the obedience of any King, state or potentate of any region, dominion or country, within the limits aforesaid, to hold from the making the said letters patent for the term of one thousand years, subject to such conditions and reservations as therein mentioned; and did in and by the said letters patent, incorporate the several persons therein named, by the name of The Royal African Company of England, and did declare such grant and demise to be in trust to and for the sole use, benefit and behoof of the royal African company of England, therein and thereby so incorporated, and their successors; and whereas the said royal African company of England have, since the granting the said charter, been at a very considerable expence in re-building and enlarging several of their forts and castles on the coasts aforesaid, and have there erected, built and purchased, several new forts: and whereas by an act of parliament made and passed in the twenty third year of the reign of his present Majesty, intituled, An act for extending and improving the trade to Africa, a new company was established by the name of The Company of Merchants trading to Africa; and the better to uphold, maintain and defend all such forts, factories and settlements, on the coast of Africa, as then were erected, or thereafter should be thought necessary to be erected, for the securing and better carrying on the said trade; it was enacted, among other things, That all and every the British forts, settlements and factories, on the coast of Africa, beginning at cape Blanco, and extending from thence to the cape of Good Hope inclusive, and all other the regions, countries, dominions, territories, continents, coasts, ports, bays, rivers and places, lying and being within the aforesaid limits, and the islands near adjoining to those coasts, and comprehended within those limits, which then were claimed by, or were in the possession of the said royal African company of England, or which might be thereafter in the possession of the company thereby established, should from and after the passing of an act of parliament for divesting the said African company of their said charter; forts, castles, military stores, canoe men, castle slaves, and all other their property on the coast of Africa (their goods and merchandizes only excepted) be absolutely vested in the said new company established by the said act, and their successors, to the intent and purpose that the said forts, settlements and premisses should be employed at all times thereafter only for the protection, encouragement and defence of the said trade; and it was by the said act further enacted, That the accountant general of the high court of chancery for the time being, and such two of the other masters of the said court, as the lord high chancellor of Great Britain for the time being, or lord keeper of the great seal of Great Britain for the time being, or the lords commissioners for the great seal of Great Britain for the time being, should from time to time nominate for that purpose, should be, and



they were thereby constituted and appointed commissioners for examining into the claims of the creditors of the said royal African company, and to inquire and state how and when the same were respectively incurred, in such manner as in and by the said act is directed, together with their opinion of the justness and reasonableness of such debts respectively, and to lay accounts of their proceedings before the parliament with all convenient speed: and whereas the commissioners appointed by and in pursuance of the said act did lay accounts of their proceedings before the parliament the last session, but several claims of several of the company's officers and servants abroad, for salaries due to them, or for goods sold and delivered, and for monies laid out and expended for the said company's use, for want of proper vouchers from abroad could not be examined into within the time prescribed for that purpose by the said act: and whereas by an act of parliament made and passed in the twenty fourth year of the reign of his present Majesty, intituled, An act for allowing further time to the commissioners appointed by and in pursuance of an act of the twenty third year of his present Majesty's reign, intituled, *An act for extending and improving the trade to Africa*, to inquire into the claims of certain creditors of the royal African company therein mentioned, and for the relief of David Crichton, and for restraining the said company from disposing of such of their effects as are therein mentioned; and for staying all suits for money due from or on account of the said company for the time therein mentioned; it was enacted among other things, That all and every the powers, and authorities in and by the said above recited act of the twenty third year of the reign of his present Majesty granted to and vested in the said commissioners appointed by or in pursuance of the said act for enabling them to examine into the claims, of the creditors of the said company, and stating the same, with their opinion thereon, should, for the purposes of examining into and stating the claims therein particularly mentioned, and no other, be and continue in full force until the twelfth day of January one thousand seven hundred and fifty two, and the said commissioners, or any two of them, were thereby authorized and required, from and after the twenty fourth day of June, one thousand seven hundred and fifty one, to proceed with all convenient speed upon the examination of the several claims of the several persons thereafter named; and the said commissioners were thereby required to close and finish their examination of all the said claims on or before the twelfth day of January then next ensuing, and to lay accounts of their proceedings before the parliament with all convenient speed: and whereas the said commissioners have laid accounts of their proceedings, under the said last recited act, before the parliament: and whereas several other sums of money are due and owing to several other persons from the said royal African company: and whereas captain Thomas Pye, commander of his Majesty's ship Humber, did, in pursuance of directions given him by the commissioners for executing the office of lord high admiral of Great Britain for that purpose in the year one thousand seven hundred and forty nine, take a survey of the forts and castles of the said royal African company of England, on the coast of Africa, and of the quantity, number and quality of cannon and their military stores, ca-

24 Geo. 2.  
C. 49.

noe men, caſtle ſlaves, canoes and veſſels then at each reſpective fort, which belonged to the ſaid royal African company of England, a particular account of which ſurvey is expreſſed and ſet forth in the firſt ſchedule to this act annexed, and whereas the ſaid royal African company of England are willing to ſurrender all and ſingular their lands, forts, caſtles, ſettlements, cannon, military ſtores, canoe men, caſtle ſlaves, canoes and veſſels, together with the ſaid charter, books of account, papers, contracts and agreements, and all their property, eſtate, intereſt, and effects whatſoever, for ſuch compenſation and ſatisfaction, and to be applied in ſuch mannner as herein after is expreſſed and directed; be it therefore enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That the royal African company of England, from and after the tenth day of April one thouſand ſeven hundred and fifty two, ſhall be, and they are hereby abſolutely diveſted of and from their ſaid charter, lands, forts, caſtles and military ſtores, canoe men, caſtle ſlaves, and all other their eſtate, property and effects whatſoever; and that all and every the Britiſh forts, lands, caſtles, ſettlements and factories on the coaſt of Africa, beginning at Port Sally, and extending from thence to the cape of Good Hope inclusive, which were granted to the ſaid company by the ſaid charter, or which have been ſince erected or purchaſed by the ſaid company; and all other the regions, countries, dominions, territories, continents, coaſts, ports, bays, rivers and places lying and being within the aforeſaid limits, and the iſlands near adjoining to thoſe coaſts, and comprehended within the limits deſcribed by the ſaid charter; and which now are, or at any time heretofore have been in the poſſeſſion of or claimed by the ſaid royal African company of England, together with the cannon and other military ſtores, canoe men, caſtle ſlaves at and belonging to the ſaid forts, caſtles, ſettlements and factories, particularly mentioned and ſet forth in the ſaid firſt ſchedule to this act annexed (ſuch ſtores as have been made uſe of in the ſervice of the forts, and ſuch canoe men and ſlaves, as may have died ſince the taking of the ſaid ſurvey, only excepted) and alſo all contracts and agreements made by or for, or on the behalf of the ſaid royal African company, with any of the kings, princes or natives of any of the countries or places on the ſaid coaſts; and all other the property, eſtate and effects whatſoever of the ſaid royal African company ſhall, from and after the ſaid tenth day of April one thouſand ſeven hundred and fifty two, be veſted in, and the ſame and every of them are and is hereby fully and abſolutely veſted in the ſaid corporation called and known by the name of *The company of merchants trading to Africa*, and their ſucceſſors, freed and abſolutely diſcharged of and from all claims and demands of the ſaid royal African company of England, and their creditors; and every of them, and of all and every perſon or perſons claiming under them, or any or either of them.

The African company diveſted of their charter, forts, &c.

and the ſame veſted in the company of merchants trading to Africa.

II. Provided always, and it is hereby enacted, That the di-

ferred than what are granted by 23 Geo. 2. c. 31.

vesting the said royal *African* company of *England* of their charter, and vesting the said forts, settlements and factories, and all other the before-mentioned premisses in the said company of merchants trading to *Africa*, shall not extend, or be construed to extend to give the said company of merchants trading to *Africa*, or their committee, any other right, privileges or powers, than such as are given to the said company of merchants, and their committee, by the said recited act made and passed in the twenty third year of the reign of his present Majesty.

III. *And whereas it appears that a certain island situate in the river Sierra Leon, on the said coast of Africa, called Bance Island, with a fort and buildings thereon, having been formerly in the possession of the said royal African company, was in the year one thousand seven hundred and twenty eight deserted by the said company and their agents; and the said fort for some time past has been, and is now in the possession of Alexander Grant, John Sargent and Richard Oswald of London merchants, who have disbursed a considerable sum in the preservation and improvement of the said island and fort; and for which it is just and reasonable they should receive a recompence; be it therefore enacted, That they the said Alexander Grant, John Sargent and Richard Oswald shall be at liberty, notwithstanding this present act, to continue in the quiet possession of the said island, fort and buildings thereon, and that the same shall from henceforth continue, and be absolutely vested in them the said Alexander Grant, John Sargent and Richard Oswald, their heirs and assigns, to and for their own use and benefit; any thing herein, or in any former act or acts of parliament contained to the contrary thereof in any wise notwithstanding.*

Bance island vested in Alexander Grant, John Sargent and Richard Oswald;

Provido that they grant not the same to foreigners.

IV. Provided always, That it shall not be lawful for them the said *Alexander Grant, John Sargent and Richard Oswald*, or any of them, or their heirs or assigns, to demise, grant or alienate their right and interest therein, to any person or persons whatsoever, being foreigners.

The new company, with the consent of the commissioners for trade, may raise military forces,

V. Provided always, and it is hereby further enacted by the authority aforesaid, That it shall and may be lawful to and for the said company of merchants, and their successors, or their committee for the time being, by and with the consent and approbation of the said commissioners for trade and plantations, or the majority of them, to authorize and empower such persons, as they shall think fit, at any of the said forts, castles, settlements and factories, or elsewhere in *Africa*, to raise, arm, train and muster such military forces, as to them shall seem requisite and necessary; and to execute and use within the said forts, castles, factories and settlements, such rules and regulations for the defence of the said places, and for the punishment of offences committed within the same, as from time to time shall be given them, by the said company of merchants or their committee, by and with the consent and approbation of the said commissioners for trade and plantations, or the majority of them, so as such punishment shall not extend to the loss or deprivation of life or limb; and that it shall and may be lawful for the persons autho-

rized as aforefaid, in any cafes where it fhall be thought proper, to fend over in confinement, the perfon or perfons of any offender or offenders, to be here tried according to the laws of this kingdom.

VI. And for the more effectual encouragement of merchants that fhall trade unto or refide in the places aforefaid; be it enacted by the authority aforefaid, That it fhall and may be lawful, to and for the faid company of merchants trading to *Africa*, or their committee, by and with the confent and approbation of the faid commissioners for trade and plantations, or the majority of them, to erect, conftitute and eftablifh a court or courts of judicature, to be held at fuch place or places, fort or forts, plantations or factories, upon the faid coaft, as the faid company fhall from time to time direct and appoint, for hearing and determining all cafes, the matter or matters whereof fhall arife there, on account of mercantile or maritime bargains, buying, felling or bartering of wares; or bills, bonds, or promifes for payment of money, or mercantile or trading contracts, made, tranfacted or entered into upon the faid coaft, concerning any perfon or perfons refiding within the bounds and limits aforefaid.

and erect  
courts.

VII. Provided nevertheless, and be it enacted by the authority aforefaid, That his Majefty, his heirs and fucceffors, fhall have full power at his will and pleafure, from time to time, by his or their fign manual, to revoke all fuch powers which fhall be given to any perfons, for raifing, arming and training the military forces, and all fuch rules and regulations, as fhall be given or eftablifhed, and to grant all military powers on the faid *African* coaft, and eftablifh fuch rules and regulations as he or they fhall from time to time think fit; and alfo to revoke and repeal all fuch courts of juftice, as fhall be erected; and to erect and eftablifh fuch other courts of juftice there, as he or they fhall from time to time think fit.

