Anno tricesimo tertio

Georgii II. Regis.

An Act for the more effectual securing the Payment of such Prize and Bounty Monies as were appropriated to the Use of *Greenwich Hospital*, by an Act made in the Twenty ninth Year of the Reign of His present Majesty, intituled, *An Act for the Encouragement of Seamen, and the more speedy and effectual Manning His Majesty's Navy.*

WHEREAS by an Act of Parliament made in the Twenty ninth Year of His present Majesty's Reign, intituled, An Act for the Encouragement of Seamen, and the more speedy and effectual Manning His Majesty's Navy, it was (amongst other Things) enacted, That the Flag Officers, Commanders, and other Officers, Seamen, Marines, and Soldiers, on Board every Ship and Vessel of War in His Majesty's Pay, should have the sole Interest and Property of and in all and every Ship, Vessel, Goods and Merchandizes, which they should take, from and after the Seventeenth Day of May, in the Year of our Lord One thousand seven hundred and fifty six, during the Continuance of the War against France (being first adjudged

Preamble, reciting Act 29 *Geo.* II.

adjudged lawful Prize in Manner therein mentioned) to be divided in such Proportions, and after such Manner, as His Majesty, His Heirs, and Successors, should think fit to order and direct by Proclamation or Proclamations thereafter to be issued for those Purposes; and it was by the said Act directed, that all Appraisements and Sales of any Ship or Ships, Goods, Wares, or Merchandizes, as should be taken by any of His Majesty's Ships of War, should be made by Agents or Persons to be nominated and appointed by the Captors as therein mentioned; and that after the Sale or Sales of such Prize or Prizes as should be taken from the Enemy by any of His Majesty's Ships of War, public Notification should be given by the Persons or Agents appointed, as therein before mentioned, of the Day appointed for the Payment of the several Shares to the Captors; after which public Notification, if any Mens Shares should remain in the Hands of such Persons or Agents, either belonging to such Men as should be run from His Majesty's Service, or which should not be legally demanded within Three Years, but then such Share or Shares so remaining in the Persons or Agents Hands, or belonging to such Men as should be run from His Majesty's Service, should go and be paid to the Use of Greenwich Hospital; and by the said Act a certain Bounty was directed to be paid by the Treasurer of His Majesty's Navy, as therein is mentioned, unto the Officers, Seamen, Marines, Soldiers, or others, that should have been actually on Board any of His Majesty's Ship or Ships, or Privateer or Privateers, in any Action where any Ship or Ships of War, or Privateers, should have been taken from the Enemy, sunk, burnt, or otherwise destroyed, since His Majesty's Declaration of War against France, to be divided in Manner, Form, and Proportion, as by His Majesty's Proclamation should be directed; and it was by the said Act further directed, that the Bill or Bills to be made out (as therein is mentioned) for such Bounty, should be made payable to such Person or Persons as should be authorized and appointed by the Officers or Persons intitled thereto, in such Manner as is therein before directed for the nominating and appointing Agents for Appraisements and Sales to be made as therein before is mentioned, the same to be distributed and divided, by the Person or Persons so authorized and appointed, amongst the Captors, in such Manner, Form, and Proportions, as is therein before mentioned; and that the several Shares of such Captors, if not legally demanded within Three Years after public Notification, and also of such as should

