Anno tertio

Georgii III. Regis.

CAP. XII.

An Act for granting to His Majeſty ſeveral additional Duties upon Wines imported into this Kingdom, and certain Duties upon all Cyder and Perry; and for raiſing the Sum of Three millions five hundred thouſand Pounds, by way of Annuities and Lotteries, to be charged on the ſaid Duties.

Moſt Gracious Sovereign,

WE, Your Majeſty's moſt dutiful and loyal Subjects, the Commons of Great Britain, in Parliament aſſembled, towards raiſing by the moſt eaſy Means the neceſſary Supplies to defray Your Majeſty's Publick Expences, have freely and voluntarily reſolved to give and grant unto Your Majeſty, the ſeveral Rates, Duties, und Impoſitions, herein after mentioned, and 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 Preamble.

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present Parliament assembled; and by the Authority of the same, That from and after the Thirty first Day of March, One thousand seven hundred and sixty three, over and above all Subsidies of Tonnage and Poundage, and all other Subsidies, additional Duties, and Impositions whatsoever, due or payable for all Wines and Vinegar imported into Great Britain, by any Act or Acts of Parliament now in Force, there shall be raised, levied, collected, and paid unto His Majesty, His Heirs, and Successors (before Landing thereof) the additional Impositions, Rates, or Duties following, without any Discount or Deduction Inwards, or Drawback on Re-exportation afterwards; that is to say,

Additional Duties granted, to take Place from and after 31 *March*, 1763,

viz. On *French* Wine and Vinegar imported, 8 *l. per* Ton;

For every Ton of French Wine and French Vinegar, which shall be imported into this Kingdom, the Sum of Eight Pounds; and so after that Rate for any greater or lesser Quantity.

and on all other Wines and Vinegar imported, 4 *l. per* Ton;

And also for every Ton of all other Wines and Vinegar imported into this Kingdom, the Sum of Four Pounds; and so after that Rate for any greater or lesser Quantity.

to be collected, levied, and paid, as expressed in the Act of 1 *Jac.* II.

The same to be raised, levied, collected, paid, and recovered, in such Manner and Form, and by such Ways, Means, and Methods, and under such Penalties and Forfeitures (except as to Discounts and Drawbacks aforesaid) as are mentioned and expressed in the Act of Parliament made and passed in the First Year of the Reign of His late Majesty King James the Second, intituled, An Act for granting His Majesty an Imposition upon all Wines and Vinegar imported between the Twenty fourth Day of *June*, One thousand six hundred and eighty five, and the Twenty fourth Day of *June*, One thousand six hundred and ninety three; or in any other Act or Acts of Parliament by which the said Impositions, Rates, and Duties, upon all Wines and Vinegar imported, were continued and made perpetual; and all Powers, Penalties, Forfeitures, Provisions, Articles, and Clauses therein contained, not any ways altered by this Act, shall continue in full Force and Effect during the Continuance of the said Impositions, Rates, and Duties hereby granted, and shall be applied, practised, and executed, for the raising, levying, collecting, securing, answering, and paying the said Impositions, Rates, and Duties, according to the true Intent and Meaning of this Act, as fully and effectually to all Intents and Purposes as if the said Clauses, Matters, and Things, had been again repeated and re-enacted in the Body of this present

or in any other Act making the Duties thereby granted perpetual.

present Act; any Law, Custom, or Usage, to the contrary in any wise notwithstanding.

Damaged and unmerchantable Wines exempted from these additional Duties.

Provided always, That nothing in this Act contained shall extend, or be construed to extend, to lay any further Duties upon Wines damaged, corrupt, or unmerchantable, and for which the Merchants or Importers thereof shall refuse to pay or secure the Duties; and which by an Act passed in the Twelfth Year of the Reign of his late Majesty King George the First, intituled, An Act for the Improvement of His Majesty's Revenues of Customs, Excise, and Inland Duties, are, on such Refusal, directed to be received into the Custody of proper Officers of the Customs, to be publickly sold, in order to be distilled into Brandy, or to be made into Vinegar.

Act 12 Geo. I.

The said Duties to be under the Management and Direction of the Commissioners of the Customs;

And it is hereby enacted by the Authority aforesaid, That the said Impositions, Rates, and Duties by this Act granted, shall, from time to time be, under the Management and Direction of the respective Commissioners of his Majesty's Customs, and their Officers for the time being, and shall be paid into the Hands of the Receiver General of the Customs in England for the time being; and such Receiver General shall weekly, to wit, on Wednesday in every Week, if it be not an Holy Day, and if it be, then on the next Day after that is not an Holy Day, answer and pay all the Monies arising by the said additional Impositions, Rates, and Duties (the necessary Charges of raising, collecting, and answering the same, only excepted) into the Receipt of his Majesty's Exchequer, distinct and apart from all other Monies which such Receiver General shall receive for the Use of his Majesty, his Heirs and Successors, for the Uses and Purposes in this Act mentioned.

and to be paid over weekly by the Receiver General into the Exchequer,

apart from all other Monies;

and to be entered accordingly in proper Books to be provided there for the Purpose.

And be it further enacted by the Authority aforesaid, That there shall be provided and kept in the Office of the Auditor of the said Receipt of Exchequer, a Book or Books, in which all the Monies hereby appointed to be paid weekly into the said Receipt as aforesaid, shall be entered separate and apart from all other Monies paid or payable to his Majesty, his Heirs or Successors, upon any Account whatsoever.

Rule annexed to the Book of Rates.

And whereas by the Eighth Rule annexed to the Book of Rates referred to in the Act of Tonnage and Poundage passed in the Twelfth Year of the Reign of King Charles the Second, every Merchant bringing in any Sort of Wines into this Kingdom by way of Merchandize, and making due Entries thereof, is allowed Twelve Pounds per Centum for Leakage: And whereas it is of late Years become a Practice for several Mer-

chants to lodge Spaniſh, Portugal, and other Wines, at the Iſlands of Guernſey and Jerſey, and after they have filled up the Casks there, to import ſuch Wines into this Kingdom, and demand the before mentioned Allowance for Leakage, notwithſtanding the Casks are quite full, to the leſſening of His Majeſty's Revenue, and the Prejudice of other Merchants who import Wines directly from the Place of their Growth: For Remedy whereof, and in order to put all Merchants upon a more equal Footing; be it enacted by the Authority aforeſaid, That no Merchant ſhall, in reſpect of the Duties impoſed by this Act, be allowed Twelve Pounds per Centum, or have any Allowance for Leakage upon any Wine imported into this Kingdom, unleſs ſuch Wine be imported directly from the Country or Place of the Growth of the ſaid Wine, or the uſual Port or Place of its firſt ſhipping, except Madeira Wines imported into this Kingdom from any of His Majeſty's Plantations in America; any thing in the ſaid recited Rule to the contrary notwithſtanding.

No Allowance to be made for Leakage, but upon Wines imported directly from the Country or Place of their Growth, &c.

Madeira Wines imported from the *Britiſh* Plantations in *America* excepted.

From and after 5 *July*, 1763, an additional Duty to be laid on all Cyder and Perry;

And be it further enacted by the Authority aforeſaid, That from and after the Fifth Day of July, One thouſand ſeven hundred and ſixty three, there ſhall be raiſed, collected, levied, and paid unto and for the Uſe of His Majeſty, His Heirs, and Succeſſors, for and upon all Cyder and Perry which ſhall at any Time or Times be imported or brought into the Kingdom of Great Britain (over and above all other Cuſtoms, Subſidies, and Duties by any Act or Acts of Parliament or Law whatſoever impoſed upon or payable for the ſame) the additional Rate or new Duty of Exciſe herein after expreſſed; that is to ſay,

viz. On all Cyder and Perry imported, 40 *s. per* Ton;

For every Ton of Cyder or Perry imported into Great Britain from beyond the Seas, and ſo proportionably for a greater or leſſer Quantity, to be paid by the Importer before Landing, over and above all other Duties payable for the ſame, Two Pounds.

and upon all Cyder and Perry made within *Great Britain*,

And be it further enacted by the Authority aforeſaid, That from and after the Fifth Day of July, One thouſand ſeven hundred and ſixty three, there ſhall be raiſed, levied, collected, and paid, unto and for the Uſe of His Majeſty, His Heirs, and Succeſſors, for and upon all Cyder and Perry made within the Kingdom of Great Britain (over and above all other Duties, Charges, and Impoſitions, by any former Act or Acts of Parliament thereupon reſpectively ſet, rated, or impoſed) the new Duty of Exciſe herein after mentioned and expreſſed; that is to ſay,

For

For all Cyder and Perry which shall be made in Great Britain, upon every Hogshead, to be paid by the Maker thereof, and so proportionably for a greater or less Quantity (over and above all other Duties now payable for Cyder or Perry) the Sum of Four Shillings. 4 s. *per* Hogshead, to be paid by the Maker.

And for the better ascertaining, charging, collecting, raising, levying, and securing the said Rates and Duties by this Act imposed, 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 Cyder or Perry made 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 Cyder or Perry made 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 and in respect of the said Duties upon Cyder and Perry (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, distinctly and apart from all other Branches of the Publick Revenue: Duties upon Cyder and Perry made in *England*, to be under the Receipt and Management of the Commissioners and Officers of Excise there; and those in *Scotland*, under like Officers there. Commissioners to appoint a sufficient Number of Officers; and the Duties to be paid into the Exchequer apart from all other Monies.

And be it further enacted by the Authority aforesaid, That from and after the said Fifth Day of July; One thousand seven hundred and sixty three, all and every Person and Persons, not being a Compounder or Compounders, who shall intend to make any Cyder or Perry, shall, Ten Days at least before he, she, or they shall begin to make Cyder or Perry, make a true and particular Entry in Writing, at the Office of Excise next to the Place where such Cyder or Perry shall be intended to be made, of the respective Name or Names of such Maker or Makers, and of every Mill or Press, or other Utensil, belonging to him, her, or them, for the making of Cyder or Perry, and also of every Store-house, Warehouse, Cellar, or other Place, wherein he, she, or they, intend to make, lay, or keep any Cyder or Perry; and if any such Maker of Cyder or Perry shall, contrary to the Directions of this Act, make use of any Mill, Press, or other Utensil, Makers of Cyder or Perry (not being Compounders) to enter their Names, and the Mills, Presses, or other Utensils, Store houses, and other Places to be made use of, at the next Office of Excise, 10 Days before they begin to work. Penalty of using any unentered Place or Mill, &c. 25 *l.*

or Stone-house, Ware-house, Cellar, or other Places either for the making, laying, or keeping any Cyder or Perry, without having made such Entry as aforesaid, he, she, or they, shall respectively forfeit and lose the Sum of Twenty five Pounds for every such Offence.