His Majefty  
may revoke  
any of the  
powers, and  
eftablifh other  
regulations,  
&c.

VIII. And be it further enacted by the authority aforefaid, That all the contracts and agreements which have been made by the faid royal *African* company of *England*, with any of the Kings, princes or natives of any of the countries or places on the faid coaft; and alfo all deeds, writings, evidences or muniments, books of account, and all papers of what kind or nature foever, belonging, or which did belong, to the faid company, fhall, on or before the faid tenth day of *April* one thoufand feven hundred and fifty two, be delivered over by the faid royal *African* company of *England*, or their officers, fervants, agents and all other perfons, who have or fhall have the cuftody of them, or any of them, to the faid company of merchants trading to *Africa*, together with an inventory of the books, contracts, agreements, deeds, writings and evidences above-mentioned, to be by them kept and preferved, for the benefit and protection of the faid trade, forts and fettlements; and the faid company of merchants trading to *Africa* are, from time to time, to produce to the commissioners hereafter mentioned, fuch of the ftock

Former con-  
tracts, &c. to  
be delivered  
over to the  
new company.

Stock ledger  
and transfer-  
books to be  
produced to

the commis-  
sioners.

leidger, and transfer books, of the said royal *African* company as they shall require.

112,142 l. 3 s.  
3 d. to be ap-  
plied out of  
the supplies,  
as a satisfac-  
tion to the  
old company,

IX. And for making a full compensation and satisfaction to the royal *African* company of *England*, for their said charter, lands, forts, castles, slaves, military stores, books, papers, and all other their effects whatsoever; be it enacted by the authority aforesaid, That out of all or any the aids or supplies granted to his Majesty in this session of parliament, there may and shall be applied and paid the sum of one hundred and twelve thousand one hundred and forty two pounds three shillings and three pence, without account, to such persons and in such proportions, and in such manner, as is herein after particularly directed and appointed.

whereof  
1,695 l. 3 s. to  
be paid to the  
commission-  
ers to state  
the claims of  
the creditors.

X. And it is hereby further enacted by the authority aforesaid, That out of the said sum of one hundred and twelve thousand one hundred and forty two pounds three shillings and three pence, the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, do issue and pay, or cause to be issued and paid, the sum of one thousand six hundred and ninety five pounds and three shillings, to *Richard Edwards* esquire, and *Edmund Sawyer* esquire, two of the masters of the high court of *Chancery*, and *John Waple* esquire, one other of the masters, and also accountant general of the said court; being the commissioners appointed to examine and state the claims of the creditors of the said royal *African* company, by an act of parliament of the twenty third year of the reign of his present Majesty, for their trouble, and in satisfaction of the expences of executing the said commission.

84,652 l. 12 s.  
7 d. to the  
creditors set  
forth in the  
second sche-  
dule.

XI. And it is hereby further enacted by the authority aforesaid, That out of the said sum of one hundred and twelve thousand and one hundred and forty two pounds, three shillings and three pence, the further sum of eighty four thousand six hundred and fifty two pounds, twelve shillings and seven pence, be distributed and paid to the several creditors mentioned and set forth in the second schedule to this act annexed, in the respective sums and proportions in the said schedule mentioned, in full satisfaction of all and every their demands.

23,688 l. 15 s.  
5 d. to the  
persons nam-  
ed in the  
third sche-  
dule.

XII. And it is hereby further enacted by the authority aforesaid, That out of the said sum of one hundred and twelve thousand one hundred and forty two pounds, three shillings and three pence, the sum of twenty three thousand six hundred and eighty eight pounds, fifteen shillings and five pence, be paid and divided to and amongst the persons named in the third schedule to this act annexed, in the sums and proportions therein mentioned, being such of the proprietors of *African* transferable stock, as were possessed of the same on the thirty first day of *December* in the year of our Lord one thousand seven hundred and forty eight, the same being computed to be at and after the rate of ten pounds *per centum* on the said stock, so possessed by them

them at that time, in full of all their right and title to the same, or any part thereof.

XIII. And be it further enacted by the authority aforesaid, That the sum of two thousand one hundred and five pounds, twelve shillings and three pence, residue of the said sum of one hundred and twelve thousand one hundred and forty two pounds three shillings and three pence, be paid and divided to and amongst the persons named in the fourth schedule to this act annexed, in the sums and proportions therein mentioned, being such of the proprietors of *African* transferrable stock, as have become possessed of the same since the said thirty first day of *December* one thousand seven hundred and forty eight, being computed to be at and after the rate of five pounds, *per centum* on the stock so possessed by them, in full of all their right and title to the same, or any part thereof.

XIV. And be it further enacted by the authority aforesaid, That from and after the said tenth day of *April* one thousand seven hundred and fifty two, the said royal *African* company of *England* shall cease to be a corporation, and be incapable of doing or exercising any corporate act; and all claims and demands against the said company, or any of their officers, agents, or servants, or other person or persons, for or in respect of any debt due, or pretended to be due from, or contracted for or on the behalf of the said company, are hereby declared to be null and void; and if any action, suit or process is now depending, or shall hereafter be commenced or prosecuted for any such claims or demands as aforesaid, then and in such case, it shall and may be lawful to plead the general issue, and give this act in evidence in bar thereto; and if the plaintiff be nonsuited, or verdict pass against him, or judgment be given on demurrer, the defendant shall have full costs.

XV. And be it further enacted by the authority aforesaid, That the said *Richard Edwards* esquire, and *Edmund Sawyer* esquire, two of the masters of the high court of *Chancery*, and *John Waple* esquire, one other of the masters, and also accountant general of the said court, or such other of the masters of the high court of *Chancery* as may be hereafter appointed in pursuance of this act, shall be, and they are hereby, constituted and appointed commissioners for the making out and delivering certificates to all and every the creditors of the said royal *African* company of *England*, and the proprietors of their stock, in the said schedules particularly mentioned, and for other the purposes in this act contained, for the space of two years, to be computed from the first day of *January* one thousand seven hundred and fifty two; and the said commissioners or any two of them, are hereby empowered and required, with all convenient speed, to make out under their hands, or the hands of two of them, and to deliver, or cause to be delivered, to all and every the creditors of the said company mentioned in the second schedule to this act annexed, and to the several proprietors of *African* transferrable stock mentioned in the third and fourth schedules to this act annexed,

Certificates may include any number of creditors, under 100l.

nexed, in respect of the sums in and by this act directed to be paid to them respectively, certificates of what is due or allowed to them respectively as aforesaid, and to take proper receipts for the same, in full satisfaction of all their claims and demands on the said company; in which said certificates, and each and every of them, it shall and may be lawful to and for the said commissioners to include as many of the said creditors and proprietors, whose demands shall be respectively under the sum of one hundred pounds, as they shall think fit; and shall and may make all and every such their respective certificates in the name or names of the attorney or attorneys of the said creditors or proprietors, for their use; provided such letters of attorney shall be executed in the presence of one or more of the said commissioners, or in such manner as they shall direct.

Creditors dying, or declared bankrupt, certificate to be delivered to the executors or assignees.

XVI. And be it further enacted by the authority aforesaid, That in case any of the said creditors, proprietors or other persons, as aforesaid, are now dead, or hath been duly declared bankrupt, or shall, before the making out and delivering of such certificates as herein before directed, happen to die, or be duly declared bankrupt, then the said commissioners, or any two of them, shall deliver, or cause to be delivered, to the executors or administrators of such creditor, proprietor or other person, as aforesaid, so dead or dying, as aforesaid, or to the assignee or assignees of the estate and effects of such creditor, proprietor or other person, as aforesaid, so declared, or to be declared, bankrupt as aforesaid, the certificate or certificates herein directed to be made out as aforesaid, and to which such creditor, proprietor or other person, as aforesaid, would have been respectively intitled.

Creditors to deliver up on oath to the commissioners all securities.

XVII. And be it further enacted by the authority aforesaid, That all and every the said creditors of the said company, and proprietors of their stock, on receipt of the certificates herein before directed to be made out and delivered to them respectively, shall and do, upon their respective corporal oaths, which the said commissioners, or any two of them, are hereby authorized to administer for that purpose, produce and deliver up to the said commissioners, or any two of them, as aforesaid, all and singular the bonds, bills, notes, receipts or other securities whatsoever, relating to their respective debts, which at the time of the examination of the claims of the said respective creditors by the said commissioners, were produced before them, or which, at the time of receiving the said certificates, shall be in the hands, custody, power or possession of the said creditors respectively, or of any person or persons in trust for them; which said several bonds, hills, notes, receipts or other securities, so to be produced and delivered up as aforesaid, the said commissioners, or any two of them, are hereby impowered and required forthwith to cancel and destroy, and the said commissioners are hereby impowered to stop and retain the certificate or certificates of such creditor or creditors, as shall not deliver up the securities to their satisfaction or as they shall require.

XVIII. And

XVIII. And be it further enacted by the authority aforesaid, That for the purposes aforesaid, all and every the said creditors of the said company, and the said proprietors of *African* transferrable stock, or the executors or administrators of such of them as are dead, or may hereafter die, or the assignees of such of them as are or may be duly declared bankrupt, shall attend the said commissioners on such days and times, and at such place within the cities of *London* or *Westminster*, or the suburbs thereof, as the said commissioners, or any two or more of them, shall from time to time appoint; of which notice shall be given in the *London Gazette*.

Creditors to attend the commissioners according to notice in the *London Gazette*.

XIX. And be it further enacted by the authority aforesaid, That the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, are hereby authorized and empowered on tender to them of the certificates herein before directed to be made out by the said commissioners, or any two of them, to issue and pay, or cause to be issued and paid, to the person or persons named in the said certificates, the several sums in the said certificates respectively contained.

Treasury to pay the certificates.

XX. And be it further enacted by the authority aforesaid, That in case of the death of two of the said commissioners, or of any other commissioner to be hereafter appointed, by and in pursuance of this act, such other master or masters of the said court of *Chancery*, as the lord high chancellor of *Great Britain* for the time being, or lord keeper of the great seal of *Great Britain* for the time being, or the lords commissioners for the great seal of *Great Britain* for the time being, shall from time to time nominate for that purpose, shall be, and he or they is and are hereby constituted and appointed a commissioner or commissioners for the purposes in this act contained; and the said commissioners are hereby required to lay accounts of their proceedings before the parliament.

On death of commissioners others to be appointed.

Proceedings to be laid before parliament.

XXI. And it is hereby further enacted by the authority aforesaid, That the said company of merchants trading to *Africa*, and their successors, shall and do, and they are hereby required, with all convenient speed, to sell and dispose of all and every the goods, wares and merchandize of the said royal *African* company of *England*, which now are or hereafter shall come to the hands, custody or possession of the said company of merchants, their agents, officers or servants, (the military stores, slaves, canoes and vessels, in the first schedule to this act annexed, excepted) for the best price that can be got for the same; and that the said company of merchants do every session of parliament, until the whole shall be disposed of, lay before both houses of parliament an account of the disposition of the said goods, wares and merchandize.

The effects of the old company to be sold,

and the amount to be laid before parliament.

XXII. And it is hereby further enacted, That the said commissioners shall and may take for each certificate from the parties

Allowances to the commissioners for obtaining



making out  
the certifi-  
cates.

obtaining the fame, a fum not exceeding the rate of two pounds *per centum*, upon the money contained therein, where the fum shall not be more than one hundred pounds; and a fum not exceeding one pound *per centum*, where the money contained therein is above one hundred pounds, and not exceeding one thousand pounds; and a fum not exceeding ten fhillings *per centum*, where the money contained therein does exceed one thousand pounds; which refpective fums, and no more, the faid commissioners fhall and may demand and take, in full recompence for all trouble and expences which they, their clerks, agents or fervants, fhall be at in the execution of the powers thereby given them.