be run from His Majesty's Service, should be applied to the Use of the said Hospital: And whereas no Time is limited, or particular Method prescribed, by the said Act, for the giving Notifications of the Day appointed for the Payment of the Shares of Prizes, nor is any express Direction given for the Notification of the Day of Payment of the Shares of such Bounty Money as aforesaid; and many Agents have neglected to specify in the Notification by them given in the London Gazette, for Payment of Shares of Prizes condemned in the High Court or other Courts of Admiralty in Great Britain, the particular Day or Time when such Payments were to commence, whereby it is very difficult, if not impossible, to ascertain the Time when the said Hospital becomes intitled to the unclaimed Shares, by Means whereof the said Hospital cannot have the full Benefit intended by the said recited Act: For Remedy whereof, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of September, in the Year of our Lord One thousand seven hundred and sixty, all Notifications by the said Act required to be given of the Payment of the Shares of Prizes taken, or to be taken, from the Enemy by any of His Majesty's Ships or Vessels of War, and condemned, or to be condemned, in Great Britain; and from and after the First Day of February, One thousand seven hundred and sixty one, all Notifications by the said Act required to be given of the Payment of the Shares of Prizes taken, or to be taken, from the Enemy, and condemned, or to be condemned, in any other of His Majesty's Dominions in Europe, or in any of His Majesty's Plantations in America; and from and after the Twenty fifth Day of December, One thousand seven hundred and sixty one, all Notifications by the said Act required to be given of the Payment of the Shares of Prizes taken, or to be taken, from the Enemy, and condemned, or to be condemned, in any other of His Majesty's Dominions; shall be respectively given and published in such Manner as is herein after mentioned (that is to say) if the Prize or Prizes shall have been, or shall be condemned, in His Majesty's High Court or other Court of Admiralty in Great Britain, then the Person or Persons, Agent or Agents, appointed, or to be appointed, in pursuance of the said Act for the Appraisement and Sale of such Prize or Prizes, shall insert and publish, or cause to be inserted and published, such Notification under his or their Hand or Hands respectively in the London

From and after 1 *Sept.* 1760, all Notifications of the Payment of Shares of Prizes condemned in *Great Britain*;

and from and after 1 *Feb.* 1761, all Notifications of those condemned in any other of the *British* Dominions in *Europe* or *America*;

and from and after 25 *Dec.* 1761, of those condemned elsewhere;

are to be inserted, *&c.* by the Agents, if condemned in *Great Britain*, in the *London Gazette*;

don Gazette; and if condemned in any Court or Courts of Admiralty in any other of His Majesty's Dominions, then such Person or Persons, Agent or Agents, as aforesaid, shall insert and publish, or cause to be inserted and published, such Notification under his or their Hand or Hands respectively in the Gazette, or some other News Paper of public Authority, of the Island or Place where the Prize or Prizes shall have been, or shall be, condemned; and if there shall be no Gazette or such News Paper published there, then in some or One of the most public News Papers of such Island or Place for the time being: And all Persons or Agents publishing, or causing to be published, every such Notification respectively, shall deliver to the Collector, Customer, or Searcher for the time being of His Majesty's Customs residing at, or belonging to, the Port or Place where the Prize or Prizes shall have been, or shall be, condemned, or the lawful Deputy or Deputies of such Collector, Customer, or Searcher, and if there shall be no such Collector, Customer, or Searcher, then such Persons or Agents as aforesaid shall deliver to the Principal Officer or Officers of the Port or Place where the Prize or Prizes shall have been, or shall be, condemned, or to the lawful Deputy or Deputies of such Principal Officer or Officers, Two of the Gazettes or other News Papers, in which such Notifications shall be so inserted and published; and if there shall not be any public News Papers in any such Island or Place, then such Person or Persons, Agent or Agents, shall give Two such Notifications in Writing, under his or their respective Hand or Hands, to the said Collector, Customer, or Searcher, or the Deputy or Deputies of such Collector, Customer, or Searcher, or where there shall be no such Collector, Customer, or Searcher, to such Principal Officer or Officers, or his or their Deputy or Deputies aforesaid; and every such Collector, Customer, or Searcher, and Principal Officer or Officers, or such Deputy or Deputies, shall subscribe his or their Name or Names on some conspicuous Part of both the said Gazettes, News Papers, or written Notifications respectively, and by the first Ship which shall sail (after his or their Receipt of such Gazettes, News Papers, or written Notifications respectively) from such Port or Place to any Port of Great Britain, shall transmit or send to the Treasurer of the said Royal Hospital, or the Deputy of such Treasurer for the time being, One of the said Gazettes, News Papers, or written Notifications, with his or their Name or Names so subscribed to and upon the same respectively, to be there registered; and shall faithfully preserve and keep

and, if condemned in any other of the King's Dominions, in the Gazette, or other News Paper of the Place of public Authority;

and where there are none, then in One of the most public News Papers of the Place;

and Two of the said Gazettes, or News Papers, are to be delivered by them to the Collector,

or other Principal Officer of the Port;

and if there shall be no public News Paper, they are then to deliver Two Notifications in Writing;

which are to be signed by the Collector, or other Principal Officer;

