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GEORGII III. REGIS.

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An Act to give further Time for the Payment, on the Conditions therein mentioned, of Instalments, on certain Loans advanced to the House of *Alexander Houstoun* and Company, to *Charles Ashwell* Esquire, and to *William Johnstone* Esquire, being Persons connected with and trading to the Islands of *Grenada* and *Saint Vincent*.

[28th *July* 1800.]

WHEREAS Exchequer Bills to a large Amount were advanced to *William Mac Dowall*, *James Mac Dowall*, *Andrew Houstoun* and *Robert Houstoun Rae* Esquires, trading under the Firm of *Alexander Houstoun* and Company, and also to *Charles Ashwell* Esquire, and also to *William Johnstone* Esquire, on certain Conditions, and pursuant to several Acts passed in the Thirty-fifth and Thirty-seventh Years of the Reign of His present Majesty, for granting Relief to Persons connected with and trading to the Islands of *Grenada* and *Saint Vincent*: And whereas further Times for Payment of the Instalments stipulated to be paid on such Advances have been allowed by several Acts, passed in the Thirty-seventh and Thirty-ninth Years respectively of His present Majesty's Reign: And whereas the Sums so advanced still remain due and unpaid: And whereas

Preamble.

35 *Geo.* III, Cap. 127, 37 *Geo.* III, Cap. 27, and 39 *Geo.* III, Cap. 11, and Sess. 2, Cap. 13.

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whereas it is expedient to grant further Time to the ſeveral Perſons herein-before mentioned for the Payment of the ſaid Advances, upon certain Terms and Conditions herein-after mentioned; be it therefore 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,

The Treaſury may extend the Times for Repayment by the Perſons herein mentioned, of the Loans made to them, upon ſuch Securities as they ſhall deem ſufficient, and ſhall cauſe the Sufficiency of Securities to be aſcertained in like Manner as the Commiſſioners under recited Acts, are empowered to do.

That it ſhall be lawful for the Lord High Treaſurer for the Time being, or the Lords Commiſſioners of His Majeſty's Treaſury, or any Three or more of them, and he and they is and are hereby reſpectively authorized to enlarge and extend the Times for the Repayment, by the ſaid ſeveral and reſpective Perſons herein-before mentioned, of the ſeveral Loans or Advances made to them reſpectively, by ſuch Inſtalments as the ſaid Lord High Treaſurer or Lords Commiſſioners aforeſaid, or any Three or more of them, ſhall ſee fit, not exceeding the Times hereinafter ſpecified, upon ſuch Securities as the Lord High Treaſurer or Lords Commiſſioners of the Treaſury ſhall deem ſufficient for Re-payment of any ſuch Loan, or any Intereſt thereon, his, her, or their Heirs, Executors, and Adminiſtrators, in ſuch Manner as ſhall be required in purſuance of this Act; and it ſhall be lawful for the ſaid Lord High Treaſurer or Lords Commiſſioners aforeſaid, or any Three or more of them, and he and they is and are hereby authorized and empowered to require the Appearance of any Party or Parties in any ſuch Loan, before any Perſon or Perſons appointed by them for that Purpoſe, and to cauſe ſuch Party or Parties to be examined as to the Sufficiency of any ſuch Security or Securities, Surety or Sureties, and to cauſe the Sufficiency of any ſuch Security or Securities, Surety or Sureties, to be aſcertained and determined, in like Manner in every Reſpect as any Commiſſioners are empowered by the ſaid before-mentioned Acts to do, with reſpect to any Security or Securities, Surety or Sureties, to be propoſed and given previous to the Advance or Iſſue of any ſuch Exchequer Bills, or extending the Time for the Re-payment of any ſuch Loan, under any of the ſaid Acts, for granting Relief to Perſons trading to *Grenada* or *Saint Vincent*.

Sureties for Repayment of Loans at the Times limited by the recited Acts, willing to remain ſo, for Repayment of Loan at the Expiration of extended Time, ſhall ſignify their Conſent, which ſhall be binding, &c.