XXIII. *And whereas at a general meeting of the creditors of the faid royal African company, held the fourth day of March which was in the year of our Lord one thousand feven hundred and forty feven, the following creditors, to wit, Robert Myre of London merchant, William Mills of London merchant, and John Leapidge of London Stationer, with others, were chofen and appointed by the faid creditors to folicit a fatisfaction, for the juft debts due and owing to all the creditors of the faid company: and whereas it is juft and reafonable that all the faid creditors fhould contribute to the charges and expences of fuch folicitation, and alfo to a proportionable part of the charges and expences of obtaining and paffing the faid act of the laft feffion of parliament, and this prefent act; be it further enacted by the authority aforefaid, That each and every creditor of the faid company, whose name is expreffed in the fecond fchedule to this act annexed, fhall pay to the faid Robert Myre, William Mills, and John Leapidge, or one of them, a contribution at and after the rate of two pounds *per centum*, for or upon the fum in the faid fchedule expreffed, to be allowed to him or her refpectively, to be by them the faid Robert Myre, William Mills, and John Leapidge, applied in payment of all fuch charges and expences, as they on behalf of themfelves, and the reft of the faid creditors, have been or fhall be at in foliciting and obtaining the fatisfaction aforefaid, and in re-payment of all fuch contributions as have been heretofore paid by the faid creditors, or any of them, to them the faid Robert Myre, William Mills, and John Leapidge, or any of them, and alfo in payment of a proportionable part of the charges and expences of obtaining the faid act of parliament paffed the laft feffion, and of the charges and expences of paffing this prefent act, in fuch manner as fhall be adjudged and directed by the faid commissioners, or any two of them, in writing under their refpective hands; and no one of the faid creditors fhall have, or be intitled to have, a certificate of or for his or her faid debt or claim from the faid commissioners, or any of them; by virtue of this act, until he or she fhall produce to fuch commissioners, a note in writing under the hands of the faid Robert Myre, William Mills, and John Leapidge, or one of them, expreffing the receipt of the faid contribution; and the faid Robert Myre, William Mills, and John Leapidge, fhall on or before the tenth day of May which fhall be in the year*

Creditors to  
pay 2 l. per  
cent. to Ro-  
bert Myre,  
William Mills,  
and John  
Leapidge, for  
foliciting  
their debts.

year of our Lord one thousand seven hundred and fifty four, or within three calendar months next after all the contributions aforefaid shall have been paid in as aforefaid (if the fame shall be fooner paid) lay and submit an account thereof, and of their payments and difburfements, in writing under their hands, before the faid commiffioners for their examination and allowance; and shall difpofe of the ballance then remaining in their hands (if any) in fuch manner as the faid creditors at a general meeting to be summoned for that purpofe, by advertisement in the *London Gazette*, or the major part in value of the creditors prefent at fuch meeting, shall refolve, agree or direct.

XXIV. *And whereas there is a confiderable fum of money due to William Newland, the folicitor of the royal African company, for his fees, labour and difburfements in divers folicitations, for and on account of the faid company, in their general bufinefs fince the one and thirtieth day of December one thousand seven hundred and forty nine: and whereas it is juft and reasonable, that all the proprietors of the transferrable flock of the faid company, should contribute to a proportionable part of the charges and expences of obtaining and paffing the faid act of the laft feffion of parliament, and alfo of this prefent act;* be it therefore enacted by the authority aforefaid, That each and every proprietor of the faid company, whofe names are expreffed in the third and fourth fchedules to this act annexed, shall pay to *John Vaughan* efquire, *Solomon Afbley* efquire, *Bibye Lake*, efquire, captain *Thomas Collett*, and *Samuel Exell* gentleman, or one of them, a contribution at and after the rate of two pounds *per centum*, for and upon the refpective fums in the faid refpective fchedules expreffed, to be payable to the perfons therein mentioned, to be by them the faid *John Vaughan* efquire, *Solomon Afbley* efquire, *Bibye Lake* efquire, captain *Thomas Collett* and *Samuel Exell* gentleman, applied in payment of fuch fums of money as are now due to the faid *William Newland*, on the account before mentioned; and in payment of a proportionable part of the charges and expences of obtaining the faid act of parliament paffed the laft feffion, and of the charges and expences of paffing this act, in fuch manner as fhall be adjudged and directed by the faid commiffioners, or any two of them, in writing under their refpective hands; and no one of the faid proprietors shall have or be intitled to have a certificate, of or for his or her faid fhare and proportion from the faid commiffioners, or any of them, by virtue of this act, until he or fhe shall produce to fuch commiffioners a note in writing under the hands of the faid *John Vaughan* efquire, *Solomon Afbley* efquire, *Bibye Lake* efquire, captain *Thomas Collett* and *Samuel Exell* gentleman, or one of them, expreffing the receipt of the faid contribution; and the faid *John Vaughan* efquire, *Solomon Afbley* efquire, *Bibye Lake* efquire, captain *Thomas Collett* and *Samuel Exell* gentleman, shall, on or before the tenth day of *May* one thousand seven hundred and fifty four, or within three calendar months next after all the contributions aforefaid shall have been paid in as aforefaid, (if the fame shall be fooner paid) lay an account thereof, and of

Proprietors of transferrable flock to pay 2l. per cent. to be applied in payment of the company's folicitor, &c.

After the contributions are paid in, an account there.

their

of, and of the  
disburfe-  
ments, to be  
laid before the  
commiffion-  
ers.

their payments and difburfements, in writing under their hands, before the laid commiffioners, for their examination and allowance; and fhall difpofe of the balance then remaining in their hands (if any) in fuch manner as the laid proprietors at a general meeting to be fummoned for that purpofe, by advertisement in the *London Gazette*, or the major part of them in value, prefent at fuch meeting fhall direct and appoint.

General iffue.

XXV. And it is hereby further enacted by the authority aforefaid, That if any action or actions fhall be commenced or brought againft any perfon or perfons, for what he or they fhall do or caufe to be done in purfuance of this act, then, and in every fuch cafe, fuch perfon or perfons fhall and may plead the general iffue, and give this act and the fpecial matter in evidence; any law or ufage to the contrary thereof, in any wife notwithstanding.

Publick act.

XXVI. And be it further enacted by the authority aforefaid, That this act fhall be taken and deemed to be a publick act, and fhall be judicially taken notice of as fuch, by all judges, juftices, and other perfons whatfoever, without fpecially pleading the fame.



Names of Forts.	Cattle Slaves.	N <sup>o</sup>	Guns.	Pound.	Where mounted.	Shok.	N <sup>o</sup>	Powder.	Mulgquets	N <sup>o</sup>	Military Stores.	N <sup>o</sup>	Veffels.	N <sup>o</sup>
<i>Commenda.</i>	Bomb Boy Sawyers Women Children	1 10 6 5	7 2 2 1	3 4 3 4	S. W. Bation. S. E. Bation.	From 9 Pound ers to 2 Pound.	800	390lb.	Mulgquets Bayonets- Car- touch Boxes Buck- aneer Guns Danes Guns	6 6 10 9 30	Granado Shells Formers Copper Ladles Swords Fathom 2 1/2 in Rope Lead Ball Gun Flint Iron Barrs	42 6 2 6 30	13 hand Canoë 7 hand Do 5 hand Do 3 hand Do	2 2 2 2
<i>Succondee.</i>	Men Women Children	5 2 3	3 2 3	9 4 4	N. Bation. W. Bation. S. Bation. E. Bation. N. E. Curtain.	From 2 pound- ers to 6 pound.	360	none.	Mulgquets	6	Powder horns- Priming wires- Brals Ladles- Worms Country Match Coehorn Bayonets Swords	2 13 2 7 Fathom 40 1 6 6	11 hand Canoë 3 hand Do	1 1
<i>Dick's Cove.</i>	Sawyers Carpenters Smiths Malcons For all Ufes Sick	4 4 4 2 43 5	8 1 3 3 5 2 3	3 3 3 6 4 4 4	S. Platform. N. E. Bation. S. W. Bation. S. E. Bation. S. W. Platform. N. W. Bation.	Differ't Sizes from 3 pound- ers to 6 pound- ers	150	104lb.	Mulgquets	6	Copper Ladles- Worms Formers March Mulgquet Ball Swords Bayonets Cartouch Boxes Halbert	2 6 3 3 6 6 6 1	5 hand Canoë 2 hand Do	3 6

Names of Forts.	Cattle Slaves.	No	Guns.	From.	Where mounted.	Shot,	No	Powder.	Mulquets	No	Military stores.	No	Veftels.	No
Tantumquerry.	Men	6	2	4	S. E. Battalion.	From 1 pound-er to 9 pound-ers	341	3 C. wt	Dances Guns. Curtalces--	6	Granadoes -- Copper Ladles-- Worms--	30 1 5 Fathom	None.	
	Women	4	1	1	S. W. Battalion.									
		2	3	4	N. E. Battalion.									
Winnebaw.	Men	8	1	3	S. E. Battalion.	From 3 pound-er to 6 pound-ers.	197	2 C. wt.	Muf- quets with bayo- netand flings Swords--	5	Hand Gra- nades } All forts of military flores wanting }	8	None.	
	Women	5	1	8	S. W. Battalion.									
		1	1	4	N. E. Battalion.									
		1	2	8	N. W. Battalion.									
		1	1	3	N. W. Battalion.									
		1	3	3	Platform.									
		2	3	3	Over the Gate.									
		2	2	1										
		3	2	3										
		3	2	3										
Accra.	Men	7	1	6	N. W. Battalion.	From 1 pound-er to 9 pound-ers.	600	5 C. wt.	Mulquets-	6	Hand Gra- nades } Spunges } Worms } Copper Ladles	50 3 8 1	7 hand Canoe } 5 hand D <sup>o</sup> } 3 hand D <sup>o</sup> }	1 1 1
	Women	15	1	9	N. E. Battalion.									
	Children	4	2	4	S. W. Battalion.									
	Canoe men	6	3	4	S. E. Battalion.									
		1	1	9	Platform.									
		1	3	4										
		2	2	4										
		2	2	4										
		2	2	4										
		8	2	6										



*The Second SCHEDULE referred to in this ACT.*

	l.	s.	d.
To George Arnold esquire, and company, the sum of 1321 l. 15 s. and also the sum of 500 l. making together the sum of —	1821	15	0 &c.

*The Third SCHEDULE referred to in this ACT.*

	Stock.		The sum of	
	l.	s.	l.	s.
To John Ash of Alderbroke, for	6	17	0	13 9 &c.

*The Fourth SCHEDULE referred to in this ACT.*

	Stock.		The sum of	
	l.	s.	l.	s.
To Solomon Ashley esquire, James Street, Westminster, for —	350	0	17	10 0 &c.

C A P. XLI.