One whereof is to be transmitted, by the first Ship, to the Treasurer of *Greenwich* Hospital,

and to be registered there;

the other of the said Two Gazettes, News Papers, or written Notifications, with his or their Name or Names thereon subscribed, as aforesaid, in his or their Custody; and that in every such printed or written Notification, as aforesaid, the said Person or Persons, Agent or Agents, shall insert or specify his or their Place or Places of Abode, and the precise Day of the Month and Year appointed for the Payment of the several and respective Shares of the Prize or Prizes to the Captors: And all such Notifications with respect to Prizes condemned, or to be condemned, in Great Britain, shall be published in the London Gazette Three Days at least before any Part or Parts, Share or Proportion of any such Prize or Prizes shall be paid to any Person or Persons intitled thereto; and all such Notifications with respect to Prizes condemned, or to be condemned, in any other Part of His Majesty's Dominions, shall be delivered to the said Collector, Customer, or Searcher, or Principal Officer or Officers aforesaid respectively, or such respective Deputy or Deputies, Three Days at least before any Part or Parts, Share or Proportion of any such Prize or Prizes shall be paid to any Person or Persons intitled thereto.

and the other to be kept in his Custody.

The Agent's Place of Abode, and the Day and Year appointed for Payment of the Shares, to be inserted in every Notification;

and those condemned in *Great Britain*, to be published 3 Days,

and those in other Parts, to be delivered to the Collector, *&c.*

3 Days also before Payment is made of any of the Shares.

And be it further enacted by the Authority aforesaid, That from and after the First Day of September, One thousand seven hundred and sixty, all and every Person and Persons, Agent and Agents, appointed or to be appointed in pursuance of the said Act, by the Flag Officers or Flag Officer, Captains or Captain, Officers or Officer, Ships Companies or Ship's Company, and others of any of His Majesty's Ships or Vessels of War, for the Distribution of any Bounty Bill or Bills, given or granted by virtue of the said Act, shall insert and publish, or cause to be inserted and published, under his or their Hand and Hands, in the London Gazette, Three Days at least before the Payment or Distribution of any such Bounty Bill, or Bounty Bills, publick Notification of the precise Day of the Month and Year appointed for the Payment of such Bounty Money, and shall insert in every such Notification the Place or Places of his or their Abode.

3 Days previous Notice also to be published in like Manner by the Agents in the *London Gazette*, of the Distribution of any Bounty Bills.

And be it further enacted by the Authority aforesaid, That in all Cases where any publick Notification hath, during the present War, been given, or shall be given, before the respective Times herein before mentioned for the giving of Notifications in Great Britain, and other Parts of His Majesty's Dominions, of the Payment of any Prize or Bounty Money in respect of any of His Majesty's Ships or Vessels of War, and the particular and

Where public Notification hath been, or shall be given, of the Payment of Prize or Bounty Money,

but the Day of Commencement of the Payment,

and the Agent's Name and Abode hath not, or shall not be specified;

such Agents for Prizes condemned in *Great Britain*, or for the Distribution of the Bounty Money, are, on or before 25 *Dec.* 1760;

and for those condemned in any other of the *British* Dominions in *Europe* or *America*, on or before 1 *June*, 1761;

and for those elsewhere, on or before 25 *March*, 1762;

to give Notification of the Day and Year appointed for such Payments,

and to specify also their Place of Abode;

the said Notifications to be delivered, attested, and transmitted, as before directed,

