ANNO TRICESIMO OCTAVO

GEORGII III. REGIS.

****

CAP. XXII.

An Act for ſettling and ſecuring a certain Annuity on *Adam* Lord Viſcount *Duncan*, and the Two next Perſons to whom the Title of Viſcount *Duncan* ſhall deſcend, in Conſideration of the eminent Service performed by the ſaid *Adam* Lord Viſcount *Duncan* to His Majeſty and the Publick.

[9th *March* 1798.]

Moſt Gracious Sovereign,

WHEREAS Your Majeſty, by Your moſt Gracious Meſſage to Your moſt faithful Commons, has been pleaſed to declare, That Your Majeſty having taken into Your Royal Conſideration the eminent and ſignal Service performed by *Adam Duncan* Lord Viſcount *Duncan*, One of the Admirals of the Blue, on the Coaſt of *Holland*, in an Engagement in the Month of *October* One thouſand ſeven hundred and ninety-ſeven, with a *Dutch* Fleet, under the Command of Admiral *De Winter*, not only highly honourable to himſelf, but greatly beneficial to Your Majeſty's Kingdoms; Your Majeſty was deſirous to beſtow ſome conſiderable and laſting Mark of Your Royal Favour, as a Teſtimony of Your Majeſty's Approbation of the ſaid Service; and for this Purpoſe to give and grant unto the ſaid *Adam Duncan* Lord Viſcount *Duncan*, and to the Two next ſucceeding Heirs Male of the Body of the ſaid *Adam Duncan* Lord Viſcount *Duncan*, to whom the Title of Viſcount *Duncan* ſhall deſcend, for and during their Lives, a nett Annuity of Two thouſand Pounds *per Annum*; but Your Majeſty, not having Preamble.

having it in Your Power to grant an Annuity to that Amount, or to extend the Effect of the said Grant beyond the Term of Your Majesty's own Life, recommended it to Your faithful Commons, to consider of a proper Method of enabling Your Majesty to grant the same, and of extending, securing, and settling, such Annuity to the said *Adam Duncan* Lord Viscount *Duncan*, and to the Two next Persons on whom the Title of Viscount *Duncan* shall descend, in such Manner as should be thought most effectual for the Benefit of the said *Adam Duncan* Lord Viscount *Duncan*, and his Family: We, Your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament assembled, duly considering Your Majesty's most Gracious Intention, do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

A Life Annuity of 2000 *l.* *per Ann.* settled on Lord Viscount *Duncan*, and the Two next succeeding Heirs to his Title,

That One Annuity, or yearly Rent or Sum of Two thousand Pounds of lawful Money of *Great Britain*, shall be issuing and payable out of, and charged and chargeable upon, the Consolidated Fund, (after paying, or reserving sufficient to pay, all such Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the same, but with Preference to all other Payments which shall or may hereafter be charged upon, or payable out of, the said Fund); and the same shall from Time to Time be paid quarterly, free and clear of all Taxes and Deductions whatsoever, in Manner and Form following; (that is to say), To *Adam Duncan* now Lord Viscount *Duncan*, for and during the natural Life of the said *Adam Duncan* Lord Viscount *Duncan*, and from and after his Decease, unto the Two next succeeding Heirs Male of the Body of the said *Adam Duncan* Lord Viscount *Duncan*, on whom the said Title, Honour, and Dignity of Viscount *Duncan* shall descend, for and during their natural Lives; which said Annuity, or yearly Rent or Sum,

to commence from *Oct.* 11, 1797, and to be paid quarterly.

shall commence and take Effect from the Eleventh Day of *October*, which was in the Year of our Lord One thousand seven hundred and ninety-seven, the First Payment to be computed from the said Eleventh Day of *October*, which was in the Year of our Lord One thousand seven hundred and ninety-seven, until the Fifth Day of *April*, in the Year of our Lord One thousand seven hundred and ninety-eight; and from thenceforth shall be paid and payable at the Four usual Days of Payment in the Year; that is to say, the Fifth Day of *July*, the Tenth Day of *October*, the Fifth Day of *January*, and the Fifth Day of *April*, in each and every Year, by even and equal Portions.

The Annuity to be paid at the Exchequer, without Fees.

II. And it is hereby further enacted, That it shall and may be lawful to and for the Commissioners of His Majesty's Treasury now being, and the High Treasurer and Under Treasurer of the Exchequer, and Commissioners of the Treasury for the Time being, and they are hereby authorized and required, by Warrant under their Hands, to direct the Auditor of the Receipt of the Exchequer, now and for the Time being, to make forth and pass Debentures, from Time to Time for paying the said Annuity or yearly Rent or Sum of Two thousand Pounds, in Manner as aforesaid, and as the same shall, from Time to Time, become due and payable, without any Fees or Charges to be demanded or taken for paying the same, or any Part thereof; which said Warrant, and the Debentures to be made forth, and passed thereupon,

upon, shall be a sufficient Authority to the several and respective Officers of the Receipt of the Exchequer, now and for the Time being, for the Payment of the said Annuity, or yearly Rent or Sum, to the said *Adam Duncan* Lord Viscount *Duncan*, and the Two next succeeding Heirs Male of the Body of the said *Adam Duncan* Lord Viscount *Duncan*, at the respective quarterly Feast Days in this Act before appointed for Payment thereof, without any further or other Warrant to be sued for, had, or obtained, in that Behalf.