*An act for annexing certain forfeited estates in Scotland to the crown unalienably; and for making satisfaction to the lawful creditors thereupon; and to establish a method of managing the same; and applying the rents and profits thereof for the better civilizing and improving the highlands of Scotland, and preventing disorders there for the future.*

**W**HEREAS by an act made in the twentieth year of his Majesty's reign, (intituled, An act for vesting in his Majesty the estates of certain traitors; and for the more effectually discovering the same; and applying the produce thereof to the use of his Majesty; and for ascertaining and satisfying the lawful debts and claims thereupon) it is (among other things) enacted, That in case his Majesty, his heirs and successors, shall not make effectual provision for the payment and satisfaction of all such debts and claims upon the estates real and personal, by the said act vested in his Majesty, as shall be decreed to be just and lawful, in the manner by the said act directed, within the space of twelve months after the same shall be respectively adjudged, then it shall be lawful for the barons of the court of exchequer in Scotland, or any three of them, and they are hereby required to sell, or cause to be sold, so much of the estates of the attainted persons, as they shall judge necessary to be sold for satisfaction of the debts and claims affecting the same, and apply the money arising by the sale thereof respectively, in discharge of the several debts or claims to which they shall be adjudged to be liable: provided nevertheless, That if his Majesty, his heirs or successors, shall, after the expiration of the said time, make effectual provision for the payment or satisfaction of all the debts or claims upon any such estate, and shall, before the same is sold, by warrant or warrants under his or their sign manual, at any time or times, direct any such



30 Geo. 2.  
c. 50.

*estates not to be sold, then the said barons shall not proceed in the sale of any estates so prohibited to be sold: and whereas by another act of the twentieth year of the King, (intituled, An act for taking away the tenure of wardholding in Scotland, and for converting the same into blanch and feu-holdings; and for regulating the casualty of non-entry in certain cases; and for taking away the casualties of single and life-rent escheats incurred there, by horning and denunciation for civil causes; and for giving to heirs and successors there, a summary process against superiors; and for discharging the attendance of vassals at head courts there; and for ascertaining the services of tenants there; and for allowing heirs of tailzie there, to sell lands to the crown for erecting buildings, and making settlements in the highlands) upon a recital that it hath been, and may be found necessary for the publick service, to erect buildings, and make settlements in certain places in the highlands of Scotland; it is enacted, That it shall and may be lawful for any person who is seized in, or possessed of, a tailzied estate in Scotland, to sell, dispone or resign, ad perpetuam remanentiam, any part thereof, which his Majesty, his heirs and successors, shall think fit to purchase, for erecting of buildings, or making settlements within the same, and by one other act of the same year of the King, (intituled, An act to enlarge the time limited by an act of the last session of parliament, for restraining the use of the highland dress, and to enable heirs of tailzie, guardians, tutors, curators, and trustees in Scotland, to sell lands to the crown) upon a recital that it may be necessary for the preservation of the publick peace, and the further civilizing of the inhabitants of the bigblands of Scotland, that lands should be purchased there by his Majesty, his heirs and successors, which lands may be subject to strict tailzie, or belong to infants, pupils, minors, ideots, lunaticks, fatuous or furious persons; it is enacted, That it shall and may be lawful for any person who is seized in, or possessed of, a tailzied estate in Scotland, or for any guardian, tutor, curator or trustee of an infant, pupil, minor, ideot, lunatick, fatuous or furious person, to sell, dispose or resign, ad perpetuam remanentiam, the whole or any part of such tailzied estate, or the estate of such infant, pupil, minor, ideot, lunatick, fatuous or furious person, which his Majesty, his heirs or successors, may think fit to purchase for the purposes aforesaid; which lands so purchased shall remain in his Majesty, his heirs and successors, unalienable for ever, except as to the power of granting leases for seven years, with a diminution of a fifth part of the usual rent only: and whereas to prosecute more effectually the good purposes intended by the said in part recited acts, in oraeer to strengthen the foundations of the future tranquility of this kingdom, it is necessary that some farther provisions and regulations be made; be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That all and every the lands, lordships, baronies, patronages, tithes, fishings, and other like heritages, which became forfeited to his Majesty by the attainder of the several persons after named of high treason,*

40 Geo. 2.  
c. 51.

Certain forfeited estates annexed to the crown unalienably,

for

for their being engaged in the late unnatural and wicked rebellion and which were vested in his Majesty by the above-mentioned act of the twentieth year of his reign: that is to say, the lands and other premisses which became forfeited by the attainder of *Simon late lord Lovat*; *John Drummond*, taking upon himself the stile or title of lord *John Drummond*, brother to *James Drummond*, taking on himself the title of duke of *Perth*; *George late earl of Cromarty*; and *Archibald Mac Donald*, son of *Col Mac Donald of Barrisdale*; as the same lands, lordships, baronies, and other premisses; are more particularly enumerated and described in the title-deeds, rights and infeoffments of the said attainted persons, or their predecessors, or in the surveys already taken, or hereafter to be taken thereof, by the barons of *exchequer* in *Scotland*, in pursuance of the powers given to them by the aforesaid act of the twentieth year of the King, by which the said forfeited estates were vested in his Majesty, shall, together with all the parts and pertinents of the same, from and after the twenty fifth day of *December* one thousand seven hundred and fifty two, be, and be deemed to be, annexed to the imperial crown of this realm, and shall be and remain for ever unalienable from the same; and all grants, charters or other rights, made or to be made, or granted, of all or any of the said lands, baronies and other premisses, by his Majesty, his heirs or successors, excepting as is herein after excepted, shall be void to all intents and purposes.

II. Provided always, and be it enacted by the authority a-  
 foresaid, That nothing in this act contained shall extend, or be construed to extend, to take away any right, title or benefit whatsoever, which any person or persons are, shall or may be intitled to, in virtue of any claim or claims that have been, or shall be duly entered in the court of session in *Scotland*, pursuant to the aforesaid act, or in virtue of any decree or decrees that hath been or shall be made upon such claims. Right of  
claims not in-  
jured.

III. And to the end that payment may be made to the just and lawful creditors on the forfeited estates hereby annexed to the crown, so far as the value of such lands and premisses, whereupon such claim shall have been sustained, shall respectively extend, and no further; be it enacted by the authority a-  
 foresaid, That actions may be brought before the court of session, in the name of his Majesty's advocate, against such creditors, which shall and may be served against the defendants, under the general description of the claimants upon such estates, by one edictal citation, upon thirty days notice, to be affixed on the walls of the inner and outer house of the court of session where the rolls of causes in that court are usually affixed, in order to have the value of such forfeited estates ascertained, upon a proof brought before the said court of the rental and value thereof; and in every such action it shall and may be lawful for the creditors on the said estates to bring a joint proof, and the said lords of session are hereby authorized and required to proceed in valuing the said estates summarily, in setting which va-

valuation regard shall be had to the ordinary rates, at which like lands and estates have been sold in the same county; and the said lords of session shall thereafter, without loss of time, certify to the barons of exchequer in *Scotland*, the amount of the several claims on such forfeited estates, with the value of the lands and real estate, upon which respectively the claimants are just and lawful creditors; and in such cases where the claims that have been sustained exceed the value of the lands and other premises out of which they ought to be paid, that the said lords of session shall at the same time certify the order of preference by which the said claims ought to be paid, to the extent of the value that shall be certified as aforesaid; and the said barons of exchequer are hereby authorized and required to transmit such certificate or certificates to the high treasurer, or commissioners of the treasury for the time being; and upon such certificate or certificates being made and transmitted, the creditors respectively shall be paid out of the then next aids to be granted in parliament, according to the order of preference specified in such certificate; so that the sum to be paid to the creditors upon each of the said estates shall not exceed the value of such estates certified as aforesaid.

Expences of the agents for the crown to be paid.

IV. Provided always, That out of the value to be certified as aforesaid, it shall and may be lawful in the first place to deduct or retain the expence that shall have been laid out by the agents for the crown, in raising and prosecuting the actions of valuation and ranking, and adjusting the schemes of division of the value among the creditors, as the same shall have been taxed and settled by the said court of session.

Decrees concerning such valuation to be final.

V. And be it further enacted by the authority aforesaid, That every such decree of the court of session concerning the valuation of such estates, or the ranking or order of preference of the creditors thereon, shall be final and binding upon all persons concerned, in case thirty days, on any of which such proceedings as are usual and competent by the laws of *Scotland*, for reversing or amending such decrees may be had, shall elapse without such proceedings being had, made or commenced by either party.

VI. *And whereas in such cases, wherein the claims upon the lands, and other the premises hereby annexed, shall clearly fall short of the value of such lands and premises upon which respectively they shall have been entered and sustained, it will not be necessary to raise and prosecute actions of valuation and ranking in the manner before prescribed; be it therefore enacted by the authority aforesaid, That in every case where the total claims upon any estate or estates shall not exceed twenty years purchase, of the clear surveyed rental, returned into the court of exchequer, of such estate or estates, the said lords of session are hereby authorized and required to certify to the barons of exchequer the amount of the claims sustained upon such estate or estates, which do not exceed the value as aforesaid; and the said barons of exchequer are hereby authorized and required to transmit such certificate*

Where the claims do not exceed 20 years purchase the same to be certified,

or certificates, and also the clear annual value of such estate, appearing by such surveyed rental as aforesaid, to the high treasurer, or commissioners of the treasury for the time being; and upon such certificate or certificates being transmitted, the creditors respectively, whose claims shall have been sustained, shall be paid out of the then next aids to be granted in parliament.

VII. *And whereas certain other lands and estates became vested in his Majesty by virtue of the before mentioned act of the twentieth year of his reign, and the attainder of high treason of the persons following, namely, Donald Cameron of Lochiel, Charles Stuart of Ardsheil, Donald Mac Donald of Kenloch Moydart, Evan Mac Pheron of Clunie, Francis Buchannan of Arnprior, Donald Mac Donald of Lochgary, Allan Cameron of Callart, Francis Farquharson of Monaltry, and Alexander Mac Donald of Keppoch; which lands and estates were holden of subject superiors, who have entered claims in the court of session to the property thereof. And whereas it would be highly conducive to the good purposes intended by this act, that the said lands and estates should remain with his Majesty, his heirs and successors:* be it therefore enacted by the authority aforesaid, That it shall and may be lawful for his Majesty, his heirs and successors, by proper persons to be appointed for that purpose, under his or their sign manual, to transact or compound with such subject superiors, or any of them, concerning their claims to the property of the said forfeited estates held of them respectively, and also to treat and agree with the said subject superiors for the purchase of the superiority of the said lands and estates, and that the agreed prices of such superiorities, and also the sums to be paid by way of composition for such claims of property, shall be from time to time certified by the persons authorized to treat for the same on the part of the crown, to the high treasurer, or commissioners of the treasury, for the time being.

Power to purchase the superiority of all other estates holden of subject superiors.

VIII. Provided always, That in every case where such superiority was subject to a strict tailzie, the monies to be paid as the price thereof shall be laid out and settled in the manner directed by the before mentioned act of the twentieth year of the King for enabling heirs of tailzie, and others in *Scotland*, to sell lands to the crown.

Where the superiority was subject to a strict tailzie, the purchase-money to be laid out.

IX. And be it further enacted by the authority aforesaid That in case the property of any of the said lands or estates so claimed by such subject superiors as aforesaid, shall be finally determined to be forfeited to his Majesty, or such subject superior shall be agreed or compounded with for such claim in manner herein before mentioned; then and in either of the said cases, until such superiorities shall be purchased as aforesaid, it shall and may be lawful to his Majesty, his heirs and successors, to vest, in such manner as shall be agreeable to the laws of *Scotland*, the said lands and estates held of subject superiors, or such parts of the lands and other the premisses herein before annexed to the crown, as shall appear to have been formerly held of subject superiors, in one or more trustee or trustees, their heirs and

Lands held of subjects to be vested in trustees.

and to be applied as this act directs.

successors, to be renewed from time to time by his Majesty, his heirs and successors, and which trustee and trustees, their heirs and successors, shall, according to the forms of the law of Scotland, be from time to time entered and received vassals in the lands, and other the premises by the respective superiors thereof, and shall hold the same in trust for the uses and purposes of this act; and the said lands and estates, with all the rents, issues and profits thereof, shall be disposed of, and applied to the uses and purposes in this act mentioned, and to none other, and shall be under the same management, and subject to the same rules, orders and directions, and the same provisions for payment of the lawful debts thereon shall take place, that are by this act made concerning the other lands and estates hereby annexed to the imperial crown of this realm.

