ANNO TRICESIMO NONO

GEORGII III. REGIS.

Seff. 2.

CAP. XIII.

An Act for allowing further Time for the Payment of Inftalments on certain Sums of Money advanced by way of Loan to feveral Perfons connected with and trading to the Iflands of *Grenada* and *Saint Vincent*. [12th *October* 1799.]

WHEREAS an Act was paffed in the Thirty-fifth Year of the Reign of His prefent Majefty, intituled, *An Act for enabling His Majefty to direct the Iffue of Exchequer Bills, to a limited Amount, for the Purpofes and in the Manner therein mentioned:* And whereas Exchequer Bills were iffued under the faid Act to certain Commiffioners therein named to a large Amount, and were by them advanced to certain Perfons connected with and trading to the Iflands of *Grenada* and *Saint Vincent*, on certain Terms and Conditions: And whereas an Act was paffed in the Thirty-feventh Year of His Majefty's Reign, for allowing further Time for the Payment of Inftalments to become due on certain Sums advanced by way of Loan, purfuant to the faid Act; and for granting further Relief to Perfons connected with and trading to the faid Iflands: And whereas an Act was paffed in the laft Seffion of Parliament for allowing further Time for the Payment of Inftalments to become due on the faid Loans: And whereas Circumftances have occurred which render it expedient to continue the Powers of the faid Acts, and further to extend the Time for the Repayment of a certain Proportion of the Inftalments on the faid Loans of Exchequer Bills, upon the Terms and Conditions herein-after fpecified: Be it therefore enacted by the

Preamble.

35 *Geo.* III, Cap. 127,

37 *Geo.* III, Cap. 27, and

39 *Geo.* III, Cap. 11, recited.

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 it ſhall and may be lawful to and for any Perſon or Perſons to whom any ſuch Relief ſhall have been granted under the ſaid recited Acts, his, her, or their Heirs, Executors, and Adminiſtrators, and who reſpectively ſhall be deſirous of enlarging or extending the Time limited by the ſaid Acts for the Repayment of any Part of any Loan of ſuch Exchequer Bills, to make Application to the Commiſſioners named and appointed under the ſaid laſt mentioned Act, or ſuch of them as ſhall be ſtill living, who are hereby nominated and appointed Commiſſioners for executing this Act, for any Enlargement or Extenſion of the Times limited for ſuch Repayment, not exceeding the Times or the Proportions of any ſuch Loan herein-after ſpecified, and the ſaid Commiſſioners are hereby authorized to enlarge and extend the Time for the Repayment of any ſuch Loan, in the Proportions as to what may be due thereon, and for the Times herein-after ſpecified, either upon the Obligation or Obligations, Security or Securities, Surety or Sureties, heretofore accepted and made liable for Repayment of any ſuch Loan, or any Intereſt thereon, without any other or new Obligation, Deed, or other Security, or Agreement whatſoever, other than ſuch Conſent of Sureties as herein-after mentioned, or upon ſuch other and new Security or Securities, or other and new Surety or Sureties, either for the Whole of any ſuch Loan, or for any ſeparate and diſtinct Part or Parts of any ſuch Loan, upon new and ſeparate and diſtinct Security or Securities, either with the former Sureties, or ſeparate and new Sureties, for each ſeparate and diſtinct Part of any ſuch Loan, in lieu of any former Security or Securities, Surety or Sureties, as to them the ſaid Commiſſioners ſhall ſeem proper and neceſſary; and it ſhall and may be lawful for the ſaid Commiſſioners, and they are hereby authorized to require any new Security or Securities, Surety or Sureties, whenever they ſhall think the ſame neceſſary, and to cancel and annul any former Obligation or Obligations, Security or Securities, and to ſeparate and divide any ſuch Loan or Loans, and to grant ſuch Enlargement and Extenſion of Time for each Part ſeparately of any Loan ſo divided under this Act, and to require and take ſeparate and diſtinct Securities for any ſuch divided Part of ſuch Loan; and it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authorized and empowered to require the Appearance of any Party or Parties, in any ſuch Loan, and to proceed to examine into and determine the Sufficiency of any ſuch old or new Security or Securities, Surety or Sureties, in like Manner in every Reſpect as they are empowered by the ſaid recited 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 Exchequer Bills, or extending the Time for the Repayment of any ſuch Loan under the ſaid recited Acts, or any or either of them.