Officers of Excise, upon Request made, are to have free Access in the Day-time, to all Places entered or made use of for making or keeping Perry or Cyder,

And be it further enacted by the Authority aforesaid, That from and after the said Fifth Day of July, One thousand seven hundred and sixty three, all and every the Officers of Excise shall, at all Times in the Day-time, be permitted, upon their Request, to enter the Mill-house, Stone-house, Ware-house, Cellar, and all other Places whatsoever, belonging to, or used by, any Person or Persons whatsoever, either for the making, laying, or keeping of Cyder or Perry, of which Notice shall or ought to have been given as aforesaid, who, at any Time or Times, from and after the said Fifth Day of July, One thousand seven hundred and sixty three, shall make any Cyder or Perry, and to gauge and take an Account of all the Cyder or Perry which shall be there found, and shall thereof make Return or Report in Writing to the respective Commissioners of Excise in Great Britain, or such other Person or Persons as they shall respectively appoint to receive the same, leaving a true Copy of such Report in Writing, under his or their Hand, with or for such Maker of Cyder or Perry; and such Report or Return of the said Officer or Officers, shall be a Charge upon such Maker or Makers of Cyder or Perry; and the Amount of the Duties thereby charged, shall be paid by such Maker or Makers respectively, within the Space of Six Weeks, to be computed from the Time of making such Charge.

and to gauge, and report the Contents to the Commissioners,

leaving a Copy for the Maker.

The Duties to be paid according thereto, within 6 Weeks from such making Charge;

Provided always, That such and the like Allowances shall be made to the several Persons chargeable with the Duties in this Act, as have been usually made to Persons chargeable with the Duties upon Cyder and Perry by former Laws.

and the usual Allowances to be made in respect thereof.

And, for preventing such Frauds as might be committed by selling, or otherwise disposing, of Cyder or Perry, made after the said Fifth Day of July, One thousand seven hundred and sixty three, under Pretence of its having been made before the Commencement of this Act, and thereby evading the Payment of the Duty intended by this Act to be charged thereupon; be it enacted by the Authority aforesaid, That every Person having in his, her, or their Possession any Cyder or Perry made before the said Fifth Day of July, One thousand seven hundred and sixty three, and intending to sell, or otherwise dispose of, or remove out of his, her, or their own Possession, any Quantity of such Cyder or Perry, shall, Ten Days at the least before

Persons intending to sell, or remove any Cyder or Perry in their Possession, made before 5 *July*, 1763, are to send a signed Particular thereof to the next Office of Excise,

the

the said Fifth Day of July, One thousand seven hundred and sixty three, give a true and particular Account thereof in Writing, signed by him, her, or them, at the Office of Excise next to the Place where he, she, or they shall then inhabit, that the Officer of Excise may attend to take an Account thereof; and after such Account shall be delivered in, it shall be lawful for the Officer and Officers of Excise to enter into the several Places belonging to such Person or Persons, where such Cyder or Perry shall be laid or kept, and to take an exact Account thereof by gauging or otherwise; and it shall be lawful for him, upon a Request in Writing from the Person who has given in such Account, from time to time to grant Certificates for the Removal of a like Quantity of Cyder or Perry, and no more, without charging the Duty granted by this Act, distinguishing, in such Certificates, that the Cyder or Perry was made before the Commencement of the Duty granted by this Act.

10 Days before the said 5 *July*; that the Officer may attend, and take an Account thereof,

and grant Certificates occasionally for the Removal of a like Quantity, without charging the Duty, &c.

And, for the preventing of Frauds in the Removal of Cyder or Perry, and for securing the Duty granted by this Act, be it further enacted by the Authority aforesaid; That from and after the said Fifth Day of July, One thousand seven hundred and sixty three, no Cyder or Perry exceeding the Quantity of Six Gallons, shall be removed or carried from any Part of this Kingdom, by Land or by Water, without a Certificate (which the Officers of Excise are hereby required to give without Fee or Reward, upon Request of the Person desiring to remove such Cyder or Perry) to accompany the same, signed by One or more of the Officers of Excise, signifying and certifying the Quantity of such Cyder and Perry, and the Number of Casks or Package containing the same, and the Name of the Person from whom the same is removed, and the Place to which, and the Name and Place of Abode of the Person to whom, such Cyder or Perry is to be sent; and distinguishing therein, whether the same is to be removed from the Mill where the same was made, into the Premisses of any Compounder, or of any Person exempted by this Act from paying Duty, or compounding, or of any other Person chargeable with the said Duty; and if removed out of the Stock or Store-house of any Compounder or other Person, then distinguishing from whose Stock or Store-house the same is intended to be removed, or whether the same was Cyder or Perry made before the Commencement of the Duty granted by this Act; and if the same shall have been charged with the said Duty, or any other Duty, then with what Duty the same has been so charged; or if condemned, then that the same had been

No Cyder or Perry, exceeding 6 Gallons, to be removed, &c. without a Certificate.

on Forfeiture thereof, with the Package.

condemned as forfeited; upon Pain of forfeiting the Cyder or Perry, together with the Casks, Vessels, or other Package containing the same, which shall be found removing or carrying from one Place to another, without such Certificate, and which shall and may be seized by any Officer or Officers of Excise; in which Certificate the Officer or Officers of Excise who grant the same, shall express and limit the Time for which the same shall continue in Force.

Officers of Excise may seize the same.

Time to be limited, for which the Certificate is to be in Force,

And whereas many of His Majesty's Subjects do make Cyder or Perry, Part of which is intended not to be sold, but to be consumed in their own private Families only; For the better Accommodation of such Persons, be it further enacted by the Authority aforesaid, That when any such Person shall be desirous of compounding for the Duties on Cyder and Perry, to be consumed in their own private Families only, it shall be lawful for the said respective Commissioners of Excise, for the time being, or the major Part of them respectively, or such Person or Persons as they, or the major Part of them, shall respectively appoint for that Purpose, and, in Default of such Appointment, then for the Collector and Supervisor for the District and Division within which such Person doth or shall inhabit, upon receiving from the Person who shall so desire to make such Composition, an exact List signed by him or her, of the several Persons whereof his or her Family consist (specifying their Christian and Surnames therein) to compound and agree with such Person or Persons for the Duty of Four Shillings granted by this Act on Cyder and Perry, to be consumed in their own private Families only, at the Rate of Five Shillings per Annum, for the Number of Persons which shall be mentioned in such List; which Composition shall last for One Year, and be renewed annually, and the Money arising thereby, shall be paid down at the respective Times of making the Compositions; and that the Houses, Outhouses, Store-houses, Cellars, or other Places, of such particular Persons making such Composition and Agreement as aforesaid, and paying such Composition-money, and duly complying with their Payments thereupon, shall not be liable to the Survey or Search of any Officer or Officers of Excise, for or by reason of his or their making Cyder or Perry as aforesaid; and in case the Family of the Person making the Composition shall be increased, at any Time during the Year compounded for, then every Person whose Family shall be so increased, shall deliver in an additional List containing the Names of the several Persons added to the Family, who shall then also pay down a pro-

Persons making Cyder or Perry to be consumed in their own private Families only, may be admitted to compound for the Duties,

they giving in a List of the Number in Family, and paying at the Rate of 5s. *per* Head, *per Annum.*

Composition to be renewed annually, and the Money paid down at the same Time.

Houses, &c. of Compounders exempted from Survey or Search.

Upon Increase of the Family a new List to be given in;

a proportionable Composition for the Persons so added, videlicet, Five Pence for each Calendar Month that shall be unexpired of the Year, for which his or her Composition was made, for each and every Person so added, and in like Manner fresh Lists shall be delivered, and Compositions made accordingly every Year; and in case any Person having compounded, shall neglect to deliver such Lists, or to pay the Composition-money from Year to Year, by the Space of Ten Days after the Expiration of each respective Year, the Person so neglecting shall be charged by the Officer of Excise with the Duty of Four Shillings for every Hogshead of Cyder or Perry, which shall be found in his or her Custody; which Charge the Officer or Officers of Excise are hereby required to make, and such Persons shall become subject to the Survey of the said Officers; and if any Person who shall compound in pursuance of the Power hereby given, shall deliver in a List which does not contain the true Number with the Names of the several Persons of which his or her Family then really consisted of; or if any Person shall neglect to deliver in a List of the Number and Names of any Increase that may happen in his or her Family, according to the Directions of this Act, or to pay the proportionable Composition as aforesaid, the Party so offending shall, for every such Offence respectively, forfeit the Sum of Twenty Pounds.

and 5*d.* per Month *per* Head, to be paid for the additional Number, during the subsisting unexpired Term of the Year.

Compounders neglecting to deliver in the Lists, and pay their Composition-money, to be charged with the Duty, and become liable to Survey.

Persons delivering false or defective Lists, &c.

forfeit 20*l.*

Provided always, That no Compounder shall be obliged to insert in such List, the Names of his or her Children under the Age of Eight Years, or to reckon them as Part of his or her Family.

Children under 8 Years of Age not to be inserted in the Lists.

And as it may frequently happen that such Persons who shall make Compositions for the Duties on Cyder and Perry to be consumed in their own private Families, may have larger Quantities of Cyder or Perry than is necessary to be expended for the Use of their respective Families; to the end therefore that he, she, or they, may be impowered to sell, or otherways dispose of, or remove any Quantity of Cyder or Perry, and that his Majesty's Duties may be secured for the same, When and so often as any such Compounder or Compounders shall be desirous of selling, or otherways disposing of, any Cyder or Perry, or of removing of the same, and shall have given to the Officer of Excise of the Division or Place where his, her, or their Ware-house or Store-house, Cellar or other Place, for making, laying, or keeping, Cyder or Perry, shall be situate, Two Days Notice in Writing of his, her, or their Intention to sell, or otherways dispose of, or remove any Quantity of Cyder or Perry, specifying in such

Compounders may sell, dispose of, or remove, any Cyder or Perry more than sufficient for their own Use, giving 2 Days Notice to the proper Officer,

such Notice the particular Quantity of Cyder or Perry he, she, or they intend to sell, or otherways dispose of or remove, and also the Description of the particular Warehouse, Storehouse, Cellar, or Place where such Quantity of Cyder or Perry shall then be laid or kept, and of the Place to which the same is intended to be removed or sent; the Officer of Excise, having received such Notice, is hereby authorized and required to attend at the said Storehouse, Warehouse, Cellar, or other Place, and then and there to enter the same, and to gauge and take Account of the particular Quantity of Cyder or Perry so intended to be sold or otherways disposed of or removed, and to charge thereon the said Duty after the Rate of Four Shillings for every Hogshead, and thereof to make a Return or Report in Writing to the Commissioners of Excise, or such other Person or Persons as they shall appoint to receive the same, leaving a true Copy of such Report in Writing, under his or their Hand, with or for such Compounder or Compounders; and such Report or Return of the said Officer or Officers shall be a Charge upon such Compounder or Compounders; and after the Duties are so charged, the said Cyder or Perry shall not be removed, on any Pretence, without such Certificate as aforesaid to accompany the same, to prevent the Seizure thereof; and if any Compounder or Compounders for the Duty on Cyder or Perry, to be consumed in his, her, or their own private Family or Families only, shall fraudulently sell, exchange, barter, or deliver out any Cyder or Perry to any Person or Persons contrary to the true Meaning of this Act, or shall sell or otherways dispose of or remove any such Cyder or Perry, without having first given such Notice as aforesaid, or before the Duty granted by this Act is charged thereon, he, she, or they shall respectively forfeit the Sum of Twenty Pounds for every such Offence.

who is to attend, and take an Account thereof, and charge the Duties,

and report the same to the Excise Office; leaving a Copy with the Compounder.

Such Cyder or Perry not to be afterwards removed without a Certificate.