II. And be it further enacted, That all and every Perſons or Perſon liable as Sureties or Surety, or as the Heirs or Heir, Executors or Adminiſtrators, Executor or Adminiſtrator, of any ſuch Sureties or Surety, for the Repayment of any ſuch Loan or Advance, at the Times limited by the ſaid herein-before mentioned Acts, and who ſhall be willing to remain Sureties or Surety for the Re-payment of ſuch Loan or Advance, or of any Part or Proportion thereof, if the ſame ſhall have been or ſhall be ſeparated and divided under the ſaid Acts as aforeſaid, or this Act, at ſuch enlarged or extended Times as ſhall be granted under this Act, ſhall ſignify his, her, or their Conſent to remain ſuch Sureties or Surety, or that the Real or Perſonal Eſtate of any deceaſed Sureties or Surety ſhall remain charged and liable in ſuch Manner and Form, as the ſaid Lord High Treaſurer or Lords Commiſſioners aforeſaid ſhall direct and appoint; and every ſuch Conſent ſo ſubſcribed and delivered ſhall be binding upon the reſpective Sureties or Surety, or other Perſon or Perſons ſo ſigning the ſame, their, his, or her Heirs, Executors, or Adminiſtrators, in like Manner as ſuch reſpective Sureties or Surety, Perſon or Perſons, were or was, by the original Bonds or Bond entered into by the ſeveral Sureties, reſpectively bound for the Repayment of the ſeveral Loans or Advances aforeſaid, at the Times thereby limited for the Repayment thereof.

III. And

III. And be it further enacted, That, from and after the ſigning of ſuch Conſent by ſuch original Sureties as ſhall be willing to remain ſuch Sureties, or ſo bound as aforeſaid, and the giving of ſuch further Security or Securities as ſhall be required by the ſaid Lord High Treaſurer or Lords Commiſſioners aforeſaid, and ſo ſoon as all the ſeveral Matters and Things required by this Act, or by the ſaid Lord High Treaſurer, or Lords Commiſſioners or any Three or more of them as aforeſaid, in purſuance of this Act and relating thereto, ſhall be done and performed by the ſeveral and reſpective Perſons herein-before mentioned, in relation to the giving any ſuch Security or Securities, and any other Matter or Thing relating to any ſuch Loan or the Repayment thereof, ſhall be done, performed, and fulfilled, it ſhall and may be lawful for the ſaid Lord High Treaſurer or Lords Commiſſioners aforeſaid, or any Three or more of them, and he and they is and are hereby authorized and empowered to grant and allow to ſuch Parties reſpectively ſuch Enlargement or Extenſion of the Times of Repayment of ſuch Loans reſpectively, as they the ſaid Lord High Treaſurer or Lords Commiſſioners as aforeſaid, or any Three or more of them, ſhall in his or their Diſcretion think proper, ſo that the ſame be made payable, in Proportions not leſs, and Periods not longer, than herein-after particularly mentioned; that is to ſay, One Third Part of each ſuch Loan, with Intereſt for the ſame, at the Rate of Five Pounds *per Centum per Annum*, on the Fifth Day of *January* One thouſand eight hundred and four; One other Third Part thereof, with the like Intereſt for the ſame, on the Fifth Day of *January* One thouſand eight hundred and five; and the remaining Third Part thereof, with the like Intereſt for the ſame, on the Fifth Day of *January* One thouſand eight hundred and ſix; and ſuch Parties reſpectively to whom the ſaid Lord High Treaſurer or Lords Commiſſioners ſhall allow ſuch Enlargement or Extenſion of the Times of Payment of the ſaid Loan, ſhall not be deemed or taken to have made Default in Payment of the ſaid Loan in Manner directed by the ſaid Acts, nor ſhall any Proceſs, Suit, or other Proceeding, be iſſued, commenced, or had, nor any Warrant for the ſame granted againſt the ſaid Parties reſpectively, or their Sureties or Surety, their or any of their Heirs, Executors, or Adminiſtrators, or upon or in reſpect of any Securities or Security made, aſſigned, or depoſited, for the Purpoſes of the ſaid Acts mentioned or otherwiſe, in order to recover or compel the Repayment of the ſaid Loan, or any Part thereof, until the Expiration of ſuch enlarged or extended Times as aforeſaid.

After ſuch Conſent of original Sureties, and ſuch further Securities as ſhall be required are obtained, the Treaſury may allow the Parties an Extenſion of the Times of Repayment of ſuch Loans, agreeably to the Terms herein ſpecified.