Perſons may apply to the Commiſſioners to have the Time for Repayment of Loans extended, who may extend it as herein ſpecified.

II. And be it further enacted, That all and every Perſons or Perſon who now are or is, or at the Time of any ſuch Application ſhall be, liable as Sureties or Surety for the Repayment of any ſuch Loan or Advance, at the Times limited by the ſaid herein-before recited Acts, and who ſhall be willing ſo remain Sureties or Surety for the Repayment of ſuch Loan or Advance, or of any Part or Proportion thereof, ſeparated and divided under this Act as aforeſaid, at ſuch enlarged or extended Times

Sureties willing to remain ſo for Repayment of Loan at the extended Times, to ſignify their Conſent to the Secretary, in the Form in the Schedule A.

Times as ſhall be granted under this Act, ſhall ſignify their Conſent to remain ſuch Sureties or Surety, by ſubſcribing their or his Names or Name to a Writing, to be left with the Secretary of the ſaid Commiſſioners for the Time being, according to the Form in the Schedule in this Act annexed marked A.; and every ſuch Conſent, ſo ſubſcribed and delivered, ſhall be binding upon the reſpective Sureties or Surety ſo ſigning the ſame, their, his, or her Heirs, Executors, or Adminiſtrators, in like Manner as ſuch reſpective Sureties or Surety were or was, by the original Bonds or Bond entered into by them or him, bound for the Repayment of ſuch Loan or Advance at the Times thereby limited for the Repayment thereof.

Commiſſioners to meet to receive, or appoint Perſons to receive, Applications for Extenſion of Times for Repayment of Loans, and fix Days for taking them into Conſideration.

III. And be it further enacted, That within Seven Days after this Act ſhall have received the Royal Aſſent, the ſaid Commiſſioners, or any Three or more of them, ſhall meet to receive, or to appoint a proper Perſon or Perſons to receive, all ſuch Applications in Writing as ſhall be made to them for ſuch Enlargement or Extenſion of the Times for the Repayment of the Amount of any ſuch Loan of Exchequer Bills, and ſhall alſo fix proper and convenient Days for the Purpoſe of taking into Conſideration all ſuch Applications, and ſhall meet together for that Purpoſe, and proceed to take into Conſideration all ſuch Applications, as ſhall ſpecify the Times to which ſuch Payments are required to be extended, (not exceeding the Limits or Proportions herein-after mentioned).

Commiſſioners may grant to Perſons not prepared to tender new Securities or Sureties previous to Inſtalments becoming due, *etc.* further Time, the Grant of which ſhall be in the Form in the Schedule B.

IV. And be it further enacted, That in caſe any Perſons or Perſon, making ſuch Application to the ſaid Commiſſioners, ſhall be required by the ſaid Commiſſioners to give any new Security or Securities, or to produce any new or other Surety or Sureties, and ſhall not, previous to or upon any of the ſaid Inſtalments becoming due and payable under the ſaid recited Acts, be prepared to tender ſuch ſufficient Security or Securities, or Sureties or Surety, as ſhall by the ſaid Commiſſioners be deemed requiſite; or in caſe ſuch Perſon or Perſons ſhall prove to the Satisfaction of ſuch Commiſſioners, that by Reaſon of the Diſtance at which any Sureties or Surety are then reſiding, the Conſent of ſuch Sureties or Surety under this Act cannot immediately be procured, it ſhall be lawful for the ſaid Commiſſioners, by Writing under the Hands of any Three or more of them, to grant to ſuch Perſons or Perſon ſuch further Time for the procuring and tendering ſuch Security or Securities, Surety or Sureties, as they in their Diſcretion ſhall think fit to allow, upon the Conditions nevertheleſs of Payment of the Firſt Inſtalment of every ſuch Loan, or ſuch Part thereof as ſhall remain unpaid, on the Fifth Day of *January* One thouſand eight hundred, if the ſame has not already been paid, and not exceeding the Period of Four Months from the Time of granting ſuch further Time as aforeſaid, and every Grant of ſuch further Time as aforeſaid, ſhall be in the Form in the Schedule to this Act annexed marked B.; and in the mean Time, and until the Expiration of the Time ſo allowed by the ſaid Commiſſioners for the Purpoſe aforeſaid, ſuch Parties reſpectively ſhall not be deemed or taken to have made Default in Payment of ſuch Inſtalment of the ſaid Loan under the ſaid recited Acts, unleſs Default ſhall be made in the Payment of any ſuch Firſt Inſtalment as aforeſaid; nor ſhall any Proceſs, Suit, or other Proceeding, be iſſued, commenced, or had, nor any