Compounders being guilty of any Fraud,

forfeit 20 *l.*

And whereas many Makers of Cyder or Perry are not possessed of Mills, or other proper Utensils for making Cyder or Perry, but either hire or borrow the same of others for that Purpose; and though the permitting Makers of Cyder or Perry who have such Mills and other Utensils, and are Compounders, to set out or lend their Mills and Utensils, may appear reasonable, yet considerable Frauds may be practised thereby, to the Prejudice of His Majesty's Revenue and the fair Trader, unless such Permission is granted under proper Restrictions; to the end therefore that such Persons may be accommodated, and that his Majesty's Duty may be secured, be it enacted by the Authority aforesaid, That no Maker or Makers of Cyder or Perry, being a Compounder or

Compounders for the Duty granted by this Act for the Cyder or Perry to be consumed in his, her, or their Family or Families, shall, during the Time he, she, or they, shall compound for the said Duty, let out or lend his, her, or their Mill or Mills, or other Utensil or Utensils, to any other Person or Persons for the Purpose of making Cyder or Perry, or permit or suffer the same, or any of them, to be used for the Purpose aforesaid, unless he, she, or they, shall have given, or caused to have been given, to the Officer of Excise of the Division or Place where his, her, or their Mill or Mills, or other Utensils, shall be situate, Notice in Writing by the Space of Three Days next before the Time he, she, or they, shall permit such Mill or Mills, or other Utensils, to be used by or on the behalf of any other Person or Persons for the making of Cyder or Perry, signifying thereby that he, she, or they, have lent or let out his, her, or their Mill or Mills, or other Utensil or Utensils, and to whom by Name, and whose Apples or Pears are therein to be ground, pressed, and made into Cyder or Perry, and requiring such Officer of Excise to attend at the Mill or other Place so to be made use of, to take an Account of the Cyder or Perry which shall be there made, and to charge the Duty granted by this Act thereupon; unless it shall appear that the Cyder or Perry so made is really and bona fide the Property of any other Compounder for the Duty on Cyder or Perry to be consumed in his or her private Family only, or to be the Property of any Person not liable as herein after mentioned to pay the said Duty, or to compound, within the Meaning of this Act; and such Cyder or Perry shall not be removed, on any Pretence, without such Certificate as aforesaid to accompany the same, to prevent the Seizure thereof: And if any Maker or Makers of Cyder or Perry, during the Time he, she, or they, shall compound for the Duty granted by this Act for Cyder or Perry to be consumed in his, her, or their private Family or Families, shall let out or lend his, her, or their Mill or Mills, or other Utensil or Utensils, to any other Person or Persons for the Purpose of making Cyder or Perry, or shall permit or suffer the same, or any of them, to be used for that Purpose, without giving such Notice in Writing as aforesaid, he, she, or they, shall respectively forfeit and lose for every such Offence the Sum of Ten Pounds.

No Compounder may let out, or lend his Mill, or other Utensils, for making Cyder or Perry,

without giving 3 Days previous Notice to the proper Officer to attend, and charge the Duties;

unless the Cyder or Perry be the Property of another Compounder,

or of some Person not liable to the Duty;

and no Part of it to be removed without a Certificate;

under Penalty of 10*l.*

Provided always, and it is hereby declared, That every Person who uses his or her own Mill, Press, or other Utensil for the making of Cyder or Perry for his or her own Use, or procures Cyder or Perry to be made for

Persons using their own Mills, &c. or procuring Cyder or Perry to be made

at the Mill, &c. of any other Perſon, deemed Makers.

him or her at the Mill or Preſs, or in the Utenſil of another Perſon, ſhall be deemed to be a Maker of Cyder or Perry within the Intent and Meaning of this Act.

Compounders for Malt, not liable to compound, or pay Duties, for Cyder or Perry, to be made and conſumed in their own Families;

unleſs they ſhall ſell, or otherways diſpoſe of, any Part thereof; in which Caſe they are to comply with the Directions given with reſpect to Compounders in like Circumſtances.

Provided always, and it is hereby enacted and declared, That this Act, or any thing therein contained, ſhall not extend to oblige any Perſon or Perſons who do or ſhall pay the Compoſition eſtabliſhed by Law for the Duties on Malt, during ſuch Time as he, ſhe, or they, ſhall compound for the ſaid Duties on Malt, and no longer, to compound for or pay the Duties on Cyder or Perry granted by this Act, for the Cyder or Perry he, ſhe, or they ſhall make, to be conſumed in his, her, or their private Family or Families only: But if ſuch Compounder or Compounders for the Duties on Malt ſhall be deſirous of ſelling, or otherways diſpoſing of or removing any Cyder or Perry, he, ſhe, or they, ſhall be obliged to comply with the ſeveral Directions herein before appointed to be obſerved by Compounders for the Duty on Cyder and Perry granted by this Act, under the like Penalties and Forfeitures, and the like Powers and Authorities, as are hereby enacted for regulating the ſame.

Occupiers of Tenements not rated above 40 *s. per Ann.* to the Land Tax, and not making more than 4 Hogſheads of Cyder and Perry in the Whole in a Year, exempted from Duties, or compounding.

Provided always, and it is hereby enacted and declared, That this Act, or any thing therein contained, ſhall not extend to oblige the Occupiers of ſuch Tenements as are not rated to the Land Tax, at above Forty Shillings per Annum, and pay accordingly, and who ſhall not make more than Four Hogſheads of Cyder and Perry together in the Whole, in any One Year, to pay the Duty granted by this Act upon Cyder and Perry, or to compound for the ſame.

Duties on Cyder and Perry drawn back on Exportation;

and upon Diſtillation thereof into Low Wines and Spirits;

Provided always, and be it further enacted by the Authority aforeſaid, That the ſaid Duty of Four Shillings per Hogſhead upon Cyder or Perry charged by this Act, ſhall and may be drawn back on the Exportation of ſuch Cyder or Perry, by the ſame Means and Methods, and under the ſame Rules and Directions, as the other Duties, or any of them, now payable for Cyder or Perry, may be drawn back on the Exportation thereof; and alſo, that the ſaid Duty on Cyder and Perry granted by this Act, ſhall be drawn back or allowed upon the Diſtillation of Cyder or Perry into Low Wines and Spirits, by the ſame Means and Methods, and under the ſame Rules and Directions, as the other Duties, or any of them, now payable for Cyder or Perry, may be drawn back or allowed upon the Diſtillation thereof; and in caſe any Cyder or Perry which has been charged with, and hath paid, the ſaid Duty of Four Shillings granted by this Act, ſhall hereafter, by being unfit for Sale as Cyder or

and upon the ſame being made into Vinegar, and charged with the Duties as ſuch.

Perry, be charged with the Duties on Vinegar, it shall be lawful for Three or more of the Commissioners of Excise for the time being, or Two Justices of the Peace, within their several Jurisdictions, on Proof that such Cyder or Perry hath been charged with, and paid, the said Duty granted by this Act, and that the same Cyder or Perry hath been also charged with the Duties on Vinegar, to discharge or allow the Duty granted by this Act, which they are hereby required to do.

50*l.* Penalty of opposing an Officer in the Execution of his Office;

And be it further enacted by the Authority aforesaid, That if from and after the said Fifth Day of July, One thousand seven hundred and sixty three, any Person or Persons whatsoever shall assault, resist, oppose, molest, or hinder, any Officer or Officers of Excise in the due seizing or securing of any Cyder or Perry which, by any Officer or Officers of Excise, shall or may be seized by virtue or in pursuance of this Act, or in the Execution of any of the Powers and Authorities by this Act given and granted; or shall, by Force or Violence, rescue, or cause to be rescued, any Cyder or Perry, after the same shall have been seized by such Officer or Officers as aforesaid, or shall attempt or endeavour so to do; or, after such Seizure, shall stave, break, or otherwise destroy or damage any Casks, Vessels, or Package, wherein the same shall be contained; all and every the Party or Parties so offending, shall, for every such Offence respectively, forfeit and lose the Sum of Fifty Pounds.

or of rescuing,

or staving any Cyder or Perry after Seizure made thereof.

Informations for Offences against this Act by the Makers of Cyder or Perry, to be laid within 3 Months after committed;

Provided always, and be it enacted by the Authority aforesaid, That no Information shall be brought, laid, or prosecuted, against any Maker of Cyder or Perry, for any false or mis-entry, or for any Offence made or committed from and after the Fifth Day of July, One thousand seven hundred and sixty three, unless such Information be laid and entered before such Persons appointed to determine the same, within Three Months next after such Offence committed; and that Notice thereof be given to such Person or Persons (against whom such Information shall be laid) in Writing, or left at their Dwelling-houses, within One Week after the laying and entering such Information, to the End a timely Prosecution may be had and made in defending the same; any thing in this Act, or any other Law, to the contrary notwithstanding.

and Notice thereof to be given them.

Persons aggrieved by the Judgement of any Justices of the Peace, touching the Duties or Penalties,

And be it further enacted by the Authority aforesaid, That if either Party think him, her, or themselves, aggrieved by any Judgement or Order to be given or made by any Justices of the Peace, in pursuance of this present Act, touching or concerning the Duties hereby granted, or any Penalty and Forfeiture relating to the same; it shall

may appeal to the Quarter Sessions]

shall and may be lawful to and for such Person or Persons, so finding him, her, or themselves, aggrieved by such Judgement or Order, to appeal from the same to the Justices assembled at the next General Quarter Sessions of the Peace to be holden for the County, Shire, or Stewartry, where such Judgement or Order shall have been made; which said Justices of the Peace, or the major Part of them, are hereby impowered to hear and finally determine the same; and no Writ of Certiorari shall be allowed or brought to set aside any Determination of the said Justices.

and the Determination of the said Court is to be final.

Appellants to give Notice to the other Parties,

And be it further enacted by the Authority aforesaid, That the Party or Parties so appealing shall give Notice, in Writing, by the Space of Six Days next before such Sessions shall be held as aforesaid, to the Party or Parties of the other Side, of his, her, or their Intention to bring such Appeal; and that it shall and may be lawful to and for such Justices, or the major Part of them, in their Quarter Sessions, to award Costs to either Party as they shall, in their Discretion, think fit, to be levied by Warrant of the Justices of the Peace of such County, Shire, or Stewartry, or any Two or more of them, on the Goods and Chattles of the Party or Parties against whom the same shall be awarded.

and Court to to award Costs,

For want of sufficient Time intervening, Appeal may be made to the Second Quarter Sessions.

Provided always, That in case there be not the Space of Six Days between the first Judgement or Order of the Two Justices, and the Quarter Sessions then next following, that then the Appeal may be made at the Second Quarter Sessions after such Judgement or Order made.

A Re-hearing to be had of the Merits of the Case upon Appeals;

And be it further enacted by the Authority aforesaid, That upon each and every such Appeal and Appeals, the Justices assembled at such Quarter Sessions respectively shall and may proceed to re-hear, re-examine, and re-consider the Truth and Merits of the Fact and Facts in Question between the Parties to such Original Judgement and Judgements respectively, and to re-examine the Witnesses thereto upon Oath; and that thereupon the said Justices so assembled shall and may finally determine of and concerning the Truth and Merits of the Fact and Facts in Question; and if at such Quarter Sessions any Defect or Defects of Form shall be found in such Proceedings, before the particular Justices who gave such Original Judgement or Judgements, that then and in every such Case, such Defect or Defects of Form shall and may be rectified by the Order or Orders of such Justices so assembled in such Quarter Sessions.

and Defects of Form in the Original Proceedings may be rectified by the Court.