IV. And be it further enacted, That it ſhall be lawful for the Lord High Treaſurer, or the Lords Commiſſioners of His Majeſty's Treaſury for the Time being, or any Three or more of them, to nominate and appoint ſuch and ſuch Number of Perſons as he or they ſhall think fit and neceſſary, as Truſtees of the ſeveral Eſtates and Properties in the ſeveral Schedules to this Act annexed contained, of the ſeveral and reſpective Perſons in this Act mentioned, to whom ſuch Loans ſhall have been made as aforeſaid, and the Truſtees ſo nominated and appointed as aforeſaid ſhall (ſubject nevertheleſs to the Controul and Direction of the ſaid Lord High Treaſurer or Lords Commiſſioners aforeſaid from and after ſuch Appointment) have the full and abſolute Direction, Management, and Controul, over all the Eſtates and Properties for which they ſhall be ſo appointed Truſtees aforeſaid, as to all Matters and Things relating thereto, in which they ſhall think it neceſſary and fit to give any

Treaſury may appoint Truſtees of the Eſtates ſpecified in the annexed Schedules.

Truſtees ſhall have the Controul of the Mercantile Concerns of *Alex. Houſtoun*, and Co., *etc.*

any Order or Direction for the Purpoſes of this Act; and the Truſtees nominated and appointed, as to the Eſtates and Properties belonging to the ſaid *William Macdowall*, *James Macdowall*, *Andrew Houſtoun*, and *Robert Houſtoun Rae* reſpectively, ſhall have the full and abſolute Controul and Directions of all the Affairs and Concerns, of what Kind and Deſcription ſoever the ſame may be, relating to the trading, and mercantile Concerns relating thereto, carried on under the Firm of *Alexander Houſtoun* and Company, and may give ſuch Orders and Directions, whenever they ſhall ſee fit, for the Management of the ſaid Affairs, and all Things relating thereto, and all Payments, Diſburſements, or Receipts, as they ſhall from Time to Time think expedient and neceſſary for the better carrying into Execution the Purpoſes and Proviſions of this Act: Provided always, That nothing herein contained ſhall be conſtrued to extend to prevent, hinder, or impede, the ſaid *William Mac Dowall*, *James Mac Dowall*, *Andrew Houſtoun*, and *Robert Houſtoun Rae*, Eſquires, from carrying on, managing, and tranſacting all Affairs, Matters, and Things, relating to the Trade carried on under the ſaid Firm of *Alexander Houſtoun* and Company, and proceeding in the Liquidation of all the Concerns of the ſaid Firm, and paying all Demands due therefrom, and recovering all ſuch Debts as are or may become due to the ſaid Firm, in as full and ample a Manner in every Reſpect, as if ſuch Truſtees had not been appointed, or this Act had not been paſſed, ſubject nevertheleſs to ſuch Controul, Management, and Direction, of ſuch Truſtees, as is herein-before particularly mentioned and ſet forth.

Eſtates of the Perſons aforeſaid veſted in the Truſtees for the Purpoſes herein ſpecified.

V. And be it further enacted, That when and ſo ſoon as any ſuch Truſtees as aforeſaid ſhall have been nominated and appointed in purſuance of this Act for any of the Eſtates or Properties belonging to any of the herein-before mentioned Perſons, then and in every ſuch Caſe all the Eſtates and Properties, for which any ſuch Perſon or Perſons ſhall be ſo nominated and appointed as aforeſaid, ſhall be and become veſted in and ſettled upon the ſaid Perſon or Perſons, to the only proper Uſe and Behoof of the ſaid Perſon or Perſons, upon Truſt, nevertheleſs, for the ſeveral Purpoſes of this Act; that is to ſay, upon the Truſts, and to and for the ſeveral Ends, Intents, and Purpoſes, herein-after expreſſed and declared, and upon ſuch further Truſts as ſhall be herein-after agreed upon between the ſaid Lord High Treaſurer or Lords Commiſſioners aforeſaid for the Time being, or any Three or more of them, and the Party to whom the Eſtates and Properties for which any ſuch Truſts ſhall be created ſhall belong, and upon Truſt, as far as the ſame are hereby declared; and all and every ſuch Truſtee or Truſtees as aforeſaid ſhall, out of the Proceeds and Profits of the ſeveral Eſtates and Properties for which he or they ſhall act as ſuch Truſtee or Truſtees as aforeſaid, cauſe the ſaid ſeveral Loans and Advances that ſhall have been made to the Perſon to whom ſuch Eſtates or Properties as aforeſaid ſhall belong, to be duly paid and ſatisfied, in the Proportions and at the ſeveral Times reſpectively ſpecified by the ſaid Lord High Treaſurer or Lords Commiſſioners aforeſaid, or any Three or more of them, for that Purpoſe, together with all Intereſt that ſhall have been due thereon, and alſo all other Debts, Claims, and Demands whatſoever, charged or chargeable upon ſuch Eſtates and Properties, and upon Truſt as to any Surplus that ſhall remain, after Payment of ſuch Loans, Advances, and Debts as aforeſaid, to and for the Uſe and Benefit of the Perſon or Perſons entitled to any ſuch Eſtate or