and precise Day whereon such Payment did or shall commence, and the Name or Names, and Place or Places of Abode, of the Person or Persons, Agent or Agents, appointed or to be appointed for the Appraisement and Sale of any such Prize or Prizes, or Distribution of any such Bounty Money, was not, or shall not be set forth and specified in such publick Notification; the Person or Persons, Agent or Agents, appointed or to be appointed for the Appraisement and Sale of every such Prize or Prizes condemned, or to be condemned, in His Majesty's High Court, or other Court of Admiralty in Great Britain, or for the Distribution of any such Bounty Money, shall, on or before the Twenty fifth Day of December, One thousand seven hundred and sixty; and the Person or Persons, Agent or Agents, appointed or to be appointed for the Appraisement and Sale of every such Prize or Prizes condemned, or to be condemned, in any Court or Courts of Admiralty in any other of His Majesty's Dominions in Europe, or in any of His Majesty's Plantations in America, shall, on or before the First Day of June, One thousand seven hundred and sixty one; and the Person or Persons, Agent or Agents, appointed or to be appointed for the Appraisement and Sale of every such Prize or Prizes condemned, or to be condemned, in any other of His Majesty's Dominions, shall, on or before the Twenty fifth Day of March, One thousand seven hundred and sixty two; respectively give Notification under his or their Hand or Hands respectively, of the precise Day of the Month and Year appointed for the Payment of the Shares of such Prize or Bounty Money respectively; and shall specify in every such Notification his or their Place or Places of Abode: And all such Notifications shall be published, or given and delivered, attested and transmitted, by and to such Person and Persons, and in such Manner, as the Notifications to be published or given, after the said First Day of September, One thousand seven hundred and sixty, the First Day of February, One thousand seven hundred and sixty one, and the Twenty fifth Day of December, One thousand seven hundred and sixty one, respectively, are herein before directed and required to be published, or given and delivered, attested and transmitted.

Agents neglecting or refusing to publish or deliver any such Notification,

And be it further enacted by the Authority aforesaid, That if any Person, or Agent, appointed or to be appointed for Appraisement or Sale of any Prize or Prizes taken or to be taken from the Enemy by any of His Majesty's Ships or Vessels of War, or for the Distribution of any Bounty Money, shall neglect or refuse to publish, give, or deliver,

deliver, any Notification directed or required by the said former Act or this Act to be published, given, or delivered, or shall not publish, give, or deliver, any such Notification for such Space, before the Payment of any Part of such Prize or Bounty Money, or within the Times herein before respectively limited, or in the Manner herein before appointed, or shall not set forth and specify therein, the Matters and Things herein before directed to be specified and set forth, every such Person or Agent shall, for every such Offence, forfeit and pay the Sum of One hundred Pounds, over and above all Penalties and Forfeitures inflicted or imposed by the said former Act; to be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record in Great Britain or America, or elsewhere, in any of His Majesty's Dominions, in which no Essoin, Protection, Privilege, Wager of Law, or more than One Imparlance, shall be allowed: And if any Collector, Customer, or Searcher, of His Majesty's Customs, or Principal Officer or Officers, or such Deputy or Deputies, as aforesaid, shall neglect or refuse to receive or to attest, or shall not transmit or send any such Gazette, News Paper, or written Notification as aforesaid, in such Manner as is before directed, every such Collector, Customer, or Searcher, Principal Officer or Officers, or such Deputy or Deputies, so offending, shall, for every such Offence, forfeit the Sum of One hundred Pounds, to be sued for and recovered in the same Manner as the above Penalty is directed to be sued for and recovered.

forfeit 100 *l.* over and above all Penalties, &c. inflicted by the former Act;

and Collectors, &c. refusing to attest or transmit the same, forfeit 100 *l.* also.