Heirs of such trustees not to incur the passive titles, &c.

X. Provided always, That the heirs of such trustee or trustees by making up titles to such trust estates, shall not incur the passive titles, nor represent their predecessors universally; any law or custom to the contrary notwithstanding.

Trustees may be changed.

XI. Provided also, That his Majesty, his heirs and successors, may change such trustees, at his or their pleasure, and present new ones from time to time, who shall be received by the immediate superiors respectively for the time being, without payment of a year's rent, or any other composition.

Such superiorities as shall be forfeited,

XII. And be it further enacted by the authority aforesaid, That whensoever the property of any of the lands or estates so claimed by any subject superior, shall have been finally determined to be forfeited to his Majesty, or such subject superior shall have been agreed or compounded with for the same as aforesaid; and also the superiority of such lands shall have been purchased by his Majesty, his heirs or successors, then the lands and estates, whereof the superiorities are so purchased, shall both property and superiority be from that time annexed to the imperial crown of this realm, and shall remain for ever unalienable from the same.

or purchased to be annexed unalienably to the crown.

XIII. *And whereas the barony of Strowan, and other the lands, tenements and hereditaments which formerly belonged to Alexander Robertson of Strowan, now deceased, became forfeited to the crown, by decree or sentence of forfeiture past in the parliament of Scotland, in the year one thousand six hundred and ninety, and now belong to and remain the property of his Majesty:* be it further enacted by the

The barony of Strowan annexed to the crown. Debts thereon to be paid.

authority aforesaid, That the said barony and lands be and are hereby annexed to the imperial crown of this realm, and shall be and remain for ever unalienable from the same, and the lawful debts thereon shall be paid in the same manner as is provided concerning the lands and premises before mentioned

The rents of the said estates how to be applied.

XIV. And be it further enacted by the authority aforesaid, That the clear rents and produce of the lands and estates hereby annexed to the crown, or directed to be held in trust as aforesaid, shall be applicable in the manner herein after mentioned, or in such other manner as his Majesty, his heirs or successors shall from time to time, by warrants under his or their sign

manual,

manual, be pleased to direct, to the purposes of civilizing the inhabitants upon the said estates, and other parts of the highlands and islands of *Scotland*, the promoting amongst them the protestant religion, good government, industry and manufactures, and the principles of duty and loyalty to his Majesty, his heirs and successors, and to no other use or purpose whatsoever.

XV. And to the end that the said lands and estates may be managed, and the produce thereof applied in the most beneficial manner for the ends and purposes aforesaid; be it further enacted by the authority aforesaid, That it shall and may be lawful to and for his Majesty, his heirs and successors, by commission under the privy seal of *Scotland*, to authorize and empower such person or persons as his Majesty, his heirs and successors shall think fit, from time to time, to be commissioners and trustees for managing the said estates, and applying the produce thereof for the ends and purposes appointed by this act.

Commissioners to be appointed by the crown,

XVI. Provided always, and be it enacted by the authority aforesaid, That no commissioner to be appointed for executing the trusts in this act as aforesaid, shall receive any fee, salary, pension or reward for the same.

without salary.

XVII. And be it further enacted by the authority aforesaid, That the commissioners to be appointed as aforesaid, shall have power to grant leases of the said estates, or any part thereof, for any term not exceeding twenty one years; or if the lessee shall enter into proper covenants to lay out upon the premises any sum not less than five years rent, in buildings or other improvements, within the space of seven years from the date of such lease, then, and in such case, and upon such condition, for any term not exceeding forty one years; all which leases shall be subject to the provisions, conditions and limitations herein after mentioned, and such other as his Majesty, his heirs and successors shall, from time to time, by his or their sign manual, direct and appoint.

Commissioners may grant leases.

XVIII. Provided always, That upon every such lease there shall be reserved not less than three fourths of the real annual value of the premises so let; and that every lease to be granted by such commissioners, shall contain a clause for making the same void, in case the lessee, or his or her heirs shall assign or let the premises, or any part thereof, to any other person, or shall suffer the same to be adjudged at the suit of any creditor, or shall not occupy, cultivate and be resident upon the premises, or shall pay or cause to be paid, directly or indirectly, to or for the use of any person or persons whatsoever, any gratuity or fine, or any annual rent or prestation; for or in consideration of his obtaining or holding the lands or other premises comprehended in such lease, other than the rent in such lease expressed and covenanted to be paid to the said commissioners for the purposes in this act directed.

Condition of the leases.

XIX. Provided also, That every such lease shall be absolutely void, unless the lessee shall, before the making thereof, have taken the oaths requisite by law to qualify persons to execute

Leases void, unless the lessee take the oaths.

None to hold lands above the rent of 20l.

Commissioners may sue for the rent, and breach of covenant.

Commissioners with approbation of the treasury may appoint receivers.

Factors to be appointed.

Penalty on factors, taking any gratuity.

offices of publick trust in *Scotland*, at the quarter-fessions of the county where the premises lie, or before the sheriff depute, or his substitute; and that no person shall be capable of taking or enjoying, directly or indirectly, any lands or tenements, other than mines or fishings, by virtue of such lease or leases, of greater annual rent than twenty pounds at the utmost.

XX. And be it further enacted by the authority aforesaid, That the said commissioners shall and may have power and authority to bring actions in their own names, either in the court of session or sheriffs court, not only for payment of the rents into the hands of the factors appointed for levying the same, but also for breach and non-performance of the several covenants contained in the leases, under which the lands shall be possessed.

XXI. And be it further enacted by the authority aforesaid, That the said commissioners shall and may have power, by and with the approbation of the high treasurer, or commissioners of the treasury for the time being, to appoint stewards, receivers or factors on the said estates, with an allowance not exceeding five pounds *per centum* of the rental, who shall be bound respectively, with one or more sufficient surety or sureties, in a sum not less than two years rent of the estate to be put under their collection, to account to the said commissioners for the full rents of such estates, and to pay in the clear residue thereof to his Majesty's receiver general of the crown rents and casualties in *Scotland*, after deduction and allowance of the publick burthens and necessary charges of management; and upon their so accounting and paying in the residue of the rent as aforesaid, the said commissioners are hereby impowered to grant acquittances or discharges to such factors from time to time.

XXII. Provided always, That the said commissioners shall have power to appoint persons to officiate as factors in the interim, until the factories granted by them shall be approved or disapproved of by the high treasurer or commissioners of the treasury as aforesaid.

XXIII. And be it further enacted by the authority aforesaid, That if any steward, receiver or factor on the said estates, shall, during the continuance of his office, by himself or by any other person whatever on his account, directly or indirectly take, accept or receive from any of the tenants or possessors of such estates, any money, gift, present, service or other gratuity whatsoever, to the use of such factor, he shall incur the penalty of fifty pounds sterling, *toties quoties*, one moiety thereof to the use of his Majesty, and the other to any person who shall sue for the same, to be recovered by summary petition or complaint, upon fifteen days notice before the court of session, or before the sheriff's court of the county.

XXIV. And be it further enacted by the authority aforesaid, That the said commissioners shall be, and are hereby impowered, by and with the approbation of the high treasurer, or the commissioners of the treasury for the time being, to appoint

point clerks and other necessary officers, with proper and reasonable salaries: and that the said commissioners shall cause such lands to be surveyed, and proper plans to be made thereof, setting forth the extent and different qualities of the grounds, the several advantages and disadvantages arising from their situation, and what improvements may be made upon the same; which, with all other their proceedings, shall be entered in books to be by them kept for that purpose, and a faithful abstract thereof shall by them be reported annually, or oftner if required; to the high treasurer, or the commissioners of the treasury for the time being, who shall cause copies of such reports to be laid before both houses of parliament in every session.

clerks, &c. and cause survey to be made.

XXV. And be it further enacted by the authority aforesaid, That it shall and may be lawful for his Majesty, his heirs and successors, where any one or more of the estates aforesaid comprehend whole parishes, belonging in property to the crown, which they shall judge to be of too large an extent to be under the charge of one minister, to divide such parishes into two or more, by warrant or grant to be passed under the privy seal of *Scotland*, which shall prescribe the bounds of the new erected parishes, and grant competent provisions to the ministers of such parishes, to be paid out of the present maintenance for the minister of the old parish, and the remainder out of the rents of the said estates, but so as the stipend to be settled on one minister shall not exceed fifty pounds sterling *per annum*, in money or value; and upon production of such grant before the commissioners for plantation of kirks and valuation of tythes, they are hereby required and impowered to interpose their authority thereto, in such manner as to render the provision thereby made effectual to the ministers serving the cure in such new erected parishes.

Where estates comprehend whole parishes, the crown may divide the same into more parishes;

with a stipend to the minister.

XXVI. Provided always, That the patronage of such new erected parishes, whereof the stipend shall be wholly, or the greater part thereof paid out of the rents of the said estates, shall belong to and for ever remain united to the crown; saving and reserving to all persons their rights and titles to the tythes of such old parishes, and to the patronage of the disjoined or new parishes to the minister whereof the old stipend shall be allocated, as the whole or greater part of his provision; and also saving and reserving to the incumbent for the time being, when such division or new erection shall be made during his incumbency, the stipend or maintenance he shall then be possessed of, although the same should exceed fifty pounds sterling in money or value.

Patronage of such new parishes to belong to the crown, &c.

Reservation of tythes, &c.

XXVII. And whereas it may happen that other persons may have interest or property in some of the parishes which his Majesty, his heirs or successors, may judge proper to be divided; be it enacted by the authority aforesaid, That all such new divisions or erections of parishes, in which other persons besides his Majesty shall have an interest, either as heretors, patrons or titulars of the tythes in the parish or parishes to be disjoined, or in the new parish to

The new erections of such parishes, in which other persons have be



and to be applied as this act directs.

successors, to be renewed from time to time by his Majesty, his heirs and successors, and which trustee and trustees, their heirs and successors, shall, according to the forms of the law of Scotland, be from time to time entered and received vassals in the lands, and other the premises by the respective superiors thereof, and shall hold the same in trust for the uses and purposes of this act; and the said lands and estates, with all the rents, issues and profits thereof, shall be disposed of, and applied to the uses and purposes in this act mentioned, and to none other, and shall be under the same management, and subject to the same rules, orders and directions, and the same provisions for payment of the lawful debts thereon shall take place, that are by this act made concerning the other lands and estates hereby annexed to the imperial crown of this realm.

Heirs of such trustees not to incur the passive titles, &c.

X. Provided always, That the heirs of such trustee or trustees by making up titles to such trust estates, shall not incur the passive titles, nor represent their predecessors universally; any law or custom to the contrary notwithstanding.

Trustees may be changed.

XI. Provided also, That his Majesty, his heirs and successors, may change such trustees, at his or their pleasure, and present new ones from time to time, who shall be received by the immediate superiors respectively for the time being, without payment of a year's rent, or any other composition.

Such superiorities as shall be forfeited,

XII. And be it further enacted by the authority aforesaid, That whensoever the property of any of the lands or estates so claimed by any subject superior, shall have been finally determined to be forfeited to his Majesty, or such subject superior shall have been agreed or compounded with for the same as aforesaid; and also the superiority of such lands shall have been purchased by his Majesty, his heirs or successors, then the lands and estates, whereof the superiorities are so purchased, shall both property and superiority be from that time annexed to the imperial crown of this realm, and shall remain for ever unalienable from the same.

or purchased to be annexed unalienably to the crown.