Property as aforesaid, and also upon Trust to pay or cause to be paid out of such Rents, Profits, or Proceeds aforesaid, such several Allowances or Annuities or Sums of Money to any Person or Persons to whom any such Estate or Property shall belong, as shall be settled and agreed upon by the said Lord High Treasurer or Lords Commissioners as aforesaid, or any Three of them, in that Behalf, and upon further Trust, in case such Loans or Advances shall not be paid and satisfied, at the respective Periods appointed in pursuance of this Act for the Payment thereof, to sell all or any such Estate or Proportion, or any of them, or any Part thereof, and to apply the Produce of such Sale or Sales in the Liquidation of the several Sums with which any such Estate or Property shall stand and be charged as aforesaid, and upon further Trust to pay the Overplus, if any, to or for the Use of such Person or Persons as may be beneficially entitled to any such Estate as aforesaid, to and upon the Trusts as may be then declared and existing, with respect to any such Estate: Provided always, That nothing in this Act contained shall prejudice any Preference duly obtained before the passing of this Act, according to the Laws of *Scotland*, upon any of the Real or other Estates of the said *William Mac Dowall*, *James Mac Dowall*, *Andrew Houstoun*, *Robert Houstoun Rae*, or either of them respectively, in the said Schedule to this Act contained annexed, marked [N° I.]

Nothing herein shall prejudice any Preference obtained in *Scotland*, on the Estates of Messrs. *Mac Dowall*, &c.

VI. Provided always, and be it further enacted, That no Act, Matter, or Thing, done, performed, or executed, by the said *William Mac Dowall*, *James Mac Dowall*, *Andrew Houstoun*, and *Robert Houstoun Rae*, Esquires, or by the said *Charles Ashwell* or *William Johnstone*, in relation to the giving any Security or Securities, or making any Conveyance or Assignment, or Conveyances or Assignments, of Property, under or in pursuance of this Act, or any of the Powers or Provisions therein contained, shall be deemed or taken to be, or be construed to be an Act of Bankruptcy on the Part of the Person giving such Security or Securities, or making or executing any such Conveyance or Assignment, or Conveyances or Assignments as aforesaid; any Thing in any Law or Act to the contrary thereof notwithstanding.

The giving Security under this Act, not to be deemed an Act of Bankruptcy.

VII. And be it further enacted, That it shall be lawful for the said Lord High Treasurer or Lords Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, and he and they is and are hereby respectively authorized to cause and direct such annual Allowance or Allowances, Annuity or Annuities, to be paid to any of the Persons in this Act mentioned, or to any other Person or Persons who may by Death or otherwise become beneficially entitled to any Estate or Property, in any of the said Schedules contained, out of any Estate or Property belonging to any such Person, as to such Lord High Treasurer or Lords Commissioners aforesaid shall seem just and reasonable, and from Time to Time to give such Directions to any Trustee or Trustees appointed in pursuance of this Act, with relation to the Management of the several Estates and Properties hereby secured, as to any Payment and Disbursement to be made in respect thereof, as he or they shall respectively see fit.

Treasury may cause such Allowances or Annuities to be paid to any of the Persons herein mentioned, or Persons entitled to the Estates specified in the Schedule, *etc*, as they think reasonable;

VIII. And be it further enacted, That the said Lord High Treasurer and Lords Commissioners aforesaid shall have all such Powers and Authorities, with respect to

and they shall have the same Powers, with respect to

Perſons applying for Relief, and for recovering Re-payment of Loans, as the Commiſſioners under recited Acts.

rities, with reſpect to the Parties applying for Relief under this Act, and ſhall have all ſuch Remedies for the Purpoſe of recovering or compelling Re-payment of the Loans or Advances as are given to any Commiſſioners appointed in and by the ſaid before-mentioned Acts or any of them, and provided by the ſaid Acts or any or either of them, in reſpect of any ſuch Loan, or of any Default in Re-payment of any Loan made under the ſaid Acts.

