Anno Quarto

Annæ Reginæ.

An Act to Repeal ſeveral Clauſes in the Statute made in the Third and Fourth Years of Her preſent Majeſties Reign, for Securing the Kingdom of *England* from ſeveral Acts lately Paſſed in the Parliament of *Scotland*.

Whereas in a Statute made in the Third and Fourth Years of Her preſent Majeſties Reign, Intituled, An Act for the effectual Securing the Kingdom of *England*, from the apparent Dangers that may ariſe from ſeveral Acts lately Paſſed in the Parliament of *Scotland*, there are Clauſes contained in theſe Words following (that is to ſay:) Preamble.

And be it further Enacted by the Authority aforeſaid, That from and after the Five and

Natives of *Scotland* (except now settled Inhabitants in *England*, &c.) after 25 *Decemb.* 1705. adjudged Aliens, *&c.*

twentieth Day of December, One thousand seven hundred and five, no Person or Persons, being a Native or Natives of the Kingdom of Scotland (except such as are now settled Inhabitants within the Kingdom of England, or the Dominions thereto belonging, and shall continue Inhabitants thereof, and such as are now in Service in Her Majesties Fleet or Army) shall be capable to inherit any Lands, Tenements or Hereditaments within this Kingdom of England, or the Dominions thereunto belonging, or to enjoy any Benefit, or Advantage of a Natural-born Subject of England; But every such Person shall be from thenceforth adjudged and taken as an Alien, born out of the Allegiance of the Queen of England, until such time as the Succession to the Crown of Scotland be Declared and Settled by an Act of Parliament in Scotland, in the same manner the Succession to the Crown of England is now Settled by Act of Parliament in England, in Case of Her Majesties Demise without Issue of Her Body.

Horses, Arms, *&c.* conveyed into *Scotland*, forfeiture 100 *l. &c.*

And be it further Enacted by the Authority aforesaid, That if any Person or Persons whatsoever, shall at any time from and after the Twentieth Day of February, One thousand seven hundred and four, until such time as the Succession to the Crown of Scotland be Declared and Settled by an Act of Parliament in Scotland, in like manner as aforesaid, Convey or Send, or cause to be Conveyed or Sent from any Parts or Place in England or Ireland, any Horses, Arms or Ammunition into the Kingdom of Scotland, every such Person or Persons shall Forfeit the Sum of One hundred Pounds,

and treble the Value of such Horses, Arms or Ammunition, One third Part thereof to the Queens most Excellent Majesty, Her Heirs and Successors, and the other Third Part thereof to him or them who will Sue for the same in any of Her Majesties Courts at Westminster, by Action of Debt, Suit, Bill, Plaint or Information, wherein no Essoign, Protection or Wager of Law shall lie.

Scotch Cattle brought into *England*, &c. Forfeited.

And be it further Enacted by the Authority aforesaid, That from and after the said Five and twentieth Day of December, One thousand seven hundred and five, until such time as the Succession to the Crown of Scotland be Declared and Settled by an Act of Parliament in Scotland, in like manner as aforesaid, no Great Cattle or Sheep shall be brought out of, or from the Kingdom of Scotland into the Kingdom of England, or Ireland, Dominion of Wales, or Town of Berwick upon Tweed, under the Penalty of Forfeiting all such Great Cattle or Sheep to him or them who will Seize or Sue for the same, and also the Value of such Great Cattle or Sheep, One third Part to the Queens most Excellent Majesty, Her Heirs and Successors, and the other Two third Parts thereof to him or them who will Sue for the same, to be Recovered, as aforesaid.

Cattle so brought may be detained Four Days, &c.

And be it further Enacted, That it shall and may be Lawful to and for any Person and Persons whatsoever, to Take and Seize in any Place or Places whatsoever, the Great Cattle or Sheep brought contrary to this Act into this Kingdom of England, or Ireland, Dominion of Wales, or Town of Berwick upon Tweed, and detain the same, during the space of Four

Days, in some Publick or Convenient Place where such Seizure shall be made, within which time, if the Owner or Owners, or any on his or their behalf, shall make it appear unto some Justice of the Peace of the same County where the same shall be so Seized, by the Oath of Two Credible Witnesses (which Oath the said Justice of the Peace is hereby Required and Impowered to Administer) that the same were not brought from Scotland, after the said Five and twentieth Day of December, One thousand seven hundred and five, Then the same upon the Warrant of such Justice shall be forthwith Redelivered.