And be it further enacted by the Authority aforesaid, That the Notifications in all such Gazettes, News Papers, and in Writing respectively, as aforesaid, which shall be so transmitted and attested by such Collector, Customer, or Searcher, or Principal Officer or Officers, or such Deputy or Deputies, as aforesaid, and registered at the said Royal Hospital, on Proof of the Hand Writing of such Collector, Customer, Searcher, Principal Officer or Officers, or Deputy or Deputies, from time to time, and at all Times, shall be good and sufficient Evidence in all His Majesty's Courts of Law and Equity, that the Person or Persons whose Name or Names is or are therein set forth and specified as the Agent or Agents for the Prize or Prizes therein respectively mentioned, is or are such Agent or Agents.

The Notifications so transmitted, attested, and registered,

deemed sufficient Evidence of the Identity of the Agents.

And whereas no Provision is made by the said recited Act to oblige the Registers of the Admiralty Courts in Great Britain, duly to register, or keep proper Lists or Accounts of Letters of Attorney exhibited or delivered to

them to be registered: And whereas it will tend to the Benefit of the said Hospital if such Letters of Attorney were duly registered, and Copies of such Registers transmitted to the Treasurer of the said Hospital; be it therefore enacted by the Authority aforesaid, That from and after the Twenty ninth Day of September, One thousand seven hundred and sixty, the Register or Register of his Majesty's High Court of Admiralty, and of all other Courts of Admiralty in Great Britain, shall, from time to time, duly enter or register, or cause to be entered or registered, in One or more Book or Books to be by him or them kept for that Purpose only, all Letters of Attorney that shall be exhibited or delivered to them after the said Twenty ninth Day of September, One thousand seven hundred and sixty, by any Agent or Agents for any Prize or Prizes taken or to be taken by any of his Majesty's Ships or Vessels of War, or by any Agent or Agents, for the Receipt and Distribution of any Bounty Bill or Bills, within Fourteen Days after the same shall be so exhibited or delivered to such Register or Registers at his or their respective Offices; which Registry shall contain the Day of Delivery and Entry, the Dates of the Letters of Attorney, the Names and Places of Abode of the Agents, the Names of the Prizes taken, or of the Ships of War or Privateers of the Enemy, taken, burnt, sunk, or otherwise destroyed, together with the Names of the Ships or Vessels by which such Prizes shall have been taken, or by which such Ships of War or Privateers of the Enemy shall have been taken, burnt, sunk, or otherwise destroyed; and the said Register or Registers shall, on the Twenty sixth Day of March, and the Thirtieth Day of September, or within Forty Days thereafter, in every Year, transmit or deliver unto the Treasurer of the said Hospital, or to the lawful Deputy of such Treasurer for the time being, a true Copy or Transcript under his or their Hand or Hands of all such Entries, as aforesaid, within the preceeding Half Year; and if such Register or Registers shall neglect or refuse to make and keep such Entries, or to transmit or deliver such Copies thereof, as aforesaid, within the respective Times herein before limited for that Purpose, he or they shall, for every such Offence, 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, in which no Essoin, Protection, Privilege, Wager of Law, or more than One Imparlance, shall be allowed.

All Letters of Attorney exhibited by Agents, are to be duly registered by the Registers of the Admiralty Courts, within 14 Days after being exhibited,

and Transcripts thereof to be transmitted by them, Half-yearly, to the Treasurer of the Hospital,

on Penalty of forfeiting 100 *l.*

And

And be it further enacted by the Authority aforeſaid, That all Penalties and Forfeitures given and granted by this Act, ſhall be applied, One Moiety to the Informer or Informers, and the other Moiety to the Uſe of the ſaid Royal Hoſpital.

One Moiety of all Forfeitures to go to the Informer, and the other to the Uſe of the Hoſpital.

And be it further enacted by the Authority aforeſaid, That all Penalties and Forfeitures, and Parts of Penalties and Forfeitures given or to be given to the Uſe of the ſaid Royal Hoſpital by this preſent Act, or any other Act or Acts of Parliament, ſhall and may be ſued for and recovered in the Name of the Maſter or Governor, or of the Lieutenant or Deputy Governor for the time being of the ſaid Hoſpital. 7

Thoſe given to the Uſe of the Hoſpital, may be ſued for in the Name of the Maſter, Governor, or Deputy Governor.

FINIS.