And

And be it further enacted by the Authority aforesaid, That all and every the Powers, Authorities, 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, paying, 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, paying, mitigating, and adjudging, ascertaining and recovering, the Duties on Cyder and Perry, 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.

All Powers, Rules, Methods, Penalties, and Clauses in Act 12 *Car.* II. or in any other Act relating to the Revenue of Excise,

where not altered by this Act, to be put in Execution with respect to the Duties on Cyder and Perry.

And be it further enacted by the Authority aforesaid, That all Fines, Penalties, and Forfeitures, imposed by such Part of this Act as relates to Cyder and Perry, shall be sued for, levied, recovered, or mitigated, by such Ways, Means, and Methods, as any Fine, Penalty, or Forfeiture, is or may be sued for, recovered, or mitigated, by any Law or Laws of Excise, or by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster, or in the Court of Exchequer in Scotland respectively; and that One Moiety of every such Fine, Penalty, or Forfeiture, shall be to His Majesty, His Heirs, and Successors, and the other Moiety to him or them who shall discover, inform, or sue for the same.

How the Penalties and Forfeitures relating thereto are to be recovered, mitigated, and applied.

And whereas the Duty by this Act imposed on Cyder and Perry, is required to be paid by the Makers thereof: And whereas in the Case of Importation of Cyder or Perry from the Islands of Jersey, Guernsey, Sark, or Alderney, the Makers of Cyder or Perry imported from thence cannot be charged with the said Duty; be it therefore enacted by the Authority aforesaid, That the said

Duty on Cyder and Perry brought from *Jersey*, *Guernsey*, *Sark*, or *Alderney*, to be paid by the Importer before Landing, on Penalty of being seized and forfeited.

Duty of Four Shillings per Hogshead shall be paid by the Importer from the said Islands, or either of them, before the Landing thereof, to the Collector or other Officer of Excise, at the Port to which such Cyder or Perry shall be brought; and upon Neglect or Refusal to pay the said Duty, such Cyder or Perry shall be forfeited, and shall and may be seized by any Officer of Excise.

The Monies arising by the respective Duties granted by this Act, to be entered in proper Books in the Auditor's Office separately from each other, and from all other Monies;

and to be a Fund for the following Purposes.

And be it further enacted and declared by the Authority aforesaid, That in the Office of the Auditor of the Receipt of the Exchequer Books shall be provided and kept, in which all the Monies arising by the additional Impositions, Rates, and Duties, upon Wines and Vinegar by by this Act granted, and the Duties by this Act granted upon Cyder and Perry, and respectively paid into the said Receipt, shall be separately entered, distinct and apart from each other, and from all other Monies paid or payable to His Majesty, His Heirs, or Successors, upon any Account whatsoever; and the said Monies so arising from the said additional Impositions, Rates, and Duties upon Wines and Vinegar, and the said Duties upon Cyder and Perry, and paid into the said Receipt of Exchequer, shall be the Fund for the Purposes herein after mentioned.

The said Duties appropriated for the Payment of the Annuities chargeable on the Principal Sum of 5,000,000*l.* borrowed on the Credit of this Act.

And be it further enacted and declared by the Authority aforesaid, That the Annuities which by this Act are herein after directed to attend the Principal Sum of Three millions and five hundred thousand Pounds, shall be charged and chargeable upon, and payable out of, the said additional Impositions, Rates, and Duties by this Act granted upon Wines and Vinegar, and the Duties granted by this Act upon Cyder and Perry, composing the Fund hereby established for the Payment thereof; and the said additional Impositions, Rates, and Duties upon Wines and Vinegar, and the said Duties upon Cyder and Perry, are hereby appropriated for that Purpose accordingly.

And whereas the Commons of Great Britain in Parliament assembled, have resolved, That towards the Supply granted to His Majesty in this present Session of Parliament, the Sum of Three millions and five hundred thousand Pounds be raised in Manner following; that is to say, The Sum of Two millions and eight hundred thousand Pounds by Annuities, after the Rate of Four Pounds per Centum per Annum; transferrable at the Bank of England, and redeemable by Parliament; and the Sum of Seven hundred thousand Pounds, by Two Lotteries, to be drawn at different Times, in the Year One thousand seven hundred and sixty three, each Lottery to consist of Thirty five thousand Tickets, and every

Bank to be of the Value of Five Pounds; the Blanks and Prizes to be attended with the like transferrable and redeemable Annuities: And whereas pursuant to and upon the several Terms and Conditions expressed in the said Resolution, several Persons have, in Books opened at the Bank of England for that Purpose, subscribed together, the Whole of the said Sum of Three millions and five hundred thousand Pounds, and made Deposits with the Cashier or Cashiers of the Governor and Company of the Bank of England, of Twelve Pounds and Ten Shillings per Centum, in Part of the Sums subscribed towards the said Sum of Two millions and eight hundred thousand Pounds, and of Ten Pounds per Centum, in Part of the Sum subscribed towards raising the Sum of Three hundred and fifty thousand Pounds, upon each of the said Lotteries; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for all Persons, Natives or Foreigners, Bodies Politick or Corporate, who, on or before the Fifteenth Day of March, One thousand seven hundred and fifty three, shall have subscribed towards the said Sums, and made in respect thereof such Deposits as aforesaid, to advance and pay, and they or their Executors, Administrators, Successors, and Assigns, are hereby required to advance and pay unto the Cashier or Cashiers of the said Governor and Company of the Bank of England, which Cashier or Cashiers is and are hereby appointed the Receiver and Receivers of such Contributions, without any other Warrant to be had on that Behalf, the several Remainders of the Sums by them respectively subscribed towards the said Sum of Three millions and five hundred thousand Pounds, at or before the respective Times or Days, and in the Proportions herein after limited and appointed on that Behalf; that is to say, In respect of their proportionable Share of the said Sum of Two millions and eight hundred thousand Pounds, the further Sum of Twelve Pounds and Ten Shillings per Centum, being Part of the Sum so remaining, on or before the Tenth Day of May, One thousand seven hundred and fifty three; the further Sum of Twelve Pounds and Ten Shillings per Centum, other Part thereof, on or before the Sixteenth Day of June then next following; the further Sum of Twelve Pounds and Ten Shillings per Centum, other Part thereof, on or before the Twenty first Day of July then next following; the further Sum of Twelve Pounds and Ten Shillings per Centum, other Part thereof, on or before the Thirtieth Day of August then next following; the further Sum of Twelve Pounds and Ten

Subscribers who, pursuant to a Resolution of the Commons, have made Deposits of 12 *l.* 10 *s. per Cent.* of the Sums subscribed by them, towards the Purchase of Annuities on the Sum of 2,800,000 *l.* and of 1 *l. per Cent.* in the Sum of 350,000 *l.* upon each of the Lotteries, are to make their further Payments, *viz.*

in respect of their proportional Share of 2,800,000 *l.* 12 *l.* 10 *s. per Cent.* by 10 *May*,

12 *l.* 10 *s. per Cent.* by 16 *June*,

12 *l.* 10 *s. per Cent.* by 21 *July*,

12 *l.* 10 *s. per Cent.* by 30 *August*,

Shillings per Centum, other Part thereof, on or before the Twenty seventh Day of September then next following; the further Sum of Twelve Pounds and Ten Shillings per Centum, other Part thereof, on or before the Twenty first Day of October then next following; and the remaining Sum of Twelve Pounds and Ten Shillings per Centum, on or before Twenty fourth Day of November then next following; and in respect of their proportionable Share of the Monies to be contributed on the First Lottery, the remaining Sum of Ninety Pounds per Centum, on or before the Twenty first Day of April, One thousand seven hundred and sixty three, for completing the Payments in respect of the said Lottery; and in respect of their proportionable Share of the Monies to be contributed on the Second Lottery, the remaining Sum of Ninety Pounds per Centum, on or before the Eleventh Day of October then next following, for completing the Payments in respect of such Second Lottery.

12 l. 10 s. per Cent. by 27 Sept.

12 l. 10 s. per Cent by 21 October,

and the remaining 12 l. 10 s. per Cent by 24 October, 1763.

and in respect of the Monies in the First Lottery, 90 l. per Cent. by 21 April,

and of the Second Lottery, 90 l. per Cent. by 11 Oct. 1763.

And be it further enacted by the Authority aforesaid, That the several Subscribers or Contributors, their Executors, Administrators, Successors, and Assigns, in respect of the said Sum of Two millions and eight hundred thousand Pounds, shall be intitled to an Annuity after the Rate of Four Pounds per Centum per Annum, for and upon every One hundred Pounds by them respectively subscribed, advanced, and paid towards the said Sum, redeemable by Parliament; and shall also for every Eighty Pounds so subscribed towards the said Sum of Two millions and eight hundred thousand Pounds, be intitled to a Ticket in each of the said Lotteries, upon Payment of the Sum of Ten Pounds for every such Ticket; and that the Sum of Seven hundred thousand Pounds to raised by the said Lotteries, shall carry an Annuity after the Rate of Four Pounds per Centum per Annum, redeemable by Parliament; and that all the said Annuities shall commence and be computed from the Fifth Day of April, One thousand seven hundred and sixty three, and shall be paid by Half-yearly Payments, in even and equal Portions, on the Tenth Day of October and the Fifth Day of April in every year.

Annuitants intitled to 4 l. per Cent. Interest on the said Sum of 2,800,000 l.

and to a Ticket in each Lottery, for every 80 l. subscribed, upon Payment of 10 l. for such Ticket.

The 700,000 l. raised by the Lotteries to carry an Annuity of 4 l. per Cent.

Annuities to take Place on 5 April, 1763. and to be paid Half-yearly, viz. on 10 Oct. and 5 April.

And be it further enacted by the Authority aforesaid, That all such Subscribers or Contributors, their Executors, Administrators, Successors, and Assigns, paying in the Whole of the Sums by them respectively subscribed towards the said Sum of Two millions and eight hundred thousand Pounds, on or before the Eighteenth Day of October, One thousand seven hundred and sixty three;

Contributors paying in the Whole of their Subscriptions towards the said Sum of 2,800,000 l. on or before 18 Oct.

or towards the first Lottery on or before 20 *April*, or towards the second Lottery on or before 10 *Oct.* to be allowed Interest for the same, at the Rate of 3 *l.* per Cent. per Ann. from the Time of such Payment, to 24 *Nov.* in respect of the said Sum of 2,800,000 *l.* and to 21 *Apr.* in respect of the first Lottery, and to 11 *Oct.* on the second Lottery.

paying in the Whole of their Subscription towards each of the said Lotteries, to have Tickets delivered them to the Amount of their Subscriptions.

Annuities transferrable at the Bank.

Cashier of the Bank to give Receipts for the Monies paid in;

which are assignable at any Time before 5 *Dec.* 1763.

