

ANNO TRICESIMO NONO & QUADRAGESIMO

GEORGII III. REGIS.

CAP. XLIII.

An Act to confirm an Agreement entered into between the Commiſſioners of His Majeſty's Treaſury and the Moſt Noble *Charles* Duke of *Richmond*, in purſuance of an Act, paſſed in the Thirty-ninth Year of the Reign of His preſent Majeſty, intituled, *An Act to enable the Commiſſioners of the Treaſury to contract with the Moſt Noble* Charles *Duke of* Richmond, *for the abſolute Purchaſe of the Property of the ſaid Duke, and of all others intereſted, in a certain Duty of Twelve-pence* per *Chaldron on Coals ſhipped in the River* Tyne *to be conſumed in* England, *and to grant a Compenſation for the ſame, by way of Annuity, payable out of the Conſolidated Fund.*

[30th *May* 1800.]

Preamble.

Letters Patent of *Decem.* 18, 29 *Car.* II.

WHEREAS by Letters Patent under the Great Seal of *England*, bearing Date the Eighteenth Day of *December*, in the Twenty-ninth Year of the Reign of His late Majeſty King *Charles* the Second, after reciting therein (amongſt other Things) that the Governors, Stewards, and Brethren of the Fellowſhip of the Hoſtmen of the Town of *Newcaſtle-upon-Tyne*, by their Writing, ſealed as well with their common Seal as with the common Seal of the Mayor and Burgeſſes of the Town of *Newcaſtle-upon-Tyne*, bearing Date the Eighth Day of *April*, in the Two-and-fortieth Year of the Reign of the late Queen *Elizabeth*, did, for them and their Succeſſors, give and grant unto the ſaid late Queen, Her Heirs and Succeſſors, to the Uſe of the ſaid late Queen, Her Heirs and Succeſſors for ever, for each and every and for ſuch and ſo many Chaldron of Sea Coals, Stone Coals, or Pit Coals, of the Water Meaſure of *Newcaſtle-upon-Tyne* aforeſaid, as at any Time or Times thereafter ſhould be ſold, ſhipped, carried, or vended, by any Perſon or Perſons whatſoever, forth or out of the Haven or River of *Tyne*, belonging to the aforeſaid Town of *Newcaſtle*, to be ſpent within the Realm, and not tranſported beyond the Seas, the ſeveral Sums of Twelve-pence of lawful Money of *England*, to be paid by the ſaid Governor, Stewards, and Brethren, and their Succeſſors, unto the ſaid late Queen, Her Heirs and Succeſſors, before any Ship or other Veſſel, wherein any ſuch Coals ſhould be laden, ſhould at any Time or Times thenafter be cleared or diſcharged forth of the Cuſtom Houſe of the ſaid late Queen, in the ſaid Town of *Newcaſtle*, (Coals ſold and carried from the ſaid Port of *Newcaſtle* to *Hartlepool* to be employed and ſpent in and about ſuch Salt Pans as then were in *Hartlepool* aforeſaid, and appertaining to the Lord *Lumley*, his Heirs and Aſſigns, or any of the Burgeſſes of the ſaid Town of *Newcaſtle*, only excepted); and alſo, after reciting that His ſaid late Majeſty, by Letters Patent under the Great Seal of *England*, bearing date at *Weſtminſter* the Twenty-ſixth Day of *November*, in the Thirteenth Year of His Reign, for the Conſiderations therein mentioned, did give and grant unto His truſty and well-beloved Servant, Sir *Thomas Clarges* Knight, his Heirs and Aſſigns for ever, one Annuity or yearly Penſion of Five Hundred Pounds of lawful Money of *England*, to commence and be accounted and paid from the Feaſt of Saint *Michael* the Archangel, which was in the Twelfth Year of His ſaid Majeſty's Reign, and from thenceforth yearly, and every Year, to be had, received, perceived, and taken by the ſaid Sir *Thomas Clarges*, his Heirs and Aſſigns for ever, out of the Rents, Iſſues, and Profits, Sums of Money, Perquiſites, Emoluments, Half yearly and other Payments, reſerved, ariſing, or accruing or coming, or that thereafter ſhould or might be reſerved or ariſe, accrue or become due or payable to His ſaid late Majeſty, His Heirs or Succeſſors, out of or for or in reſpect of the aforeſaid Duty or Compoſition of Twelve-pence by the Chaldron for Sea Coals, Stone Coals, and Pit Coals, of the Water Meaſure of *Newcaſtle-upon-Tyne* aforeſaid, at Two uſual Feaſts in the Year, (that is to ſay), at the Feaſt of the Birth of our Lord God and Saint *John* the Baptiſt, by even and equal Portions, His ſaid late Majeſty King *Charles* the Second, for the Increaſe of the Revenue and better Support of the Honour and Dignity of His Right Truſty and Right entirely-beloved Son *Charles* Duke of *Richmond* and *Lennox*, and the Heirs of His Body to be begotten, and for want of ſuch Iſſue, for the better