The Warrant for Payment of the Annuity not to be determinable upon the Demise of His Majesty, *etc.*

III. And it is hereby further enacted, That after signing of such Warrant, the same shall be good, valid, and effectual in Law, according to the Purport and true Meaning thereof, and of this Act, and shall not be determinable or revocable by or upon the Demise of His Majesty, (whom God long preserve!) or of any of His Heirs or Successors, or by or upon the Death or Removal of any of the said Commissioners of the Treasury, or the Lord High Treasurer, or by or upon the Determination of the Power, Office or Offices of them, or any of them.

Commissioners of the Treasury, Chancellor of the Exchequer, *etc.* are to do all Things necessary for the Execution of this Act, without Fees.

IV. And be it further enacted, That the Commissioners of the Treasury now being, and the High Treasurer of the Treasury for the Time being, Chancellor and Under Treasurer, Chamberlains and Barons of the Exchequer, and all other the Officers and Ministers of the Court of Exchequer, and of the Receipt thereof, now and for the Time being, shall, and they are hereby authorized and strictly enjoined and required to do, without Fee or Reward, all such Acts, Matters, and Things, as are herein-before directed and required, or shall be necessary to be done and performed by them, or any or either of them, in order to render this Act, and the several Payments hereby directed, effectual.

The Receipt of Lord Viscount *Duncan*, and his Successors, shall be a sufficient Discharge.

V. And be it enacted, That the Acquittance or Acquittances, Receipt or Receipts, of the said *Adam Duncan* Lord Viscount *Duncan*, and the Two next succeeding Heirs Male of the Body of the said *Adam Duncan* Lord Viscount *Duncan*, on whom the said Title shall descend, shall be a good and sufficient Discharge for the Payment of the said Annuity or yearly Sum, without any further or other Warrant to be sued for or obtained in that Behalf; and that the said Annuity, or yearly Rent or Sum, and every Part thereof, shall be free and clear from all Taxes, Impositions, and other Charges whatsoever: And in case any of the Officers of the Receipt of His Majesty's Exchequer shall refuse or neglect to pay the said Annuity, or yearly Rent or Sum, or any Part thereof, according to the true Intent and Meaning of this Act, or to do any Act necessary to enable the said *Adam Duncan* Lord Viscount *Duncan*, and the Two next succeeding Heirs Male of the Body of the said *Adam Duncan* Lord Viscount *Duncan*, on whom the said Title, Honour, and Dignity of Lord Viscount *Duncan* shall descend, to receive the same, then the said *Adam Duncan* Lord Viscount *Duncan*, and the Two next succeeding Heirs Male of the Body of the said *Adam Duncan* Lord Viscount *Duncan*, on whom the said Title shall descend, may, from Time to Time, sue, prosecute, and implead such Officers, or any of them, their Heirs, Executors, or Administrators, by Bill, Plaint, or Action of Debt, and shall and may recover Judgement, and sue out Executions thereupon, against such Officers respectively, their Heirs,

Annuity to be Tax-free.

How the Annuity may be recovered.

Heirs, Executors, or Adminiſtrators, for ſo much of ſuch Sum or Sums of Money, then due and owing upon the ſaid Annuity, yearly Rent or Sum, or any Part thereof, as ſhall have been in the Hands of the Officer or Officers of the Receipt of the Exchequer, at the Time or Times when Demands ſhall have been legally made of the Payment of the ſaid Annuity, yearly Rent or Sum, or any Part thereof as aforeſaid, or for the Refuſal or Neglect to do any Act neceſſary to be done by ſuch Officer or Officers reſpectively.

Annuity not to be aliened or incumbered for a longer Term than during the Life of the Poſſeſſor.

VI. And be it further enacted, That the ſaid Annuity, yearly Rent or Sum of Two thouſand Pounds, ſhall be, and the ſame is by this Act veſted in the ſaid *Adam Duncan* Lord Viſcount *Duncan*, and the Two next ſucceeding Heirs Male of the Body of the ſaid *Adam Duncan* Lord Viſcount *Duncan*, to whom the ſaid Title, Honour, and Dignity of Lord Viſcount *Duncan* ſhall deſcend; and the ſame, or any Part thereof, ſhall not at any Time or Times hereafter be aliened, conveyed, diſpoſed, charged, or incumbered, by the ſaid *Adam Duncan* Lord Viſcount *Duncan*, or by either of the Two next ſucceeding Heirs Male of the Body of the ſaid *Adam Duncan* Lord Viſcount *Duncan*, on whom the ſaid Title ſhall deſcend, for any greater or larger Eſtate, or Time, than during the natural Life of the Perſon ſo aliening, conveying, diſpoſing, charging, or incumbering the ſame, or ſo as to prevent the ſame from deſcending to the next or ſucceeding Heir Male of the Body of the ſaid *Adam Duncan* Lord Viſcount *Duncan*, to whom the ſaid Title of Lord Viſcount *Duncan* ſhall deſcend, according to the Limitation aforeſaid.

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