XIII. *And whereas the barony of Strowan, and other the lands, tenements and hereditaments which formerly belonged to Alexander Robertson of Strowan, now deceased, became forfeited to the crown, by decree or sentence of forfeiture past in the parliament of Scotland, in the year one thousand six hundred and ninety, and now belong to and remain the property of his Majesty:* be it further enacted by the authority aforesaid, That the said barony and lands be and are hereby annexed to the imperial crown of this realm, and shall be and remain for ever unalienable from the same, and the lawful debts thereon shall be paid in the same manner as is provided concerning the lands and premises before mentioned.

The barony of Strowan annexed to the crown. Debts thereon to be paid.

The rents of the said estates how to be applied.

XIV. And be it further enacted by the authority aforesaid, That the clear rents and produce of the lands and estates hereby annexed to the crown, or directed to be held in trust as aforesaid, shall be applicable in the manner herein after mentioned, or in such other manner as his Majesty, his heirs or successors shall from time to time, by warrants under his or their sign

manual,

manual, be pleased to direct, to the purposes of civilizing the inhabitants upon the said estates, and other parts of the highlands and islands of *Scotland*, the promoting amongst them the protestant religion, good government, industry and manufactures, and the principles of duty and loyalty to his Majesty, his heirs and successors, and to no other use or purpose whatsoever.

XV. And to the end that the said lands and estates may be managed, and the produce thereof applied in the most beneficial manner for the ends and purposes aforesaid; be it further enacted by the authority aforesaid, That it shall and may be lawful to and for his Majesty, his heirs and successors, by commission under the privy seal of *Scotland*, to authorize and empower such person or persons as his Majesty, his heirs and successors shall think fit, from time to time, to be commissioners and trustees for managing the said estates, and applying the produce thereof for the ends and purposes appointed by this act.

Commissioners to be appointed by the crown,

XVI. Provided always, and be it enacted by the authority aforesaid, That no commissioner to be appointed for executing the trusts in this act as aforesaid, shall receive any fee, salary, pension or reward for the same.

without salary.

XVII. And be it further enacted by the authority aforesaid, That the commissioners to be appointed as aforesaid, shall have power to grant leases of the said estates, or any part thereof, for any term not exceeding twenty one years; or if the lessee shall enter into proper covenants to lay out upon the premises any sum not less than five years rent, in buildings or other improvements, within the space of seven years from the date of such lease, then, and in such case, and upon such condition, for any term not exceeding forty one years; all which leases shall be subject to the provisions, conditions and limitations herein after mentioned, and such other as his Majesty, his heirs and successors shall, from time to time, by his or their sign manual, direct and appoint.

Commissioners may grant leases.

XVIII. Provided always, That upon every such lease there shall be reserved not less than three fourths of the real annual value of the premises so let; and that every lease to be granted by such commissioners, shall contain a clause for making the same void, in case the lessee, or his or her heirs shall assign or let the premises, or any part thereof, to any other person, or shall suffer the same to be adjudged at the suit of any creditor, or shall not occupy, cultivate and be resident upon the premises, or shall pay or cause to be paid, directly or indirectly, to or for the use of any person or persons whatsoever, any gratuity or fine, or any annual rent or prestation; for or in consideration of his obtaining or holding the lands or other premises comprehended in such lease, other than the rent in such lease expressed and covenanted to be paid to the said commissioners for the purposes in this act directed.

Condition of the leases.

XIX. Provided also, That every such lease shall be absolutely void, unless the lessee shall, before the making thereof, have taken the oaths requisite by law to qualify persons to execute

Leases void, unless the lessee take the oaths,

a jury is to be impanelled.

governors, or any seven or more of them, or with any person or persons authorized by them or any seven or more of them; or shall refuse to produce a title to such of the premises before described as they are in possession of, or to the interest they claim, to the satisfaction of the said commissioners or governors, or any seven or more of them; that then and in every such case it shall and may be lawful to and for the said commissioners or governors, or any seven or more of them, and they are hereby empowered and authorized to issue a warrant or warrants, precept or precepts, directed to the sheriff of the county of *Kent*, for the time being, who is hereby authorized, directed and required accordingly to impanel, summon and return a competent number of honest, substantial and disinterested persons, qualified to serve on juries, not less than twentyfour, nor more than forty eight; and out of such persons so to be impanelled, summoned and returned, a jury of twelve persons shall be drawn by the said commissioners or governors or any seven or more of them, or by some person to be by them, or any seven or more of them, for that purpose appointed, in such manner as juries for the trial of issues in his Majesty's courts at *Westminster*, by an act made in the third year of the reign of his present Majesty, intituled, *An act for the better regulation of juries*, are directed to be drawn; which persons so to be impanelled, summoned and returned as aforesaid, are hereby required to come and appear before the said commissioners or governors, or any seven or more of them, at such time and place as in such warrant or warrants, precept or precepts, shall be directed and appointed; and to attend there from day to day till discharged by the said commissioners or governors, or any seven or more of them; and all parties concerned shall and may have their lawful challenges against any of the said jurymen, but shall not be at liberty to challenge the array, for affinity or any other cause whatsoever; and the said commissioners or governors, or any seven or more of them, are hereby authorized by precept or precepts, under their hands, from time to time, as occasion shall require, to call before them all and every person and persons whatsoever, who shall be thought proper or necessary to be examined as a witness or witnesses before them, on their oath or oaths, or on their solemn affirmation, if the persons or persons so to be examined be of the profession of the people called *Quakers*, touching and concerning the premises; and the said commissioners or governors, or any seven or more of them, if they think fit, shall and may likewise authorize the said jury to view the place or places, or matters in question, in such manner as they shall direct; and the said commissioners or governors, or any seven or more of them, shall have power to adjourn such meeting from day to day, as occasion shall require; and to command such jury, witnesses and parties, to attend until all such affairs for which they were summoned shall be concluded; and the said jury upon their oaths (which oaths, as also the oaths or solemn affirmation to such person or persons as shall be called upon to give evidence, the said commissioners

Jury may view the place in question;

or governors or any seven or more of them, are hereby authorized and empowered to administer) shall inquire of the value of such premises before particularly described, and shall assess the sum or sums to be paid for the purchase thereof respectively; and the said commissioners or governors, or any seven or more of them, shall and may give judgement for such sum and sums of money so to be assessed; which said verdict or verdicts, and the said judgment, decree or determination thereupon, (notice in writing being given to the person or persons interested, at least twenty days before the time of such assessment, declaring the time and place of the meeting of the said commissioners or governors, and jury, by leaving such notice at the dwelling house of such person or persons, or at his, her or their usual place or places of abode, or with some tenant or occupier of the said parcels of land intended to be valued and assessed, or by fixing such notice on some notorious place on the same premises, in case the premises are untenanted, and such party cannot be found in the said county of *Kent* to be served with such notice) shall be binding and concluding, to all intents and purposes whatsoever, against the King's majesty, his heirs and successors, and all and every other person and persons, bodies politick and corporate, claiming any estate, right, title, use, trust, equity of redemption or interest in, to or out of all or any of the premises before particularly described, either in possession, reversion, remainder or expectancy, or otherwise howsoever; and the said verdicts, judgements and decrees so to be made, given and pronounced as aforesaid, shall be fairly written on parchment, and signed and sealed by any seven of the commissioners or governors present at the making and pronouncing the same; and such verdicts, judgements and decrees of the said commissioners or governors, and juries, shall be transmitted to and kept amongst the records of the quarter-sessions for the county of *Kent*; and shall be deemed and taken to be records to all intents and purposes whatsoever; and the same, or true copies thereof, shall be taken to be good and effectual evidence and proof in any court of law or equity whatsoever; and all persons may have recourse to the same *gratis*, and take copies thereof, paying for every copy, not exceeding two hundred words, six pence, and so in proportion for any greater or less number of words.

II. And it is hereby further enacted and declared, That upon payment of such sum or sums of money so to be awarded or adjudged for the purchase of the said premises, or any part thereof, the person or persons intitled thereto shall make and execute, or procure to be made and executed, good, valid and legal conveyances, assignments and assurances in the law, to the said commissioners or governors, or any seven or more of them, shall appoint, in trust for the said commissioners or governors, of the said premises, for which such sum or sums of money were so awarded; and shall procure all necessary parties to execute such conveyances, assignments and assurances; and shall do all acts, matters and things, necessary or requisite to make a clear

and assess the sum to be paid for the purchase, &c.

The judgment of the commissioners and verdict of the jury to be binding;

and entered among the records of the sessions, &c.

Conveyance to be made on payment of the sum awarded.

clear, good and perfect title to, or in trust for, the said commissioners or governors; and such conveyances, assignments and assurances, shall contain all such reasonable and usual covenants as shall, on the part of the said commissioners or governors, be required; and in case any such person or persons, to whom such money shall be awarded as aforesaid, shall not evince a title to the said premises to the said commissioners or governors, and make, or procure to be made, good and legal conveyances thereof, or shall refuse so to do, being thereunto required, such sum and sums of money so awarded as aforesaid, being ready to be paid to him, her or them, on making such title and executing and procuring to be executed such conveyances, assignments or assurances as aforesaid, and for that purpose tendered at the council chamber of the said royal hospital at *Greenwich*; or if in case any person or persons intitled to the premises, for which such sum or sums of money shall be so awarded as aforesaid, cannot be found in the said county of *Kent*; or in case that by reason of disputes depending in any court of law or equity, or for defect of evidence, it shall not appear to the said commissioners or governors, or any seven or more of them, what person or persons is or are intitled to the premises in question; that then, and in all and every or any such case and cases as aforesaid, it shall and may be lawful to and for the said commissioners or governors, or any seven or more of them, to order such sum or sums of money so awarded as aforesaid, as the value of, and purchase money for, the said premises, to be paid into the bank of *England*, for the use of the parties interested in the said premises, to be paid to them, and each and every of them, according to their respective estates and interests in the said premises, at such times as the said commissioners or governors, or any seven or more of them shall, by warrant or warrants under their hands, order and direct; and the cashier and cashiers of the bank of *England*, who shall receive such sum and sums, is and are hereby required to give a receipt or receipts for such sum and sums, mentioning and specifying for what premises, and for whose use the same is or are received, to such person or persons as shall pay such sum or sums into the bank of *England* as aforesaid; which receipt or receipts shall be entered on record, and registered amongst the records of the quarter sessions for the county of *Kent*; and immediately on such payment and registry, all the estate, right, title, use, trust, property, equity of redemption, claim and demand, in law and equity, of all and every person and persons for whose use such money was paid, of, in, or, from and out of the said premises, or any part thereof, shall vest in such person or persons as shall be named for that purpose by the said commissioners or governors, or any seven or more of them; and such person or persons shall be deemed in law to be in the actual possession thereof, and to be seized thereof in fee-simple, freed and discharged from all claims, demands and equity of redemption, either at law or in equity, to all intents and purposes, as fully and effectually as if all and every person and persons, having any

If the title shall not be evinced, or good conveyance made,

or the party cannot be found, &c.

the purchase money to be paid into the bank;

and the right to vest in the trustees.

any estate, right, title, trust, interest or equity of redemption, of, in, to, from or out of the said premises, had actually conveyed the same by lease and release, bargain and sale inrolled, feoffment with livery of seisin, fine and recovery, or any other conveyance whatsoever; and such payment shall not only bar all right, title, interest, equity of redemption, claim and demand of the person or persons to whose use such payment was made, but also shall extend to, and be deemed and construed to bar the dower and dowers of the wife or wives of such person or persons, and all estates tail, and remainders, as fully and effectually as a fine or recovery would do or would have done, if levied by proper parties in due form of law.

