ANNO TRICESIMO SEPTIMO

Georgii III. Regis.

CAP. LX.

An Act to amend an Act, made in the Thirty-fourth Year of the Reign of His preſent Majeſty, intituled, *An Act for granting to His Majeſty certain Stamp Duties on Indentures of Clerkſhips to Solicitors and Attornies in any of the Courts in* England *therein mentioned.* [25th *May* 1797.]

Preamble.

WHEREAS, by an Act of Parliament, paſſed in the Thirty-fourth Year of the Reign of His preſent Majeſty, intituled, *An Act for granting to His Majeſty certain Stamp Duties on Indentures of Clerkſhips to Solicitors and Attornies in any of the Courts in* England *therein mentioned*; it is enacted, That, within the Bills of Mortality, from and after the Fifth Day of *February* One thouſand ſeven hundred and ninety-four, and in every other Part of *England* and *Wales*, from and after the Tenth Day of *February* One thouſand ſeven hundred and ninety-four, there ſhall be raiſed, levied, collected, and paid, unto and for the Uſe of His Majeſty, His Heirs and Succeſſors, for and in reſpect of every Contract in Writing made after the ſaid Fifth and Tenth Days of *February* One thouſand ſeven hundred and ninety-four reſpectively, whereby any Perſon ſhall become bound to ſerve as a Clerk, in order to his Admiſſion as a Solicitor or Attorney in any of the Courts of Law or Equity in the ſaid Act mentioned, in purſuance of the Laws then in Force for the better Regulation of Solicitors and Attornies, divers Rates and Duties in the ſaid Act mentioned, and the Indentures or other Writings containing ſuch Contract, duly ſtamped according to the Directions of the ſaid Act, are required to be enrolled or regiſtered with the proper Officer to be appointed for that Purpoſe by the Court wherein ſuch Perſon ſhall propoſe to be afterwards admitted a Solicitor or Attorney by virtue of the Service under ſuch Contract, together with an Affidavit of the Time of the Execution of ſuch Contract by ſuch Clerk; and in caſe ſuch Indenture or other Writing ſhall not be ſo enrolled or regiſtered within Six Months next after the Execution thereof, together with ſuch Affidavit of the Time of Execution of ſuch Contract, then, and in ſuch Caſe, the Service of ſuch Clerk under ſuch Indenture or Writing, ſhall be deemed to commence from the Time of ſuch Enrolment or Regiſtry only, and not from the Execution of ſuch Indenture or Writing: And whereas the ſaid Act did not receive the Royal Aſſent until the Twenty-eighth Day of *March* One thouſand ſeven hundred and ninety-four, and ſeveral Perſons were bound by Indentures and Writings made after the

34 Geo. III. Cap. 14. recited.

ſaid Fifth and Tenth Days of *February* reſpectively, and before the ſaid Twenty-eighth Day of *March*, and which Indentures and Writings are charged with and liable to the ſaid Duties impoſed by the ſaid Act, and no Proviſion is therein made for the Payment of the ſame, or for the Enrolment or Regiſtry of ſuch Indentures and Writings reſpectively: And whereas it is reaſonable that ſome Proviſion ſhould be made for that Purpoſe; therefore be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That any and every ſuch Indenture and Writing, made after the ſaid Fifth and Tenth Days of *February* One thouſand ſeven hundred and ninety-four reſpectively, and before the ſaid Twenty-eighth Day of *March* in the ſame Year, whereon any ſuch Duty is by the ſaid Act required to be paid, ſhall and may, on Payment of the Duty thereby required, on or before the Firſt Day of *Auguſt* One thouſand ſeven hundred and ninety-ſeven, be ſtamped with the proper Stamp in that Behalf; and the Commiſſioners for the Time being appointed to manage the Duties on ſtamped Parchment, Paper, and Vellum, are hereby authorized and required to cauſe the ſame to be ſtamped accordingly.

Indentures made after 5th and 10th *Feb.* 1794, and before *March* 28, 1794, whereon any Duty is required to be paid by the recited Act, may, on Payment of the Duty by *Aug.* 1, 1797, be ſtampt.

II. And be it further enacted by the Authority aforeſaid, That every ſuch Indenture and Writing ſhall and may, at any Time within Two Calendar Months next after the ſame ſhall be ſo ſtamped by virtue of this Act, be enrolled and regiſtered by the proper Officer of the Court for that Purpoſe, together with an Affidavit of the Time of the due Execution of ſuch Contract, in Manner directed by the ſaid Act; and ſuch Officer of the ſaid Courts is hereby required and authorized to enroll and regiſter the ſame accordingly; and the Service of every ſuch Clerk ſhall be deemed and taken to commence according to the due Execution of ſuch Indenture and Writing; the ſaid Act or any Thing herein contained to the contrary notwithſtanding.

Indentures ſo ſtampt, may be enrolled within Two Months.

III. And whereas ſeveral Perſons who were bound as Clerks to Attornies by ſuch Indentures and Writings as aforeſaid made after the ſaid Fifth and Tenth Days of *February* reſpectively, and before the ſaid Twenty-eighth Day of *March* One thouſand ſeven hundred and ninety-four, have ſince procured the ſaid Articles to be ſtamped with the Stamp required by the ſaid Act to denote the Payment of the ſaid Duties, and other ſuch Perſons have been again bound by Indentures and Writings duly ſtamped according to the ſaid Act; and it is reaſonable that ſome Relief ſhould be given to ſuch Clerks in reſpect to the Time when their Service ſhall be deemed to commence, therefore, be it enacted by the Authority aforeſaid, That in every ſuch Caſe where the ſaid Duty has, ſince the paſſing of the ſaid Act, been already duly paid, and ſuch Indenture or Writing has been already duly ſtamped, or where ſuch Clerk has been again bound by any Indenture or Writing duly ſtamped according to the ſaid Act, that then and in every ſuch Caſe the Service of ſuch Clerk ſhall be deemed and taken to have commenced at the Time of the Execution of ſuch firſt Indenture or Writing, and agreeable to the Terms thereof, provided the ſame has been already, or ſhall be in the Time and in Manner herein-before mentioned, enrolled and regiſtered, together with an Affidavit of the Time of the Execution thereof; any Thing in the ſaid recited Act to the contrary notwithſtanding.

When Service of Clerks ſhall be deemed to have commenced.

FINIS.