English Cattle Intermixed, Forfeited.

And be it further Enacted, That if any English, or other Cattle or Sheep, shall be, with the Privity or Knowledge of the Owner, or any Person Imployed by him, Driven or Intermixed, or cause to be Driven or Intermixed with Great Cattle or Sheep, brought out of or from Scotland, and shall be Seized with them, such Cattle and Sheep so Intermixed and Seized, shall be Deemed Scotch Cattle, and shall be subject to the like Forfeiture, and Ordered and Disposed of in all respects as if they were brought out of or from Scotland, contrary to this Act: And if any Person or Persons shall Wilfully and Fraudulently Conspire, Confederate or Agree together to Avoid or Evade the Seizures or Forfeitures upon the Bringing in of Cattle in this Act particularly specified, and the same shall put in Execution, Then every such Person and Persons, being thereof Indicted or Presented within One Year next after such Offence by him or them Committed, and being thereof Lawfully

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ly Convicted or Attainted, at any time hereafter, shall forfeit the Sum of One hundred Pounds, to be Recovered and Distributed, as aforesaid.

Persons Sued, to Plead the General-Issue.

And be it further Enacted by the Authority aforesaid, That if any Action, Bill, Plaint, Suit or Information, shall be Commenced or Prosecuted against any Person or Persons for any Seizure, or other thing done or made in Pursuance or Execution of this Act, such Person or Persons shall not be Obliged to give any more than a Common Appearance, and may plead the General-Issue, and give the Special Matter in Evidence; And if the Plaintiff or Prosecutor shall become Nonsuit, or forbear Prosecution, or suffer Discontinuance, or if a Verdict pass against him in any such Action, Bill, Plaint, Suit or Information, as aforesaid, the Defendants shall have treble Costs, for which they shall have the like remedy as in any case where Costs by Law are given to the Defendant.

Scotch Coals Imported, Forfeited.

And be it further Enacted by the Authority aforesaid, That from and after the Five and twentieth Day of December, One thousand seven hundred and five, until such time as the Succession to the Crown of Scotland be Declared and Settled by an Act of Parliament in Scotland, in like manner as aforesaid, no Scotch Coals shall be Imported out of the Kingdom of Scotland into the Kingdoms of England, or Ireland, Dominion of Wales, or Town of Berwick upon Tweed, under the Penalty of Forfeiting the Coals so imported, One half to the Queens most Excellent Majesty, the other half to such Person as shall Seize or Sue for the same.

Scotch Linen also.

And be it further Enacted by the Authority aforesaid, That from and after the said Five and twentieth Day of December, One thousand seven hundred and five, until such time as the Succession to the Crown of Scotland be Declared and Settled by an Act of Parliament in Scotland, in like manner as aforesaid, no Scotch Linen shall be imported or brought out of Scotland into the Kingdom of England, Dominion of Wales, Town of Berwick upon Tweed, or Ireland, under the Penalty of Forfeiting the said Linen, and double the Value thereof, to be recovered with Costs of Suit in any of Her Majesties Courts of Record, One moiety thereof to the Queens Majesty, the other Moiety to such Persons as shall Seize, Inform, or Sue for the same.

And Whereas, since the making the said Act, an Act hath been Made and Passed in the Parliament of Scotland, for Enabling Her Majesty to appoint Commissioners to Treat with Commissioners for the Kingdom of England, of and concerning an Union of the said Kingdoms of England and Scotland: Now to the End that the good and friendly Disposition of this Kingdom towards the Kingdom of Scotland may appear; Be it Enacted by the Queens most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in Parliament Assembled, and by Authority of the same, That the said Clauses be from henceforth absolutely Repealed and Vacated, to all intents and purposes whatsoever.

The aforesaid Clauses repealed

FINIS.