III. Provided always, and it is hereby declared and enacted, That it shall and may be lawful to and for the said commissioners or governors, or any seven or more of them, after such payment into the bank, and registry as aforesaid, on the petition of any person or persons in possession of the premises, at the time the money was so paid into the bank, to place out or invest, or cause to be placed out or invested, such sum or sums of money, or any part thereof, in some of the publick funds, or on government security, at interest, in the name of the said commissioners or governors, or any seven or more of them, or in the name or names of any person or persons appointed by the said commissioners or governors, or any seven or more of them, for that purpose, in trust to transfer and assign the same to such person or persons to whom the premises belong, on his, her or their executing proper conveyances thereof; and in the mean time in trust to pay the interest and dividends arising therefrom, to such person or persons as was or were in possession of the said premises at the time of the said payment into the bank; and the said commissioners or governors, or any seven or more of them, are hereby authorized and impowered to make such order as aforesaid on the bank, for the payment of such sum or sums of money, or any part thereof as shall be necessary, in order to their being so invested in publick securities: and the said commissioners or governors shall be quitted in the possession of the lands and premises, for which such money is so paid as aforesaid; and shall not be answerable or accountable for the same, in any court of law or equity, otherwise than according to the true intent and meaning of this act.

IV. Provided always, and it is hereby enacted and declared, That if any contract shall be made for the purchase of any premises in mortgage, or any sum or sums shall, in manner as before-mentioned, be assessed or awarded as the value of such mortgaged premises, and the person or persons intitled to the equity of redemption thereof cannot be found, that then, and in every such case, the money so contracted for, or assessed or awarded, shall, by the said commissioners or governors, or any seven or more of them, be vested in any of the publick funds; and the interest or dividends thereof shall be paid to such mortgagee, until the person intitled to such equity of redemption

On petition of any possessor of the premises, the commissioners may invest the money in the funds, &c.

Where the premises are mortgaged, the purchase money may be vested in the funds, for his use, &c.

shall make out his title thereto; and in case any such person or persons so intitled to such equity of redemption, shall not, within five years next after the investing such monies in the publick funds, exhibit his, her or their bill in the High court of chancery, or in his Majesty's court of exchequer at *Westminster*, in order to litigate the same, he, she or they shall for ever then after be debarred therefrom; and at any time after the end of such five years (no bill being exhibited as aforesaid) such money so invested in the publick funds shall be paid, on the securities for the same assigned to such mortgagee or mortgagees, or their legal representative or representatives; any thing herein before contained to the contrary thereof in any wise notwithstanding.

Possessor to deliver up the premises, upon 21 days notice;

V. And be it further enacted, That all and every person and persons who is, are or shall be in possession of the lands and premises, or any part thereof, so to be purchased by the said commissioners or governors, or any seven or more of them, or for which any purchase-money shall be so assessed or awarded as aforesaid, shall, upon twenty one days notice in writing, left at or affixed on the said premises, or any part thereof, peaceably and quietly deliver up the possession of the said premises to the said commissioners or governors, or any seven or more of them, or to any person or persons who shall, by the said commissioners or governors or any seven or more of them, be authorized to receive the same; and in case any person or persons shall refuse so to do, that it shall and may be lawful to and for the said commissioners or governors, or any seven or more of them, to issue their precept or precepts to the Sheriff of the county of *Hant*, to deliver possession of the premises to such person or persons as shall in such precept or precepts be nominated to receive the same; and the said Sheriff is hereby required to deliver possession thereof accordingly, and to levy such costs, which shall accrue from the issuing and execution of such precept or precepts, on the person or persons so refusing to give possession as aforesaid, by distress and sale of his, her or their goods.

and on refusal, the Sheriff is to deliver the same.

Monies paid to bodies corporate, or other trustees, to be laid out in the purchase of lands, &c.

VI. And it is hereby further enacted and declared, That all and every sum and sums of money, to be paid to any body corporate or collegiate, corporation aggregate or sole, trustee or trustees in trust, guardian, committee, or other trustee or trustees, in pursuance of this act, shall be by them respectively laid out in the purchase of lands, tenements and hereditaments, and settled to and upon, and subject to such titles, uses, trusts, limitations, remainders and contingencies, as the said lands and premises, so to be purchased by the said commissioners or governors as aforesaid, were settled, limited and assured at the time of such sale so made respectively, and shall and may be held and enjoyed accordingly; and that in the mean time, until such purchase made, such money shall be vested in some of the publick funds or government securities at interest, and the interest shall be paid to such person or persons as would have been intitled to the rents and profits of such lands, tenements and here-

redita-  
to prove  
to give

ditaments to be purchaſed; in caſe the ſame were purchaſed and ſettled, purſuant to the true intent and meaning of this act.

VII. And it is hereby enacted and declared, That in caſe of any default of a ſufficient number of jurymen to be ſworn, purſuant to this act, the ſheriff for the county of Kent ſhall return other honeſt and indifferent men of the ſtanders-by, or that can ſpeedily be procured to attend that ſervice, ſubject to ſuch challenges as aforeſaid; and the commiſſioners or governors, or any ſeven or more of them, ſhall from time to time have power to impoſe any reaſonable fine on the ſaid ſheriff, his under-ſheriff, bailiffs or agents reſpectively, or on any of the perſons who ſhall be ſummoned and returned on ſuch jury or juries as ſhall not appear or reſuſe to be ſworn on ſuch jury, or being ſworn, ſhall reſuſe to give a verdict, or in any other manner wilfully neglect his duty, contrary to the true intent and meaning of this act; and likewise upon ſuch perſon or perſons ſummoned to give evidence, who ſhall reſuſe to appear or give evidence, and from time to time to levy ſuch fine or fines, by warrant or warrants under the hands and ſeals of the ſaid commiſſioners or governors, or any ſeven or more of them, by diſtreſs and ſale of the offender's goods, rendering the overplus, if any; and all ſuch fines ſhall be applied to the uſe of the ſaid royal hoſpital.

In default of jurymen, the ſheriff may return ſtanders-by.

Sheriff, and other perſons neglecting their duty, may be fined.

VIII. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid commiſſioners or governors of the ſaid royal hoſpital, or any ſeven or more of them, to purchaſe any other meſſuages, lands, tenements or hereditaments, which ſhall be thought neceſſary for the finiſhing the ſaid royal hoſpital, according to the ſaid plan; and that it ſhall and may be lawful to and for all bodies politick, corporate or collegiate, corporations aggregate or ſole, mortgagee or mortgages, trustee and trustees, feeſee and feeſees in truſt for any charity or otherwiſe, guardian or guardians, committee or committees of any infant, idiot or lunatick, and all executors and adminiſtrators, and other perſons whatſoever, not only for and on behalf of themſelves, their heirs and ſucceſſors, but alſo for and on behalf of their ceſtuique truſts, and the reſpective mortgagee and mortgagees, and other perſon and perſons intitled to any equity of redemption, who are or ſhall be ſeized or poſſeſſed of or intereſted in any ſuch houſes, lands or hereditaments, to convey the ſame reſpectively to the ſaid commiſſioners or governors, or any ſeven or more of them, or to ſuch perſon or perſons as the ſaid commiſſioners or governors, or any ſeven or more of them ſhall appoint, in truſt for the ſaid commiſſioners or governors; and that all contracts, agreements, bargains, ſales and conveyances which ſhall be made by ſuch perſon or perſons as aforeſaid, ſhall be good and valid in law, not only to convey the eſtate and intereſt of the perſon and perſons conveying, but alſo to convey all right, eſtate, intereſt, uſe, equity of redemption, property, claim and demand whatſoever, of their ſeveral and reſpective ceſtuique truſts, whether infants, or iſſue unborn, lunaticks, ideots, or femes covert, or other perſons whatſoever, and all claiming, or to claim, by, from or under them, or any of them: and the

Governors may purchaſe any other lands, &c. which ſhall be thought neceſſary, &c.



said premisses so conveyed shall be, and are hereby declared to be, vested in the said commissioners or governors, or in such person or persons as by the said commissioners or governors, or any seven or more of them shall be so appointed as aforesaid, from the time of such conveyance made, in fee-simple, freed and discharged of all claims, demands and equity of redemption, of all and every person and persons, either at law or in equity; any law, statute, usage or other matter or thing to the contrary thereof in any wise notwithstanding: and that all such persons as aforesaid, so conveying as aforesaid, are and shall be indemnified for what they do or shall do by virtue of or in pursuance of this act: and in case the said commissioners or governors of the said hospital cannot, on or before the twenty fifth day of *March* one thousand seven hundred and fifty seven, purchase such other messuages, lands and premisses as may be thought necessary for the finishing the said royal hospital according to the said plan, upon such terms as they shall think reasonable; that then, and in such case, it shall and may be lawful to and for the commissioners or governors of the said royal hospital, and they are hereby authorized and impowered to finish the said royal hospital in such manner as most conveniently may be, without waiting for or expecting to purchase any such premisses.

If such other lands cannot be purchased before 25 March 1757, the finishing the hospital not to be delayed.

Possession of the commissioners not to be disturbed.

Claimants may sue the receivers of purchase money.

IX. And be it further enacted by the authority aforesaid, That the said commissioners or governors, or such person or persons to whom they, or any seven or more of them, shall appoint any conveyances to be made, or in whom the said premisses shall be vested by virtue of this act, shall not be disturbed or hindered in the quiet possession and enjoyment thereof, on pretence of any want of form or other defect in the proceedings hereby directed; but that it shall and may be lawful to and for any person or persons, barred of any right, title, interest, equity of redemption, claim or demand whatsoever, in, to or out of the said premisses, or any part thereof, to bring any action or actions for money had and received to his, her or their use, against any person or persons who received the purchase-money for such premisses respectively; and, on proof of such title as would have enabled them to recover such lands, tenements or hereditaments, or any part thereof, or any estate or interest in the same, that then and in every such case, they shall recover the said purchase-money, or so much thereof as shall be equivalent to their interest in the said premisses, together with such interest as shall be equivalent to their interest therein, which they might have been intitled unto in case this act had not been made.

Publick act.

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

#### C A P. XLIII.

An act for the more easy and speedy recovery of small debts in the town and port of Liverpoole, and liberties thereof, in the county palatine of Lancafter.

## CAP. XLIV.

*An act to explain and amend an act passed in the fifth year of his present Majesty's reign, intituled, An act to enlarge the pier and harbour of Scarborough in the county of York; and for making the said act more effectual.*

**W**HEREAS by an act made and passed in the fifth year of the reign of his present Majesty, intituled, An act to enlarge <sup>5 Geo. 2. c. 11.</sup> the pier and harbour of Scarborough in the county of York, it was enacted, That to the end that the said pier might be enlarged, extended and improved, and kept in repair, that from and after the twenty fourth day of June one thousand seven hundred and thirty two, until the twenty fourth day of June one thousand seven hundred and sixty three; and also from the said twenty fourth day of June seventeen hundred and thirty two, to the twenty fourth day of June seventeen hundred and eighty three, the several duties therein mentioned should be respectively answered and paid to the bailiffs and burgeses of Scarborough aforesaid, and their successors, as they in common council assembled, or the major part of them, should from time to time, under their common seal, order and appoint; and by the said act several powers and authorities were granted to and vested in the said bailiffs and burgeses, and their successors, for the better collecting the said duties, and carrying on the said work, and executing the several trusts thereby in them reposed: and whereas great frauds and abuses have of late years been committed in the execution of the several trusts reposed in the said bailiffs and burgeses of Scarborough aforesaid by the said act, particularly by the misapplication of the sum of three thousand pounds, which had been raised by the said bailiffs and burgeses of Scarborough, in common council assembled, by mortgage of the new pier duties payable at Newcastle; which said sum of three thousand pounds, and also the sum of three hundred and seventy nine pounds eight shillings and four pence, have been by the said bailiffs and some of the burgeses and members of the said borough of Scarborough, applied in discharge of their own bonds and private debts and engagements, or retained in their hands, and no part thereof applied according to the directions of the said act; whereby the works of the said pier have been in a great measure neglected, and the laudable intentions of the legislature frustrated, and rendered ineffectual, to the manifest detriment of the publick: to the end therefore that the like frauds and abuses may be prevented for the future, and that the several sums of money arising from the several duties given and granted by the said last recited act, for and towards the enlarging, extending, improving and repairing the said pier, may be duly applied to the purposes designed by the said act, and for the better maintaining and supporting the harbour of Scarborough aforesaid; which cannot effectually be done, but by divesting the said bailiffs and burgeses of all powers and authorities given them by the said act, and by vesting the same in other trustees; may it please your Majesty that it may be enacted, &c.