any Warrant for the ſame granted againſt the ſaid Parties reſpectively, or their Sureties or Surety, their Heirs, Executors, or Adminiſtrators, or upon or in reſpect of any Securities or Security made, aſſigned, or depoſited, for the Purpoſes in the ſaid Acts mentioned, or otherwiſe, for the Purpoſe of recovering or compelling Payment of the ſaid Loan, or any Part thereof, unleſs upon ſuch Default in reſpect of any ſuch Firſt Inſtalment as aforeſaid.

After ſigning of Conſent by original Sureties, *etc.* the Commiſſioners may grant Extenſion of Times of Repayment of Loan.

V. And be it further enacted, That, from and after the ſigning of ſuch Conſent by ſuch original Sureties as aforeſaid, and the Depoſit of ſuch further Security or Securities, Surety or Sureties, (where any ſuch ſhall be required by the ſaid Commiſſioners), it ſhall and may be lawful for the ſaid Commiſſioners, and they are hereby authorized and empowered to grant and allow, in Manner herein-after mentioned, to ſuch Parties reſpectively, ſuch Enlargement or Extenſion of the Times of Repayment of ſuch Loan as they the ſaid Commiſſioners ſhall in 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, in every Caſe where the Whole of any ſuch Loan remains unpaid, One Third Part of 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; One other Third Part thereof, with the like Intereſt for the ſame, on the Fifth Day of *January* One thouſand eight hundred and one; and the remaining Third Part thereof, with the like Intereſt for the ſame, on the Fifth Day of *January* One thouſand eight hundred and two; and in every Caſe where the Firſt Inſtalment, or the Firſt and Second Inſtalments on any ſuch Loan, or any Proportion thereof, hath been or ſhall be paid, previous to any Application being made for the Enlargement or Extenſion of the Time or reſpective Times of Payment of the Remainder of ſuch Loan, then the Remainder of any ſuch Loan at ſuch reſpective Times for what may remain due on ſuch Loan as are herein before mentioned for the Payment of Inſtalments of any Loan on which no Part has been paid; and ſuch Parties reſpectively, to whom the ſaid 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 recited 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 in the ſaid Act 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.

Grant of ſuch Extenſion to be in the Form in Schedule C.

VI. And be it further enacted, That in all Caſes in which the ſaid Commiſſioners ſhall think fit to grant or allow any ſuch Enlargement or Extenſion of Time for the Repayment of any Proportion of any ſuch Loan, they the ſaid Commiſſioners ſhall certify ſuch their Allowance by a Writing under the Hands of any Three or more of them, according to the Form in the Schedule to this Act annexed marked C.; and ſuch Certificates ſhall be delivered to the reſpective Parties to whom ſuch Extenſion of

Time ſhall be granted as aforeſaid, and a Copy or Minute of all ſuch Certificates ſhall be entered in a Book or Books to be kept by the ſaid Commiſſioners for that Purpoſe.

Previous to receiving Certificates of Extenſion of Time, all Intereſt due to be paid.

VII. Provided always, and be it further enacted, That all and every Perſons and Perſon to whom ſuch Enlargement or Extenſion of Time, for the Payment of any Part of any ſuch Loan, ſhall be granted or allowed as aforeſaid, ſhall, previous to the receiving of any ſuch Certificate as aforeſaid, pay, or cauſe to be paid, to the ſaid Commiſſioners, or ſuch Perſons or Perſon as they, or any Three or more of them, ſhall appoint to receive the ſame, all Intereſt that ſhall remain due and unpaid on the firſt Inſtalment of every ſuch Loan at the Time of granting any ſuch Extenſion of Time as aforeſaid.