Provided

Cashier to give Security;

Provided always, That such Cashier or Cashiers shall give Security to the good Liking of any Three or more of the Commissioners of the Treasury, or the High Treasurer for the time being, for duly answering and paying into the Receipt of His Majesty's Exchequer for the Publick Use, all the Monies which they have already received, and shall hereafter receive from time to time, of and for the said Sum of Three millions and five hundred thousand Pounds, and for accounting duly for the same, and for

and to pay the Monies into the Exchequer.

Performance of the Trust hereby in them reposed; and shall from time to time pay all such Monies as soon as he or they shall receive the same, or any Part thereof, or within Five Days afterwards at the farthest, and shall account for the same in the Exchequer, according to the due Course thereof, deducting thereout such Sums as shall have been paid by him or them in pursuance of this Act; for which Sums so paid Allowance shall be made in his or their Accounts.

Treasury to apply the Monies to the Services voted by the Commons.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for Three or more of the Commissioners of the Treasury, or the High Treasurer for the time being, to issue and apply, from time to time, all such Sums of Money as shall be so paid into the Receipt of His Majesty's Exchequer by the said Cashier or Cashiers, to such Services as shall then have been voted by the Commons of Great Britain in this present Session of Parliament.

Contributors Names, &c. to be entered in the Office of the Accomptant General of the Bank.

And be it further enacted by the Authority aforesaid, That in the Office of the Accomptant General of the Governor and Company of the Bank of England for the time being, a Book or Books shall be provided and kept, in which the Names of the Contributors shall be fairly entered; which Book or Books the said respective Contributors, their respective Executors, Administrators, Successors, and Assigns, shall and may, from time to time, and at all seasonable Times, resort to and inspect without any Fee or Charge; and that the said Accomptant General shall,

Duplicate thereof to be transmitted into the Auditor's Office by 5 *July*, 1765.

on or before the Fifth Day of July, One thousand seven hundred and sixty five, 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 duly paying their Subscriptions, intitled to a proportional Share in the Annuities till redeemed by Parliament.

And be it further enacted by the Authority aforesaid, That such Contributors, duly paying the whole Sum or Sums subscribed at or before the respective Times in this Act limited in that Behalf, and their respective Executors, Administrators, Successors and Assigns, shall have, receive,

ceive, and enjoy, and be intitled by virtue of this Act, to have, receive, and enjoy their proportionable Share of the said Annuities of Four Pounds per Centum per Annum, by this Act granted, and shall have good and sure Interests and Estates therein, subject nevertheless to Redemption, as is herein after mentioned; and that all the Annuities by this Act granted shall be free from all Taxes, Charges, and Impositions whatsoever.

the same to be Tax free.

Provided always, That in case any such Contributors who have already deposited with, or shall hereafter pay to, the said Cashier or Cashiers, any Sum or Sums of Money at the Times and in the Manner before mentioned, in Part of the Sum or Sums so by them respectively subscribed towards the said Sum of Two millions and eight hundred thousand Pounds, or their respective Executors, Administrators, Successors, or Assigns, shall not advance and pay to the said Cashier or Cashiers the Residue of the Sum or Sums so subscribed at the Times and in the Manner before mentioned, then, and in every such Case, so much of the respective Sum or Sums so subscribed as shall have been actually paid in Part thereof to the said Cashier or Cashiers shall be forfeited for the Benefit of the Publick; and all Right and Title to the said Annuity after the Rate of Four Pounds per Centum per Annum in respect thereof, shall be extinguished; any thing in this Act contained to the contrary thereof in any wise notwithstanding.

Contributors not making good their Payments within the Time limited, to forfeit their Deposits,

and all Right to the said Annuities.

And be it further enacted by the Authority aforesaid, That as soon as any Contributors, their Executors, Administrators, Successors, or Assigns, shall have completed their Payments of the whole Sum payable by them respectively towards the said Sum of Two millions and eight hundred thousand Pounds, the Principal Sum or Sums so by them subscribed and paid respectively, shall forthwith be, in the Books of the Bank of England, placed to the Credit of such respective Contributors, their Executors, Administrators, Successors and Assigns completing such Payments respectively; and the Persons to whose Credit such Principal Sum shall be so placed, their respective Executors, Administrators, Successors or Assigns, shall and may have Power to assign and transfer the same, or any Part, Share, or Proportion thereof, to any other Person or Persons, Body or Bodies Politick or Corporate whatsoever, in the Books of the Bank of England; and such Sums shall carry an Annuity after the Rate of Four Pounds per Centum per Annum, redeemable by Parliament, and shall be taken and deemed to be

Principal Sums to be placed to the Credit of the respective Contributors;

The same may be assigned,

and carry Annuities of 4 *l. per Cent.*

Stock

Stock transferrable, according to the true Intent and Meaning of this Act, until Redemption thereof in such Manner as is herein after mentioned.

Deficiencies of the Fund eſtabliſhed for Payment of the ſaid Annuities, to be made good from time to time out of the Sinking Fund:

And it is hereby enacted by the Authority aforeſaid, That if at any Time or Times it ſhall happen that the Produce of the Fund by this Act eſtabliſhed for Payment of the ſaid Annuities, ſhall not be ſufficient to pay and diſcharge the ſame, and other Charges directed to be paid at the End of any or either of the reſpective Half-yearly Days of Payment, at which the ſame are hereby directed to be paid; then and ſo often, and in every ſuch Caſe, ſuch Deficiency or Deficiencies ſhall and may be ſupplied out of any of the Monies which at any Time or Times ſhall be or remain in the Receipt of the Exchequer, of the Surpluſſes, Exceſſes, Overplus Monies, and other Revenues compoſing the Fund 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 Act or Acts of Parliament in that Behalf;) and ſuch Monies of the ſaid Sinking Fund ſhall and may be from time to time iſſued and applied accordingly; and if, at any Time or Times before any Monies of the ſaid Duties ſhall be brought into the Exchequer as aforeſaid, there ſhall happen to be a want of Money for paying the ſaid Annuities, which ſhall be actually incurred and grown due at any of the Half-yearly Days of Payment before mentioned, that then, and in every ſuch Caſe, the Money ſo wanted ſhall and may be ſupplied out of the Monies of the Sinking Fund (except as before excepted) and be iſſued accordingly.

Which are to be replaced out of the firſt Supplies.

Provided always, and be it enacted by the Authority aforeſaid, That whatever Monies ſhall be iſſued out of the Sinking Fund, ſhall from time to time be replaced by and out of the Firſt Supplies to be then after granted in Parliament.

Surplus Monies reſerv'd for the Diſpoſition of Parliament.

Provided always, and be it enacted by the Authority aforeſaid, That in caſe there ſhall be any Surplus or Remainder of the ſaid Additional Impoſitions, Rates, and Duties, upon Wines and Vinegar, and of the ſaid Duties upon Cyder and Perry, by this Act granted and eſtabliſhed, as the Fund for Payment of the ſaid Annuities, after the ſaid Annuities and Charges and all Arrears thereof are ſatisfied, or Money ſufficient ſhall be reſerved for that Purpoſe; ſuch Surplus or Remainder ſhall from time to time be reſerved for the Diſpoſition of Parliament, and ſhall not be iſſued but by the Authority of Parliament, and as ſhall be directed by future Act or Acts of Parliament; any thing in any former or other

Act or Acts of Parliament to the contrary notwithstanding.

Managers and Directors of the Lottery to be appointed by the Treasury.

And, for establishing a proper Method for drawing the said Lotteries, be it further enacted by the Authority aforesaid, That such Persons as any Three or more of the Commissioners of His Majesty's Treasury, or the High Treasurer for the time being, shall nominate or appoint, shall be Managers and Directors for preparing and delivering out Tickets, and to oversee the Drawing of Lots, and to order, do, and perform, such other Matters and Things as are hereafter in and by this Act directed and appointed by such Managers and Directors to be done and performed; and that such Managers or Directors shall meet together, from time to time, at some Publick Office or Place for the Execution of the Powers and Trusts in them reposed by this Act; and that the said Managers and Directors, or so many of them as shall be present at any such Meeting, or the major Part of them, shall, for each of the said Lotteries, cause Books to be prepared, in which every Leaf shall be divided or distinguished into Three Columns; and upon the innermost of the said Three Columns there shall be printed Thirty five thousand Tickets, to be numbered I, II, III, and so onwards in an arithmetical Progression, where the common Excess is to be One, until they rise to and for the Number of Thirty five thousand; and upon the middle Column in every of the said Books shall be printed Thirty five thousand Tickets of the same Breadth and Form, and numbered in like Manner; and in the extreme Column of the said Books there shall be printed a Third Rank or Series of Tickets, of the same Number with those of the other Two Columns; which Tickets shall severally be of an oblong Figure, and in the said Books shall be joined with oblique Lines, Flourishes, or Devices, in such Manner as the said Managers and Directors, or the major Part of them, shall think most safe and convenient; and that every Ticket in the said Third or extreme Column of the said Books, for the First Lottery, shall have written or printed thereupon (besides the Number of such Ticket) Words to this Effect:

Method of the Lottery Books.

35,000 Tickets to be printed off.

FIRST LOTTERY, 1763.

THE Bearer hereof is intitled to Five Pounds, in Annuities, at the Rate of Four Pounds *per Centum per Annum*, attending the First Lottery, to be drawn purſuant to an Act of Parliament made in the Third Year of His Majeſty's Reign, or to a better Chance.

And that every Ticket in the Third or extreme Column of the ſaid Books, for the Second Lottery, ſhall have written or printed thereupon (beſides the Number of ſuch Ticket) Words to this Effect;

SECOND LOTTERY, 1763.

THE Bearer hereof is intitled to Five Pounds, in Annuities, at the Rate of Four Pounds *per Centum per Annum*, attending the Second Lottery, to be drawn purſuant to an Act of Parliament made in the Third Year of His Majeſty's Reign, or to a better Chance.

Managers to examine the Books with the Tickets, and deliver them after to the Cathiers of the Bank, taking a Receipt for the ſame.

And it is hereby enacted, That the ſaid Managers and Directors, or ſo many of them, as ſhall be preſent at any ſuch Meeting, or the major Part of them then preſent, ſhall carefully examine the ſaid reſpective Books, with the Tickets therein, and take Care that the ſame be contrived, numbered, and made, according to the true Intent and Meaning of this Act, and ſhall deliver, or cauſe to be delivered, the ſame Books, and every or any of them reſpectively, as they ſhall be examined, to the ſaid Caſhier or Caſhiers, taking from ſuch Caſhier or Caſhiers, an Acknowledgment in Writing under his or their Hand or Hands, importing his or their Receipt of ſuch Book or Books, and ſo many Tickets therein as ſhall be delivered to him or them reſpectively; and all and every ſuch Caſhier or Caſhiers reſpectively is and are hereby directed and required, upon his or their receiving every or any entire Sum of Ten Pounds, in full Payment of

Caſhiers to iſſue a Ticket for every 10*l.* received, &c.

a Ticket,

a Ticket, for either of the said Lotteries, from any Person or Persons contributing or adventuring as aforesaid, to cut a Ticket for such respective Lottery, out of the said extreme Column, in One of the Books so to be put into his or their Custody, through the said oblique Lines, Flourishes, or Devices, indentwise, which Ticket the said Cashier or Cashiers shall sign with his or their own Name or Names; and he or they shall permit the Contributor, if it be desired, to write his or her Name or Mark on the corresponding Ticket in the same Book; and at the same Time the said Cashier or Cashiers shall deliver to the said Contributor the Ticket so cut off, which he, she, or they, are to keep and use for the better ascertaining and securing the Interest which he, she, or they, his, her, or their Executors, Administrators, Successors, or Assigns, shall or may have in the said Fund.