better Support of the Honour and Dignity of His Right Truſty and Right entirely-beloved Couſin *Louiſa* Ducheſs of *Portſmouth*, and the Heirs of her Body, and for divers other good Cauſes and Conſiderations Him thereunto eſpecially moving, and of His eſpecial Grace, certain Knowledge, and mere Motion, did give and grant unto the ſaid *Charles* then Duke of *Richmond* and *Lennox*, all thoſe ſeveral Sums of Twelve-pence of lawful Money of *England*, for each and every and for ſuch and ſo many Chaldrons of Sea Coals, Stone Coals, or Pit Coals of the Water Meaſure of *Newcaſtle-upon-Tyne*, which at any Time thereafter ſhould be ſold, ſhipped, carried, or vended by any Perſon or Perſons whatſoever, forth or out of the River or Haven of *Tyne*, belonging to the aforeſaid Town of *Newcaſtle*, to be ſpent within the Kingdom of *England*, and not tranſported beyond the Seas, (except as before excepted), the ſaid ſeveral Sums of Twelve-pence to be paid as therein-mentioned, to hold and enjoy the ſaid Duties or Sums of Twelve-pence unto and to the Uſe of the ſaid *Charles* then Duke of *Richmond* and *Lennox*, and the Heirs of his Body begotten or to be begotten, ſubject nevertheleſs, and liable unto and charged and chargeable with the Payment of the ſaid yearly Sum of Five hundred Pounds to the ſaid Sir *Thomas Clarges*, his Heirs or Aſſigns, according to the Purport and Intent of the ſaid Letters Patent and Grant to him thereof as aforeſaid, yielding and paying therefore yearly to His ſaid late Majeſty, His Heirs and Succeſſors, the yearly Rent of One Pound Six Shillings and Eight-pence of lawful Money of *England*, at the Feaſt of Saint *Michael* the Archangel only; and further, His ſaid late Majeſty King *Charles* the Second did grant the ſaid Duties or Sums of Twelve-pence (except as before excepted) from and after the Death of the ſaid Grantee *Charles* Duke of *Richmond* and *Lennox* without Heirs of his Body, to and to the Uſe of the ſaid *Louiſa* Ducheſs of *Portſmouth* and the Heirs of her Body, at the ſame yearly Rent of One Pound Six Shillings and Eight-pence: And whereas by an Act of Parliament paſſed in the Thirtieth Year of the Reign of His late Majeſty King *George* the Second, and which was made and paſſed previous to and in Contemplation of the Marriage of the ſaid *Charles* now Duke of *Richmond*, Grandſon and Heir of the Body of the ſaid *Charles* Duke of *Richmond* and *Lennox*, in the ſaid recited Letters Patent named, with Lady *Mary Bruce*, afterwards Ducheſs of *Richmond*, and ſince deceaſed, (after reciting as therein recited), it was enacted (amongſt other Things), That from thenceforth the ſaid *Charles* now Duke of *Richmond* ſhould hold, enjoy, and be ſeiſed of the ſaid Duty or Sum of Twelve-pence, but charged with the ſaid Annuity of Five hundred Pounds, and the ſaid Rent of One Pound Six Shillings and Eight-pence, herein-before mentioned, to the Uſe of him and the Heirs Male of his Body, with Remainder, in Default of Heirs Male of his Body, to the Uſe of the Right Honourable Lord *George Henry Lennox*, Brother of the ſaid *Charles* now Duke of *Richmond*, and the Heirs Male of his Body, with Remainder, in Default of Heirs Male of the Body of the ſaid Lord *George Henry Lennox*, to the Uſe of the Heirs of the Body of the ſaid *Charles* Duke of *Richmond*, Grantee in the ſaid recited Letters Patent: And whereas by an Act of Parliament, paſſed in the Thirty-ninth Year of the Reign of His ſaid preſent Majeſty King *George* the Third, intituled, *An Act to enable the Lords Commiſſioners of the Treaſury to contract with the Moſt Noble* Charles *Duke of* Richmond, *for the abſolute Purchaſe of the Property of the ſaid Duke, and all others intereſted, in a certain Duty of Twelve-pence* per

Act, 30 *Geo.* II.

39 *Geo.* III, Cap. 84.