Remedies of recited Acts for compelling Repayment of Loan to continue, where the Times have not been extended.

VIII. Provided always, and it is hereby declared, That the ſaid Acts herein-before recited, and all Remedies thereby provided for recovering or compelling the Repayment of the Amount of the Exchequer Bills iſſued and advanced under the ſame as aforeſaid, ſhall continue and be in full Force as againſt all Perſons, and in all Caſes, where the Time for Repayment ſhall not have been enlarged and extended according to the Proviſions of this Act.

Commiſſioners to have the ſame Powers as under recited Acts.

IX. And be it further enacted, That the ſaid Commiſſioners ſhall have all ſuch Powers and Authorities, with reſpect to any Parties applying for Relief under this Act, and ſhall have all ſuch Remedies for the Purpoſe of recovering or compelling Repayment of any Loans or Advances already made, the Times of Repayment of which ſhall have been or may be enlarged or extended by the Authority of this Act, as are given to the ſaid Commiſſioners, and provided by the ſaid recited Acts, or any or either of them, in reſpect of any ſuch Loan, or of any Default in Repayment of any Loan made under the ſaid Acts.

Sureties paying Loan to have the ſame Remedies againſt the Principals or Co-Sureties as under recited Acts; and Mortgages taken as Securities to remain as Securities for their Reimburſement.

X. And be it further enacted, That if any Perſons or Perſon conſenting to remain Sureties or Surety for any Parties or Party to whom ſuch Enlargement or Extenſion of the Times of Repayment of Loans advanced to them as herein-before mentioned ſhall be allowed, on becoming Sureties or Surety for any Perſons or Perſon to whom any ſuch Loan ſhall have been originally made by the Authority aforeſaid, their or his Executors or Adminiſtrators, ſhall pay or ſatisfy ſuch Loan, or any Part thereof, or the Intereſt thereof, or any Coſts or Charges incurred in recovering or compelling Payment of any ſuch Loan, or any Part thereof, ſuch Sureties or Surety ſhall have all ſuch Remedies as againſt their or his Principals or Principal, and their or his Co-ſureties or Co-ſurety (if any), as are provided by the ſaid recited Acts, or any or either of them, for the Benefit of the Sureties of the Perſons obtaining a Loan of Exchequer Bills under the ſaid Acts: And, moreover, all and every ſuch Mortgages or Mortgage as ſhall be accepted or taken by the ſaid Commiſſioners, under the Authority by the ſaid Acts given to them for that Purpoſe, as Securities or Security for any Loan or Advance heretofore made under the Authority of the ſaid Acts, ſhall ſtand and remain as Securities or a Security for the Reimburſement to ſuch Sureties reſpectively, their Executors and Adminiſtrators, of the Whole of any Sum or Sums of Money which ſhall be paid and ſatisfied by them as ſuch

Sureties, and ſhall and may be enforced and rendered available, by and under the Authority of the ſaid Commiſſioners, in like Manner, and with the ſame Force and Effect, as by the ſaid Acts are provided, for the Purpoſe of recovering Payment of any Sum or Sums of Money that ſhall or may be advanced by the ſaid Commiſſioners, upon the Security of ſuch Mortgage or Mortgages under and by virtue of the ſaid Acts.

Three Commiſſioners may act.

XI. And be it further enacted, That all Matters and Things which the ſaid Commiſſioners, authorized by this Act are hereby required or empowered to do or execute, ſhall and may be done and executed by any Three or more of them; any Thing herein or in the ſaid former Acts contained to the contrary notwithſtanding.

Obligations taken by the Commiſſioners, *etc.* not liable to Stamp Duty.

XII. And be it further enacted, That no Obligation to His Majeſty taken by the ſaid Commiſſioners under this Act, nor any Conſent ſigned by any Sureties or Surety for the Purpoſes herein-before mentioned, nor any Promiſſory Note to be given to the Secretary of the ſaid Commiſſioners as a Security for the Re-payment of the Amount of any ſuch Sum or Sums of Money as aforeſaid, nor any Affidavit, Depoſition, or Receipt taken or made under or by virtue of this Act, ſhall be liable to any Stamp Duty whatſoever.