Cashiers to return the Books with the Remainder of the Tickets undisposed, in respect of the First Lottery, by 4 *May*; and of the Second, by 29 *October*, and account for the Monies received.

And be it further enacted by the Authority aforesaid, That the said Cashier or Cashiers shall, at or before the respective Times herein after limited, redeliver to the said Managers and Directors, at their Office or Place of Meeting, all the said Books, and therein all the Tickets which the said Cashier or Cashiers shall not have cut out and delivered to the respective Contributors as aforesaid; that is to say, Such of the said Books and Tickets as relate to the First Lottery, shall be so redelivered on or before the Fourth Day of May, One thousand seven hundred and sixty three; and such of the said Books and Tickets as relate to the Second Lottery, shall be so redelivered on or before the Twenty ninth Day of October, One thousand seven hundred and sixty three; and the said Cashier or Cashiers shall, at the Time of such Redelivery of the said respective Books, give to the said Managers and Directors, a true and just Account in Writing, under his or their Hand or Hands, of all Sums of Money which shall then have been received by him or them, for and upon account of the Lottery in respect whereof such Books shall be so redelivered, and how much of such Monies shall have been actually paid by such Cashier or Cashiers into the Receipt of the Exchequer, for the Purposes herein mentioned; and that the said Managers and Directors, or the major Part of them, which shall be present as aforesaid, shall forthwith cause all the Tickets of the said outermost Columns, which shall not have been delivered to the Contributors as aforesaid, if any such be, to be delivered into the Receipt of his Majesty's Exchequer, there to be retained and kept as

Tickets undisposed of to be delivered into the Exchequer.

Cash

Cash, to be issued, sold, and disposed of, for raising Money for the Purposes in this Act mentioned, as any Three of the Commissioners of His Majesty's Treasury, or the High Treasurer for the time being, shall judge reasonable and fitting.

Tickets of the middle Columns to be rolled up, and fastened with Silk;

And be it further enacted, That the said Managers and Directors, or the major Part of them which shall be present at any Meeting as aforesaid, shall cause all the Tickets of the middle Columns in the Books made out with Three Columns as aforesaid, which shall be delivered back to them, by or from the said Cashier or Cashiers as aforesaid, to be carefully rolled up and made fast with Thread or Silk; and the said Managers or Directors, or the major Part of them as aforesaid, shall in their Presence, and in the Presence of such Contributors or Adventurers as will be there, cause all the said Tickets which are to be so rolled up and made fast as aforesaid, to be cut off indentwise through the said Oblique Lines, Flourishes, or Devices, into a Box to be prepared for that Purpose, and to be marked with the Letter (A) which is presently to be put up into another strong Box, and to be locked with Seven different Locks and Keys to be kept by as many of the said Managers, and sealed with their Seals or the Seals of some of them, until the said Tickets are to be drawn as is herein after mentioned, and that the Tickets in the first or innermost Columns of the said Books, shall remain still in the Books for discovering any Mistake or Fraud (if any such should happen to be committed) contrary to the true Meaning of this Act.

and cut off indentwise into a Box marked with the Letter (A)

Box to be locked up and sealed.

Books to be prepared with 2 Columns, on each of which 35,000 Tickets to be printed.

And be it further enacted by the Authority aforesaid, That the said Managers and Directors, or the major Part of them, which shall be present at any Meeting as aforesaid, shall also prepare, or cause to be prepared, other Books for each of the said Lotteries, in which every Leaf shall be divided or distinguished into Two Columns; and upon the innermost of those Two Columns there shall be printed Thirty five thousand Tickets for each Lottery; and upon the outermost of the said Two Columns there shall be printed Thirty five thousand Tickets; all which shall be of equal Length and Breadth, as near as may be; which Two Columns in the said respective Books shall be joined with some Flourish or Device, through which the outermost Tickets may be cut off indentwise; and that in each Lottery Five thousand eight hundred Tickets, Part of those to be contained in the outermost Columns of the Books last mentioned, shall be and be called the Fortunate Tickets, to which extraordinary

The Number and Value of the Fortunate Tickets.

ordinary Benefits shall belong, as is herein after mentioned; and the said Managers and Directors, or the major Part of them, or such of them as shall be present at any Meeting as aforesaid, shall cause the said Fortunate Tickets for each Lottery to be written upon, or otherwise expressed, as well in Figures as in Words at Length, in Manner following; that is to say, Upon Two of them severally, Ten thousand Pounds, Principal Money; upon Two of them severally, Five thousand Pounds, Principal Money; upon every One of Four of them severally, Two thousand Pounds, Principal Money; upon every One of Ten of them severally, One thousand Pounds, Principal Money; upon every One of Twenty seven of them severally, Five hundred Pounds, Principal Money; upon every One of One hundred and twenty five of them severally, One hundred Pounds, Principal Money; upon every One of Five hundred and thirty of them severally, Fifty Pounds, Principal Money; upon every One of Five thousand and one hundred of them severally, Twenty Pounds, Principal Money: Which Principal Sums so to be written, or otherwise expressed upon the said Fortunate Tickets in each Lottery, together with Five hundred Pounds, Principal Money, to be allowed to the Owner of the First Drawn Ticket, and One thousand Pounds, Principal Money, to the Owner of the Last Drawn Ticket in each Lottery, over and above the Benefits which may happen to belong to the Two last mentioned Tickets, and together with the Sum of Five Pounds to be paid or allowed for and upon each Blank or Unfortunate Ticket of the said Lotteries, will amount in the Whole, for each Lottery, to the Principal Sum of Three hundred and fifty thousand Pounds, to be converted into Annuities by virtue of this Act, in respect of the said Lotteries; and the said Managers and Directors, or the major Part of them, who shall be present at any Meeting as aforesaid, shall cause all the said Tickets contained in the outermost Columns of the said last mentioned Books for each Lottery, to be in the Presence of the said Managers and Directors, or the major Part of them, which shall be present at any Meeting as aforesaid, and in the Presence of such Contributors or Adventurers as will then be there, to be carefully rolled up and fastened with Thread or Silk, and carefully cut out indentwise through the said Flourish or Device, into another Box to be prepared for this Purpose, and to be marked with the Letter (B) which Box shall be put into another strong

The Number and Value of the Fortunate Tickets.

500 *l.* to the First Drawn Ticket, and 1000 *l.* to the Last Drawn.

Value of the Blanks.

Tickets of the outermost Columns of the last-mentioned Book to be rolled up and tied,

and cut out indentwise,

into a Box marked with the Letter (B)

Box to be locked up and sealed.

Box; and locked up with Seven different Locks and Keys, to be kept by as many of the said Managers; and sealed up with their Seals, or the Seals of some of them; until these Tickets shall also be drawn, in the Manner and Form herein after mentioned; and that the whole Business of rolling up and cutting off, and putting into the said Boxes the said Tickets, and locking up and sealing the said Boxes, shall be performed respectively by the said Managers and Directors, or such of them as aforesaid, before the last Six Days immediately preceding the Day by this Act appointed for the Drawing the respective Lottery, to which such Business shall relate: And to the end every Person concerned may be well assured that the Counterpart of the same Number with his or her Ticket is put into the Box marked with the Letter (A) from whence the same may be drawn, and that other Matters are done as hereby directed, some publick Notification in Print shall be given of the precise Time or Times of putting the said Tickets for each of the said Lotteries into the said Boxes, to the end that such Adventurers as shall be minded to see the same done, may be present at the doing thereof.

Publick Notice to be given of Times of putting the Tickets into the Boxes.

First Lottery to begin drawing on or before 30 *May*; and the Second, on or before 28 *Nov.*

And be it further enacted by the Authority aforesaid, That on or before the Thirtieth Day of May, One thousand seven hundred and fifty three, the said Managers and Directors shall cause the said several Boxes, with all the Tickets therein for the First Lottery, and on or before the Twenty eighth Day of November, One thousand seven hundred and fifty three, the said Managers and Directors shall cause the said several Boxes with the Tickets therein for the Second Lottery, to be respectively brought into the Guildhall of the City of London, so that the same may be there, and placed on a Table provided for that Purpose, by Nine of the Clock in the Forenoon of the said respective Days, and shall then and there severally attend this Service, and cause the Two Boxes, containing the said Tickets, to be severally taken out of the other Two Boxes, in which they shall have been locked up; and the Tickets or Lots in the respective innermost Boxes being, in the Presence of the said Managers and Directors, or such of them as shall be then present, and of such Adventurers as will be there for the Satisfaction of themselves, well shaken and mingled in each Box distinctly; some One indifferent and fit Person, to be appointed and directed by the said Managers, or the major Part of them, or such of them as shall be then present, shall take out and draw One Ticket from the Box where

Method to be observed in drawing, &c.

the ſaid numbered Tickets ſhall be as aforeſaid put; and One other indifferent and fit Perſon, to be appointed and directed in like Manner, ſhall take out a Ticket or Lot from the Box where the ſaid Five thouſand eight hundred Fortunate, and the Twenty nine thouſand two hundred Blank Tickets ſhall be promiſcuouſly put as aforeſaid; and immediately both the Tickets ſo drawn ſhall be opened, and the Number, as well of the Fortunate as the Blank Ticket, ſhall be named aloud; and if the Ticket taken or drawn from the Box containing the Fortunate and Blank Lots ſhall appear to be a Blank, then the numbered Ticket ſo drawn with the ſaid Blank at the ſame Time drawn, ſhall be both put upon One File; and if the Ticket ſo drawn or taken from the Box containing the Fortunate and Blank Lots ſhall appear to be One of the Fortunate Tickets, then the Principal Sum written upon ſuch Fortunate Ticket, whatſoever it be, ſhall be entered by a Clerk, which the ſaid Managers, or the major Part of them as aforeſaid, ſhall employ and overſee for this Purpoſe, into a Book to be kept for entering the Numbers coming up with the ſaid Fortunate Tickets, and the Principal Sums whereunto they ſhall be intitled reſpectively, and Two of the ſaid Managers ſhall ſet their Names as Witneſſes to ſuch Entries; and the ſaid Fortunate and numbered Tickets ſo drawn together, ſhall be put upon another File; and ſo the ſaid Drawing of the Tickets ſhall continue, by taking One Ticket at a Time out of each Box, and with opening, naming aloud, and filing the ſame, and by entering the Fortunate Lots in ſuch Method as is before mentioned, until the whole Number of Five thouſand eight hundred Fortunate Tickets, and One more for the Laſt drawn as aforeſaid, ſhall be completely drawn in each Lottery; and as the ſame cannot be performed in One Day's Time, the ſaid Managers or Directors ſhall cauſe the Boxes to be locked up and ſealed in Manner as aforeſaid, and adjourn till the next Day, and ſo from Day to Day, and every Day (except Sundays, Chriſtmas-day, Thankſgiving and Faſt Days) and then open the ſame, and proceed as above, till the ſaid whole Number of Five thouſand eight hundred Fortunate Tickets, and One more, ſhall be completely drawn in each Lottery reſpectively as aforeſaid; and afterwards the ſaid numbered Tickets ſo drawn, with the Fortunate Tickets drawn againſt the ſame, ſhall be and remain in a ſtrong Box locked up as aforeſaid, and under the Cuſtody of the ſaid Managers, until they ſhall take.