Commiſſioners under recited Acts indemnified for any Thing done relative to the Eſtates in the Schedules, *etc.*

IX. And be it further enacted, That the ſaid ſeveral Commiſſioners acting under the ſeveral Acts relating to Loans made to Perſons trading to and connected with the ſaid Iſlands of *Grenada* and *Saint Vincent*, ſhall be and are hereby declared to be indemnified for all Acts done, relative to any of the Eſtates and Properties in any of the Schedules to this Act contained, and for and in reſpect of not having prevented any of the Demands, Loans, or Advances, made to any of the Perſons in this Act mentioned, and for having forborne to uſe any legal Means for the Recovery of any ſuch Loans or Advances as aforeſaid.

N° I.

SCHEDULE of the Real Eſtates to be aſſigned to Government, to ſecure the Re-payment of the Sum due by Meſſieurs *Alexander Houſtoun* and Company, at the poſtponed Periods.

	£.	s.	d.
THE heretable Security veſted in the Commiſſioners by an heretable Bond, regiſtered the Thirty-firſt Day of *July* 1799 - - -	40,000	—	—
The heretable Security ready to be conveyed to Government by Sir *Francis Ford* and others, in whom it is at preſent veſted by an heretable Bond, dated the Seventh Day of *March* 1799 - -	20,000	—	—
The heretable Security on the Eſtate of *Fergushill*, belonging to Mr. *Mac Dowall* - -	3,400	—	—
A Conveyance of the Whole Landed Property belonging to Mr. *Mac Dowall* and Mr. *Houſtoun Rae*, the free Surplus of which, after deducting from its Value the £. 60,000 above mentioned, and all other heretable Securities affecting it, amounts at preſent to £. 60,540 : 18 : 10, but is continually encreaſing by the Liquidation of prior heretable Securities, in conſequence of Receipts from the general Concerns of the Houſe of Meſſieurs *Alexander Houſtoun* and Company - - - -	60,540	18	10
Coal Mines - - - -	20,500	—	—
Cotton Mills - - - -	20,000	—	—
Weſt India Property belonging to Mr. *Mac Dowall* -	97,000	—	—
Mount Alexander Eſtate, belonging to the Houſe of Meſſieurs *Alexander Houſtoun*, and Company -	42,000	—	—
£.	303,440	18	10

N° II.

N° II.

SCHEDULE of the Real Eſtate to be aſſigned to Government, to ſecure the Repayment of the Sum due by the late *Charles Aſhwell* Eſquire deceaſed, at the poſtponed Periods.

ALL that Sugar Eſtate or Plantation commonly called or known by the Name of *La Fortune Eſtate* or *Plantation*, ſituate, and lying and being, in the Pariſh of *Saint Patrick* in the Iſland of *Grenada*, and containing by Eſtimation 430 Acres, be the ſame more or leſs, together with the Negroes or Slaves thereon, and the Iſſue and Progeny of the Females of ſuch Slaves, and alſo all Houſes, Out-houſes, Mills, Works, Sugar Houſes, Still Houſes, Horſes, Mules, Aſſes, Cattle, Plantation Implements and Utenſils, Live and Dead Stock, with their Appurtenances, as the ſame now are, in the Poſſeſſion of the Deviſees of the late *Charles Aſhwell* deceaſed, ſome or One of them.

N° III.

SCHEDULE of the Real Eſtates to be aſſigned to Government, to ſecure the Re-payment of the Sum due by *William Johnſtone* Eſquire, at the poſtponed Periods.

ALL thoſe Two ſeveral Sugar Eſtates or Plantations commonly called or known by the reſpective Names of *Lower Granton* and *Boisjency*, both ſituate, lying, and being, in the Pariſh of *Saint George* in the Iſland of *Grenada*, containing as follows; that is to ſay, *Lower Granton* Eſtate, 300 Acres of Land or thereabouts; *Boisjency* Eſtate, 800 Acres of Land or thereabouts, with the Slaves thereon reſpectively, and the Increaſe of the Females of ſuch Slaves, Cattle, Horſes, Mules, Aſſes, and all Plantation Implements and Utenſils, and all Houſes, Out Houſes, Mills, Works, Sugar Works, Still Houſes, Sugar Houſes, with their and each of their Appurtenances, as the ſame now are, in the Occupation of *William Johnſtone*.

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