The powers granted by the recited act to the bailiffs and burgeſſes to ceaſe. New commiſſioners appointed; with power to audite the accounts of all monies received and diſburſed by virtue of the recited act. Duties and forfeitures to be paid to the commiſſioners or their order. The commiſſioners at their firſt meeting, to chooſe a clerk, ſurveyor and receiver of the duties. Accounts to be ſtated yearly, and to lie open for publick inſpection. Accounts to be laid before the juſtices, and paſſed by them. 5l. Penalty on perſons prejudicing the harbour by emptying ballaſt, &c. or otherwiſe, and to be levied by diſtreſs and ſale. For want of diſtreſs the offender to be committed. Stones may be taken from waſte grounds &c. for the works of the pier, paying 5s. by the year to the corporation. Bailiffs, &c. to deliver upon oath, all books and writings relating to the duties, on penalty of 20l. Bailiffs, &c. not repaying their proportions of the monies miſapplied, or retained in their hands, with intereſt, may be ſued by the commiſſioners, and the charges thereof to be paid out of the duties, &c. No part of the act of 5 Geo. 2. hereby repealed, except what relates to the appointment of the bailiffs, &c. The powers thereby granted, to veſt in the commiſſioners. Rights, &c. of the burgeſſes reſerved.

## CAP. XLV.

An act for the more eaſy and ſpeedy recovery of ſmall debts within the city and county of the city of Canterbury, and the liberties and precincts of the ſame.

## CAP. XLVI.

An act for repairing and widening the road from Alenmouth through the town of Alnwick to Rothbury, and from thence to the town of Hexham; and alſo the road leading out of the aforeſaid road between Alnwick and Rothbury, to Jockey's Dike Bridge in the county of Northumberland. *Certain tolls granted for 21 years.*

## CAP. XLVII.

An act for repairing and widening the roads from the eaſt end of Monk Bridge, near the ſuburbs of the city of York, to New Malton, and from thence to Scarborough in the north riding of the county of York; and alſo from Spittle houſe, in the eaſt riding of the ſaid county, to Scarborough aforeſaid. *Certain tolls granted for 21 years.*

## CAP. XLVIII.

An act for repairing and widening the road leading from a part of the road (directed to be repaired by an act paſſed in the laſt ſeſſion of parliament, from Carlisle to Newcastle upon Tyne) near Glenweſt, to another part of the road (ſo making from Carlisle to Newcastle) upon Shildon Common in the county of Northumberland. *Certain tolls granted for 21 years.*

## CAP. XLIX.

An act for repairing the high road from the town of Shrewsbury, through Creſſage, Harley, Much Wenlock, by Muckley Croſs, and through Morville to Bridgenouth in the county of Salop. *Certain tolls granted for 21 years.*

## CAP. L.

An act for repairing the roads from the north end of Malling Street, near the town of Lewes, to Witch Croſs, and from the north end of Malling Street aforeſaid, to the Broil park gate; and from Offham to Witch Croſs aforeſaid, all lying within the county of Suſſex. *Certain tolls granted for 21 years.*

## CAP. LI.

An act for amending and making more effectual ſeveral acts for amending the roads from the city of London to Eaſt Grinſtead in the county of Suſſex; and to the towns of Sutton and Kingſton in the county of Surrey; and for more effectually repairing the road from Newington through Camberwell in the ſaid county to New Croſs in the county of Kent;

Kent; and for repairing and widening the road from Camberwell Green to the Fox under the Hill in the pariſh of Camberwell. *The act 6 Geo. 2. c. 16. &c. amended.*

## CAP. LII.

An act for widening and repairing the road from Combe Bridge in the county of Somerſet to Bradford in the county of Wilts; and from thence through Hilperton; and ſo far over Aſton Common as to join the road which leads from Steeple Aſton to Trowbridge; and alſo the road leading from Bradford aforeſaid to Cockhill Gate in the ſaid county of Wilts. *Certain tolls granted for 21 years.*

## CAP. LIII.

An act for repairing the road from Knaresborough in the county of York, by Longflat Lane, Gouldsborough Fields, Flaxby, Allerton, Mauleverer, and Scate Moor, to Green Hammerton in the ſame county; and for making the ſame a high carriage road. *Certain tolls granted for 21 years.*

## CAP. LIV.

An act for amending the ſeveral roads leading from the town of Taunton in the county of Somerſet. *Certain tolls granted for 21 years.*

## CAP. LV.

An act for explaining and amending ſo much of an act paſſed in the fourteenth year of the reign of his preſent Majeſty, for the repairing and enlarging the roads from the town of Selby in the weſt riding of the county of York to the town of Leeds, and from thence in two ſeveral branches, one through Bradford and Horton, and the other through Bowling and Wibſey, to the town of Halifax in the ſame riding, as relates to that part of the ſaid roads which lies between Leeds and Halifax. *The act 14 Geo. 2. c. 32. amended.*

## CAP. LVI.

An act for repairing the ſeveral roads leading from the town of Bromyard in the county of Hereford, to the ſeveral places called the Halfway Aſh in the pariſh of Docklow, Herefordſhire Lake in the pariſh of Whitburne, Perry Bridge in the pariſh of Stoke Biſh, leading through the ſeveral pariſhes of Edwin, Ralph, Collington, and the hamlet of Little Kyre, Sapey wood in the pariſh of Upper Sapey, Biſhop's Froome, Wooferwood Gate, and Herefordſhire Lake, in the ſaid pariſh of Bromyard, in the counties of Hereford and Worceſter. *Certain tolls granted for 21 years.*

## CAP. LVII.

An act for repairing and widening the road leading from Market Harborough in the county of Leiceſter through Deſborough, Rowell, Kettering, Barton Seagrave and Thrapſton in the county of Northampton; and through Bythorne, Spaldwick and Ellington, to the Pound in the pariſh of Brampton in the county of Huntingdon. *Certain tolls granted for 21 years.*

## CAP. LVIII.

An act for repairing the roads from the town of Leeds, through Harwood, to the ſouth weſt corner of the incloſures of Harrowgate; and from thence in two branches (one through Riply over Burae Green, and the other through Knaresborough and Boroughbridge) to Ripon; and from thence to the firſt rill of water, or watercourſe, on Hutton Moor in the county of York; and for repairing the ſloughs or rutts on the ſaid Moor. *Certain tolls granted for 21 years.*

## CAP. LIX.

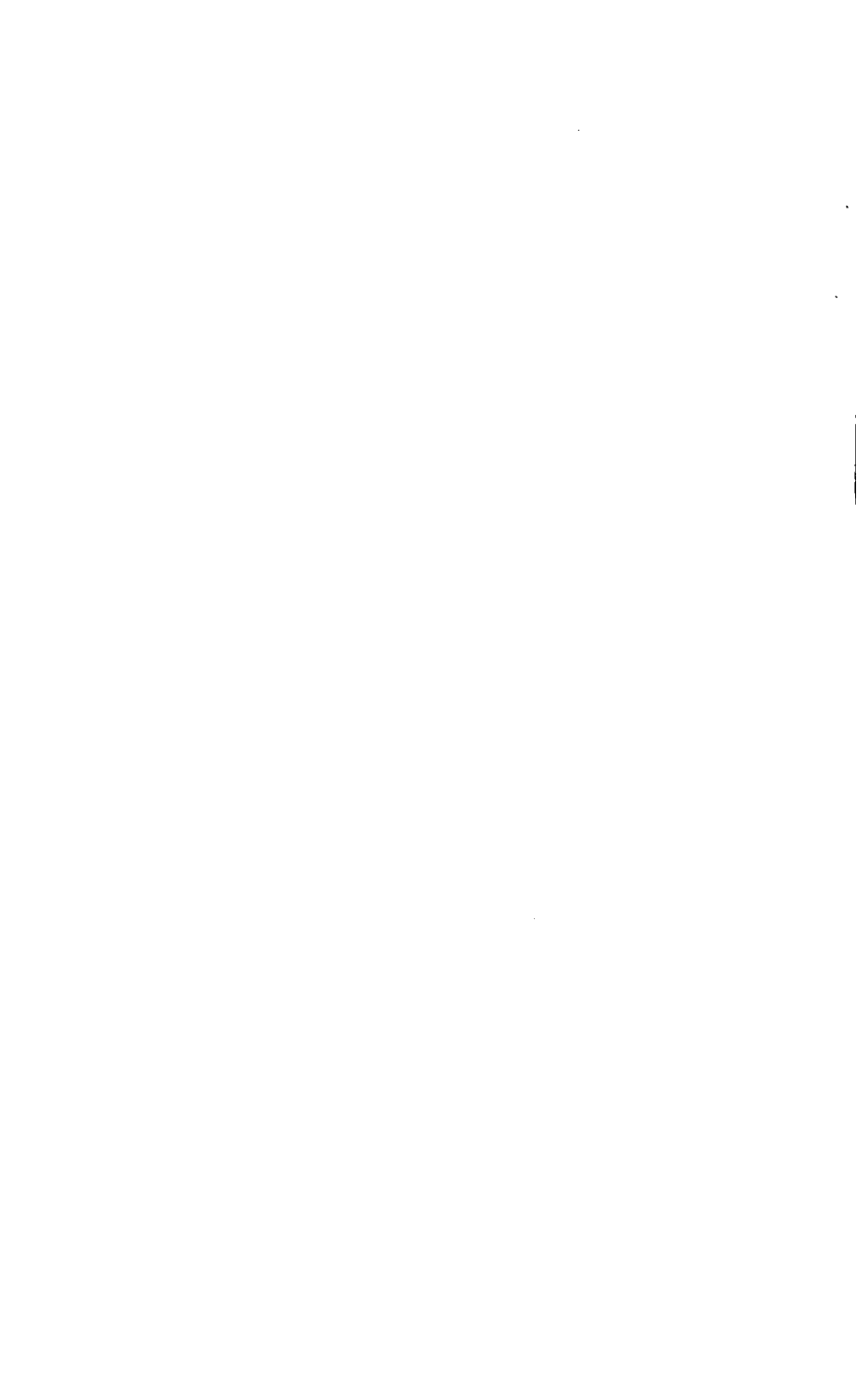
An act for repairing and widening the roads leading from Chippenham Bridge in the county of Wilts to the top of Togg Hill in the county of Glouceſter; and from Chippenham Bridge aforeſaid to the top of Old

Old Sodbury Hill in the faid county of Gloucefter. *Certain tolls granted for 21 years.*

## C A P. LX.

An act for repairing and amending the feveral roads leading from the weft end of Upton Bridge in the county of Worcefter to the parifh of Tirley in the county of Gloucefter, and to the parifh of Colwall in the county of Hereford; and to the further fide of a place called The Rid Green, in the road to the city of Worcefter, and through a place called Roberts End Street to Malvern Chace in the faid county of Worcefter. *Certain tolls granted for 21 years.*

*The END of the Twentieth Volume.*











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