After each Day's Drawing, the Boxes to be locked up and ſealed.

take them out to examine, adjust, and settle the Property thereof.

And to the End the Fortunate may know, whether absent or present, to what Degree they have been so, be it enacted, That the said Managers shall, as soon as conveniently may be, after the said drawing of each Lottery is over, cause to be printed and published, the Number of the Tickets drawn against each Fortunate Ticket, and the Principal Sum written on the same; and if any Contention or Dispute shall arise in the adjusting the Property of the said Fortunate Tickets, the major Part of the said Managers agreeing therein, shall determine to whom it doth or ought to belong; and if any Person or Persons shall forge or counterfeit any Ticket or Tickets, Certificate or Certificates, to be made forth by this Act, or alter any the Numbers thereof, or utter, vend, barter, or dispose of, or offer to dispose of, any false, altered, forged, or counterfeit Ticket or Tickets, Certificate or Certificates, or shall bring any forged or counterfeit Ticket or Certificate, or any Ticket or Certificate the Number whereof is altered (knowing the same to be such) to the said Managers, or any of them, or to the Cashier or Accomptant General of the Bank of England for the time being, or to any other Person or Persons whatsoever, with a fraudulent Intention, then every such Person or Persons being thereof convicted in due Form of Law, shall be adjudged a Felon, and shall suffer Death as in Cases of Felony, without Benefit of Clergy; and the said Managers and Directors, or any Two or more of them, are hereby authorized, required, and impowered, to cause any Person or Persons bringing or uttering such forged or counterfeit Ticket or Tickets, Certificate or Certificates as aforesaid, to be apprehended, and to commit him, her, or them, to His Majesty's Gaol of Newgate, or to the Common Gaol of the County or Place where such Person or Persons shall be so apprehended, to be proceeded against for the said Felony according to Law.

Numbers of the Fortunate Tickets, and the Sums, in each Lottery, to be printed.

Disputes relating thereto, to be adjusted by the Managers.

Penalty of forging Tickets or Certificates,

Felony.

Provided always, and it is hereby enacted by the Authority aforesaid, That every Person that shall be appointed as aforesaid, to be a Manager and Director for putting this Act in Execution, before his acting in such Commission, shall take the Oath following; that is to say,

Managers to be sworn.

I *A. B.*

I *A. B.* do ſwear, That I will faithfully execute the Truſt repoſed in me, as a Manager and Director of the Lotteries, eſtabliſhed by an Act made in the Third Year of His preſent Majeſty's Reign; and that I will not uſe any indirect Art or Means, or permit or direct any Perſon to uſe any indirect Art or Means, to obtain a Prize or Fortunate Lot, for myſelf, or any other Perſon whatſoever; and that I will do the utmoſt of my Endeavour to prevent any undue or ſiniſter Practice to be done by any Perſon whatſoever; and that I will, to the beſt of my Judgement, declare to whom any Prize, Lot, or Ticket, of Right does belong, according to the true Intent and Meaning of the ſaid Act. The Oath;

Which ſaid Oath ſhall and may be adminiſtered by any Two or more of the other Managers and Directors. to be adminiſtered by 2 Managers.

Provided always, That it ſhall and may be lawful to and for the ſaid Caſhier or Caſhiers, having given Security as aforeſaid, at any Time or Times before ſuch Caſhier or Caſhiers ſhall have received any Book or Books for the ſaid reſpective Lotteries from the ſaid Managers, comprehending the ſaid Thirty five thouſand Tickets for each Lottery in Three Columns as aforeſaid, to receive from any Perſon or Perſons who will voluntarily offer, contribute, and advance the Reſidue of any Sum of Ten Pounds, or ſeveral Sums of Ten Pounds, upon this Act as aforeſaid, the Sums ſo offered to be contributed or advanced at One entire Payment, upon both or either of the ſaid Lotteries, or in ſuch Proportions and Manner as aforeſaid, before ſuch Caſhier or Caſhiers ſhall have received ſuch reſpective Book or Books; and the ſaid Caſhier or Caſhiers ſhall give a Note or Receipt under his or their Hand or Hands, for the Sum or Sums ſo contributed, ſpecifying the Lottery in reſpect whereof ſuch Monies are paid; and ſhall be obliged thereby, and by this Act, to give the Bearer of every ſuch Note or Receipt, a Ticket or Tickets of the extreme Column of the Three Columns Book or Books aforeſaid in the ſame Lottery, for every Ten Pounds ſo contributed, paid, or anſwered, as ſoon Caſhier, on receiving the Reſidue of the Sums ſubſcribed, to give Receipts for the ſame; and the Bearers intitled to 1 Lottery Ticket for every 10*l.* ſo paid.

as he or they shall be enabled thereunto, by Delivery of any such Book or Books to him or them from the said Managers as aforesaid; any thing herein contained to the contrary notwithstanding.

Contributors, not making good their Payments with respect to the said Lotteries, within the Times limited, to forfeit their Deposits.

Provided also, That in case any such Contributor or Adventurer as aforesaid, who shall have advanced and paid down to such Cashier or Cashiers, a Proportion of his, her, or their Consideration-money towards the said respective Lotteries, his, her, or their Executors, Administrators, Successors or Assigns, do not advance and pay unto such Cashier or Cashiers the remaining Part of his, her, or their Consideration-money so to be paid in full for such Tickets as aforesaid, on or before the respective Times for paying thereof, as aforesaid, that then, and in every such Case, every such Contributor or Adventurer shall forfeit and lose to His Majesty, for the Use of the Publick, the Proportion of his, her, or their Purchase-money which he, she, or they shall have so paid down as aforesaid, towards and upon account of the Lottery in relation to which such Default shall be made; and in such Case, no Ticket or Tickets for such Lottery shall be delivered out by the said Cashier or Cashiers to such Contributor or Contributors making such Default, but the Ticket and Tickets which should have been delivered to such Contributor and Contributors, had they paid the full Money for the same, shall be returned and delivered to the said Managers and Directors by the said Cashier or Cashiers, together with the other Ticket or Tickets (if any) in the outermost Column of the respective Book and Books first herein mentioned, and directed to be prepared, which shall not have been disposed of to Contributors as aforesaid; and such Ticket and Tickets, upon and for which Defaults of Payment shall have been made as aforesaid, shall be delivered into the Receipt of His Majesty's Exchequer, with other the said undisposed Tickets (if any) there to be retained and kept as Cash, and to be issued, sold, and disposed of, for the Purposes, and in the Manner, herein before directed and appointed with respect to the said undisposed Tickets; and the said Contributor and Contributors making such Default, shall not have or receive, or be intitled to have or receive, any Benefit or Advantage for or in respect of the Money which he, she, or they shall have paid for or towards the Purchase of such Ticket or Tickets; any thing herein contained to the contrary notwithstanding.

and the Tickets for such Sums to be delivered back into the Exchequer.

And

Provided also, and it is hereby enacted by the Authority aforesaid, That out of the Monies to arise by and out of any of the Supplies granted in this Session of Parliament, it shall and may be lawful to and for any Three or more of the Commissioners of the Treasury, or the High Treasurer for the time being, to reward the said Managers and Directors, and the Clerks and Officers to be employed by and under them, and any other Officers and Persons that shall and may be any ways employed in this Affair, for their Labour and Pains, and to discharge such incident Expences as shall necessarily attend the Execution of this Act, in such Manner as any Three or more of the Commissioners of the Treasury, or the High Treasurer for the time being, shall, from time to time, think fit and reasonable in that Behalf; any thing in this Act contained to the contrary notwithstanding. Treasury to reward the Managers and Clerks, and defray all incidental Charges of the Lottery.

And be it further enacted by the Authority aforesaid, That no Person or Persons shall sell the Chance or Chances of any Ticket or Tickets, or any Share or Shares of any Ticket or Tickets, in each or either of the said Lotteries, for a Day, or Part of a Day, or for a longer Time less than the whole Time of drawing the Lottery, then to come; or shall receive any Money whatsoever in Consideration of the Repayment of any Sum or Sums of Money, in case any Ticket or Tickets in each or either of the said Lotteries shall prove Fortunate; or shall lay any Wager relating to the drawing of any Ticket or Tickets, either as to the Time of such Ticket or Tickets being drawn, or whether such Ticket or Tickets be drawn Fortunate or Unfortunate; and all and every Person and Persons who shall offend in any of the aforesaid Matters, shall forfeit and pay Treble the Sum and Sums of Money which shall have been received by such Person and Persons, contrary to the true Intent and Meaning of this Act; to be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster, in which no Essoin, Protection, Privilege, or Wager of Law, or more than One Imparlance, shall be allowed; One Moiety whereof to be for the Use of His Majesty, His Heirs, or Successors, and the other Moiety to be paid to the Person or Persons who shall sue for the same; and every such Sale, Wager, or Contract, and every Agreement relating thereto, shall be, and is hereby declared null and void. Limitation of Sale of Chances, &c. Penalty.

Persons selling shares in Tickets of which they are not possessed,

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall keep any Office or Offices, or shall print or publish any Scheme or Proposal, for receiving any Sum or Sums of Money in Consideration of any Interest to be granted for the same, in any Ticket or Tickets in each or either of the said Lotteries, whereof such Person or Persons shall not then be actually possessed; or in Consideration of any Sum or Sums of Money to be repaid in case any Ticket, or Number of Tickets, in each or either of the said Lotteries, which shall not be in the actual Possession of such Person or Persons, shall prove Fortunate or Unfortunate; all and every such Person and Persons shall forfeit and pay the Sum of Five hundred Pounds; to be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster; in which no Essoin, Protection, or Wager of Law, or more than One Imparlance, shall be allowed; One Moiety whereof to be for the Use of His Majesty, His Heirs, or Successors, and the other Moiety to be paid to the Person or Persons who shall sue for the same; and also shall suffer Three Months Imprisonment without Bail or Mainprize.

forfeit 500 *l.*

Offences committed in *Ireland* against this Act, or any of the Acts for preventing unlawful Lotteries, made punishable,

and the Penalties may be sued for in *Dublin*.

And be it further enacted by the Authority aforesaid, That if any Offence against this Act, or any of the Acts of Parliament made in this Kingdom, for preventing private and unlawful Lotteries, shall be committed in Ireland, the Offender shall incur the like Penalty and Punishment to be inflicted in like Manner as if the Offence was committed in this Kingdom; and that such Penalties as by this Act, or any of the said Acts, are directed to be recovered in any of His Majesty's Courts of Record at Westminster, shall, in case of Offences committed against this Act, or any of the said Acts, in Ireland, be recovered in any of His Majesty's Courts of Record in Dublin.

After the Drawing of the Lottery, the Tickets to be exchanged for Certificates.

And, to the End that all and every the Payments, as well upon the Fortunate as upon the Unfortunate Tickets, may be more easily ascertained, settled, and adjusted, for the Persons who shall be and become intitled thereunto; be it further enacted by the Authority aforesaid, That as soon as conveniently may be, after the Drawing of each Lottery shall be completed and ended, all and every the said Tickets to be given out as aforesaid shall be exchanged for Certificates, to be signed by such of the said Managers as shall be appointed for that Purpose.