SCHEDULE to which this Act refers.

SCHEDULE A.

WE, whoſe Names are hereunto ſubſcribed, do hereby ſeverally and reſpectively conſent and agree, That the Bonds already executed by us, under ſeveral Acts paſſed in the Thirty-fifth, Thirty-ſeventh, and Thirty-ninth Years of His preſent Majeſty's Reign, for granting Relief to Perſons connected with and trading to the Iſlands of *Grenada* and *Saint Vincent*, as Sureties for *A. B.* for the Re-payment of a Loan of Exchequer Bills, made to the ſaid *A. B.* under the ſaid Act of the Year of His preſent Majeſty's Reign, ſhall remain and continue as a Security for Repayment of the ſaid Sum of remaining unpaid on the Loan, with Intereſt thereon at the Rate of *per Centum per Annum*, at the extended Periods allowed to the ſaid by the Commiſſioners under the ſaid Acts, in the Manner as the ſame now ſtand, as a Security for Re-payment thereof, by Inſtalments according to the ſaid Acts: And we further conſent and agree, That the ſaid Commiſſioners ſhall be at Liberty to grant to the ſaid the ſaid Extenſion of Time for Payment, either upon the

the Security already received for the ſame, or upon any ſuch other or different Security as they in their Diſcretion ſhall think fit to accept, either for the Whole of the Money remaining due on the ſaid Loan, or upon ſuch Loan ſeparated and divided into ſuch Parts as ſhall be allowed by the ſaid Commiſſioners.

Witneſs our Hands, this
Day of

SCHEDULE B.

WE Commiſſioners under ſeveral Acts of Parliament paſſed for granting Relief to Perſons connected with and trading to the Iſlands of *Grenada* and *Saint Vincent*, do hereby grant to until the and no longer, for procuring [and tendering to us, good and ſufficient new Security or Securities with Sureties], or [the Conſent of Sureties of the ſaid to remain anſwerable as ſuch Sureties], under an Act paſſed in the Thirty-ninth Year of His preſent Majeſty's Reign, intituled, *An Act*, [*here inſert the Title of this Act*], for the Repayment of the Sum of with Intereſt due on a Loan of Exchequer Bills made to the ſaid under the ſaid Acts, upon Condition nevertheleſs of Payment of the Firſt Inſtalment of ſuch Loan, or ſuch Part thereof as remains unpaid on the Fifth Day of *January* One thouſand eight hundred; and if the ſaid does not produce the ſame, on or before the ſaid Day of and make good ſuch Firſt Inſtalment as aforeſaid, the Securities already given and entered into by the ſaid and his Sureties will be forthwith put in Force for the recovering the Money due on the ſaid Loan.

Witneſs our Hands, this
Day of

SCHEDULE C.

WHEREAS the Sum of was advanced to in Exchequer Bills on certain Conditions, 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 the ſaid hath given Security with Sureties, purſuant to the Directions of ſeveral Acts of Parliament reſpecting ſuch Relief as aforeſaid, for the Repayment of the ſaid Loans by certain Inſtalments, payable at certain Periods, in ſuch Security

Security [*or* Securities] mentioned: And whereas the Sum of
ſtill remains unpaid on the ſaid Loan: And whereas an Application has been made to us the ſaid Commiſſioners for further Extenſion of the Time for repaying ſuch Loan: Now we, whoſe Names are hereunto ſubſcribed, being of the Commiſſioners under the ſaid Acts, do, in purſuance of the Directions contained in an Act paſſed in the Thirty-ninth Year of the Reign of His preſent Majeſty, intituled, *An Act*, [*here ſet forth the Title of this Act*], certify, That we have granted and allowed to the ſaid
the further Time [*or* Times], for Repayment of the ſaid Sum of [*or* Inſtalment or Inſtalments of the ſaid Sum of *as the Caſe may be*], that is to ſay, [*recite the Times and Sums*].

Given under our Hands and Seals, this
Day of

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