And

And be it further enacted, That such of the said Managers as any Three or more of the Commissioners of the Treasury, or the High Treasurer for the time being, shall appoint to take in the said Tickets, and deliver out the said Certificates for and in lieu thereof, shall give timely Notice, by Advertisement to be printed and published in Manner as they shall think fit, of the Days and Times for taking in the said Tickets, and delivering out the said Certificates for and in lieu of the same; and every Person's Certificate shall be numbered in course, in respect of each Lottery, according to their bringing their Tickets to the Managers so to be appointed for exchanging the same; to which Purpose such Managers shall enter, or cause to be entered into a Book or Books to be by them kept for that Purpose for each Lottery, the Name of every Person who shall bring any Ticket or Tickets to be exchanged for such Certificate or Certificates, and the Number or Numbers of the Ticket or Tickets which shall be so brought by such Person or Persons, the Value in Principal Money payable thereupon, and the Day of the Month, and the Year of our Lord when the same was so brought; which respective Book and Books shall lie open in the Office to be appointed for taking in the said Tickets to be exchanged for such Certificates, for all Persons concerned to peruse; all which Certificates shall be signed by the Managers so to be appointed, or the major Part of them, and be directed to the Accomptant General of the Bank of England for the time being.

Managers to give Notice of the Time for taking in the Tickets, and delivering out the Certificates, &c.

Books to be kept for entering the Names of Persons bringing Tickets to be exchanged; and the Numbers of the said Tickets, &c.

Certificates to be signed, &c.

And be it further enacted by the Authority aforesaid, That the said Accomptant General of the Bank of England 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 a Book or Books to be by him provided and kept, 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, Administrators, Successors, and Assigns, shall and may have Power to assign or transfer the same, or any Part, Share, or Proportion thereof, to any other Person or Persons, Bodies Politick or Corporate whatsoever, in Books to be prepared and kept by the said Accomptant General; and the said Principal Sums so entered, assigned, or transferred, shall carry the said Annuity of Four Pounds per Centum per Annum, and shall be taken and deemed to be Stock

Accomptant General of the Bank is to give Credit for the Principal Sums contained in the Certificates;

and Assignments may be made of the said Sums, &c.

transferrable by virtue of this Act, until the Redemption thereof in manner herein after mentioned; and the said Accomptant General of the Bank of England for the time being is hereby authorized and directed to cancel and file the Certificates as they shall from time 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 shall 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.

and he is to file and cancel the Certificates, and give Notes in lieu thereof.

And, for the more easy and sure Payment of all the Annuities established by this Act, be it further 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 all the said Annuities, after the Rate of Four Pounds per Centum per Annum, shall be redeemed, appoint and employ One or more sufficient Person or Persons within their Office in the City of London, to be their Chief or First Cashier or Cashiers, and One other sufficient Person within the same Office, to be their Accomptant General; and that so much of the Monies applicable to this Purpose as shall be sufficient, from time to time, to answer the said Annuities, and other Payments herein directed to be made out of such Monies, shall, by Order of the Commissioners of the Treasury, or any Three or more of them, or the High Treasurer for the time being, without any further or other Warrant to be sued for, had, and obtained, in that Behalf, from time to time, at the respective Days of Payment in this Act appointed for Payment thereof, be issued and paid at the said Receipt of Exchequer to the said First or Chief Cashier or Cashiers of the said Governor and Company of the Bank of England, and their Successors for the time being, by way of Imprest and upon Account, for the Payment of the said Annuities payable by virtue of this Act; and that such Cashier or Cashiers to whom the said Money shall from time to time be issued, shall from time to time, without Delay, pay the same accordingly, and render his or their Accounts thereof, according to the due Course of the Exchequer.

A Chief Cashier, and Accomptant General, to be appointed by the Bank for paying the Annuities.

Treasury to issue Money for that Purpose to the said Cashier;

who is to account for the same.

And be it further enacted by the Authority aforesaid, 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 thereto, in order to prevent any Fraud,

Accomptant General to examine the Receipts and Payments of the Cashier.

Negligence, or Delay; and that all Persons who shall be intitled to any of the Annuities hereby granted, and all Persons lawfully claiming under them, shall be possessed thereof as of a Personal Estate, which shall not be descendable to Heirs, nor liable to any foreign Attachment by the Custom of London, or otherwise; any Law, Statute, or Custom, to the contrary notwithstanding. Annuities deemed a Personal Estate, &c.

And be it further enacted by the Authority aforesaid, That all the Monies to be advanced or contributed by virtue of this Act, towards the said Sum of Three millions five hundred thousand Pounds, shall be deemed One Capital and Joint Stock; and that all Persons and Corporations whatsoever, in Proportion to the Monies by them severally advanced for the Purchase of the said Annuities, or to which they shall become intitled by virtue of this Act, shall have, and be deemed to have, a proportional Interest and Share in the said Stock, and in the said Annuities attending the same, after the Rate aforesaid; and that the said whole Capital or Joint Stock of Three millions five hundred thousand Pounds, or any Share or Interest therein, shall be assignable and transferrable as this Act directs, and not otherwise. The Monies contributed towards the said sum of 3,500,000 *l.* to be deemed a Capital and Joint Stock transferrable.

Provided also, and it is hereby enacted by the Authority aforesaid, That at any Time upon Six Months Notice to be printed in the London Gazette, and fixed upon the Royal Exchange in London; and upon Repayment by Parliament, of the said Sum of Three millions five hundred thousand Pounds, or any Part thereof, 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 said Annuities; then, and not till then, such and so much of the said Annuities as shall be attending on the Principal Sums so paid off, shall cease and 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 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. Clause of Redemption.

And be it further enacted by the Authority aforesaid, That Books shall be constantly kept by the said Accomptant General for the time being, wherein all Assignments or Transfers of all Sums advanced or contributed towards the said Sum of Two millions eight hundred thousand Transfer Books to be kept by the Accomptant General.

thouſand Pounds, and of all Sums determined and aſcertained by the Drawing of the ſaid Lotteries, ſhall at all ſeaſonable Times be entered and regiſtered; which Entry ſhall be conceived in proper Words for that Purpoſe, and ſhall be ſigned by the Parties making ſuch Aſſignments or Transfer; or, if ſuch Parties be abſent, by their reſpective Attorney or Attornies thereunto lawfully authorized in Writing, under his or their Hand and Seal, or Hands and Seals, to be atteſted by Two or more credible Witneſſes; and that the ſeveral Perſons to whom ſuch Transfers ſhall be made, ſhall reſpectively underwrite their Acceptance thereof; and that no other Method of aſſigning and transferring the ſaid Annuities, or any Part thereof, or any Intereſt therein, ſhall be good or available in Law.

Method of transferring Stock.

Annuities deviſeable by Will.

Provided always, That all Perſons poſſeſſed of any Share or Intereſt in the ſaid Stock of Annuities, or any Eſtate or Intereſt therein, may deviſe the ſame by Will in Writing, atteſted by Two or more credible Witneſſes; but that no Payment ſhall be made upon any ſuch Deviſe, till ſo much of the ſaid Will as relates to ſuch Share, Eſtate, or Intereſt in the ſaid Stock of Annuities, be entered in the ſaid Office; and that in Default of ſuch Transfer or Deviſe, ſuch Share, Eſtate, or Intereſt in the ſaid Stock of Annuities, ſhall go to the Executors, Adminiſtrators, Succeſſors, and Aſſigns; and that no Stamp Duties whatſoever ſhall be charged on any of the ſaid Transfers; any Law or Statute to the contrary notwithſtanding.

Entry to be made of ſuch Clauſe in the Will.

Transfer not liable to Stamp Duties.

Treaſury to pay all incident Charges attending the Execution of this Act;

Provided always, and be it enacted by the Authority aforeſaid, That out of the Monies ariſing from the Contributions towards raiſing the ſaid Sum of Three millions five hundred thouſand Pounds, any Three or more of the Commiſſioners of the Treaſury, or the High Treaſurer for the time being, ſhall have Power 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 as ſhall be thought proper for the Service, Pains, and Labour, of the ſaid Caſhier or Caſhiers for receiving, paying, and accounting for, the ſaid Contributions; and alſo ſhall have Power to make out of the Fund by this Act eſtabliſhed, or out of the Sinking Fund, ſuch further Allowances as ſhall be judged reaſonable, for the Service, Pains, and Labour of the ſaid Caſhier or Caſhiers, for receiving, paying, and accounting for the ſaid Annuities

and to make an Allowance to the Caſhier, and Accomptant General;

payable

payable by virtue of this Act, and also for the Service, Pains, and Labour of the said Accomptant General for performing the Trust reposed in him by this Act; all which Allowances 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.

to be at the Disposal of the Governor and Company of the Bank.

Provided always, and be it further enacted by the Authority aforesaid, That the said Governor and Company of the Bank of England, and their Successors, notwithstanding the Redemption of all or any of their own Funds in pursuance of the Acts for establishing the same, or any of them, shall continue a Corporation for the Purposes of this Act, till all the Annuities by this Act granted shall be redeemed by Parliament as aforesaid; and that the said Governor and Company of the Bank of England, or any Member thereof, shall not incur any Disability for or by reason of their doing any Matter or Thing in pursuance of this Act.

Bank to continue a Corporation till these Annuities be redeemed, &c.

And be it further enacted, That no Fee, Reward, or Gratuity whatsoever, shall be demanded or taken of any of His Majesty's Subjects, for receiving 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 Annuities, or any of them, or for any Transfer of any Sum great or small to be made in pursuance of this Act, upon Pain that any Offender, or Person offending by taking or demanding any such Fee, Reward, or Gratuity, shall forfeit the Sum of Twenty Pounds to the Party aggrieved, with Full Costs of Suit, to be recovered by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at Westminster, wherein no Essoin, Protection, Privilege, or Wager of Law, Injunction, or Order of Restraint, or any more than One Imparlance, shall be granted or allowed.

No Fee to be taken for receiving or paying the Contribution-monies, Annuities, &c.

on Penalty of 20 l.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall at any Time or Times be sued, molested, or prosecuted, for any Thing by him or them done or executed in pursuance of, or by Colour of this Act, or of any Matter or Thing in this Act contained, such Person or Persons shall and may plead the General Issue, and give this Act and the Special Matter in Evidence, in his or their Defence or Defences; and if afterwards, a Verdict shall pass for the Defendant

General Issue.

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or Defendants, or the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her, or their Action or Prosecution, or Judgement shall be given against him, her, or them, upon Demurrer or otherwise; then such Defendant or Defendants shall have Treble Costs awarded to him, her, or them, against such Plaintiff or Plaintiffs. 7

Treble Costs.

FINIS.

Anno Regni GEORGII III.

REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

TERTIO.

At the Parliament begun and holden at *Weſtminſter*, the Nineteenth Day of *May*, *Anno Dom.* 1761, in the Firſt Year of the Reign of our Sovereign Lord *GEORGE* the Third, 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 Twenty fifth Day of *November*, 1762; being the Second Seſſion of the Twelfth Parliament of *Great Britain.*



LONDON:

Printed by *Mark Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett.* 1763.

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