Chaldron on Coals ſhipped in the River Tyne, *to be conſumed in* England; *and to grant a Compenſation for the ſame by way of Annuity, payable out of the Conſolidated Fund*; after reciting, as therein recited, and alſo after reciting that the ultimate Reverſion in the ſaid Duties was veſted in His Majeſty, His Heirs and Succeſſors, and alſo after reciting, that the Commiſſioners appointed to examine, take, and ſtate the Publick Accounts of the Kingdom in their Report made in the Year One thouſand ſeven hundred and eighty-five, ſtated as their Opinion, that it would tend to Uniformity in the Collection and Application of the Cuſtom Duties, if the Duties on Coals, holden under ancient Grants from the Crown, could be with the Conſent of the Grantees ſettled in the Crown for the Publick Service; and alſo after reciting, that the Select Committee of Finance, appointed by the Houſe of Commons, in their Fourth Report, made in the Year One thouſand ſeven hundred and ninety-ſeven, having had under their Conſideration the before-mentioned Report, and alſo a Report of the Commiſſioners of the Cuſtoms, ſtrongly recommended, that the ſaid Duties ſhould be ſettled in the Crown, if the Conſent of the Grantees could be obtained: It was enacted, That it ſhould be lawful, for the Commiſſioners of His Majeſty's Treaſury for the Time being, or any Three or more of them, or the Lord High Treaſurer for the Time being, on the Behalf of His Majeſty, His Heirs and Succeſſors, to treat, contract, and agree with the ſaid *Charles* now Duke of *Richmond*, for the abſolute Purchaſe or Surrender of all the Eſtate, Right, Title, and Intereſt of him the ſaid *Charles* now Duke of *Richmond*, and the Heirs Male of his Body, and of the ſaid Lord *George Henry Lennox*, and the Heirs Male of his Body, and of the Heirs of the Body of the ſaid *Charles* Firſt Duke of *Richmond*, and of all other Perſons, under or by virtue of the ſaid Letters Patent or Act of Parliament or otherwiſe, of and in the ſaid Duties of Twelve-pence *per* Chaldron, and for all the Rights, Privileges, Profits, and other Advantages whatſoever belonging thereto, for ſuch Annuity to be charged upon and to be payable out of the Conſolidated Fund as the Commiſſioners of His Majeſty's Treaſury then or for the Time being, or any Three or more of them, or the Lord High Treaſurer for the Time being ſhould think fit; provided that ſuch Annuity ſhould not exceed in Amount the annual Produce of the ſaid Duty, on an Average of the Ten Years preceding the Twenty-fifth Day of *December* One thouſand ſeven hundred and ninety-eight, and ſuch Contract ſhould be effectual againſt, and binding, to all Intents and Purpoſes, upon the ſaid *Charles* now Duke of *Richmond*, and the Heirs Male of his Body, and the ſaid Lord *George Henry Lennox*, and the Heirs Male of his Body, and the Heirs of the Body of the ſaid *Charles* Firſt Duke of *Richmond*, and all other Perſons claiming under or by virtue of ſuch Letters Patent or Act of Parliament as aforeſaid, or otherwiſe, the ſaid Duties or Sums aforeſaid, or any Right, Title, or Intereſt therein: And it was further enacted, That the Annuity, ſo to be agreed upon in lieu of the ſaid Duties, ſhould be iſſuing and payable out of and charged and chargeable upon the Conſolidated Fund, (after paying, or reſerving ſufficient to pay, all ſuch Sum or Sums of Money as had 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 ſhould or might thereafter be charged upon or payable out of the ſaid Fund), free and clear of all Deductions and Taxes whatſoever, to the ſaid *Charles* now Duke of *Richmond*, and the Heirs Male of his Body; and in De-

fault of Heirs Male of his Body, then unto the ſaid Lord *George Henry Lenox*, and the Heirs Male of his Body; and in Default of Heirs Male of the Body of the ſaid Lord *George Henry Lenox*, then unto the Heirs of the Body of the ſaid *Charles* Firſt Duke of *Richmond*; and in Default of Heirs of the Body of the ſaid *Charles* Firſt Duke of *Richmond*, then the ſaid Annuity ſhould revert to His Majeſty, His Heirs and Succeſſors; and which ſaid Annuity or yearly Sum ſhould commence and take Effect at ſuch Day, and ſhould be paid and payable at the Receipt of the Exchequer out of the Conſolidated Fund, in ſuch Proportions, and at ſuch Times, and in ſuch Manner, and by ſuch Warrants, as ſhould be agreed upon in and by ſuch Contract, and as the ſaid Commiſſioners of the Treaſury ſhould direct and appoint: And it was further enacted, That the ſaid *Charles* now Duke of *Richmond*, and the Heirs Male of his Body, and the ſaid Lord *George Henry Lenox*, and the Heirs Male of his Body, and the Heirs of the Body of the ſaid *Charles* Firſt Duke of *Richmond* reſpectively, ſhould have ſuch and the like, and no larger or other Eſtate, Title, Power of Diſpoſition, or Alienation and Intereſt of and in the ſaid Annuity, as they reſpectively had of and in the ſaid Sums or Duties therein-before mentioned; and the ſaid Annuity ſhould go and be paid from Time to Time to ſuch Perſon or Perſons as would have been entitled to the ſaid Sums or Duties in caſe the ſaid Act had not been made: And it was further enacted, That the ſaid Annuity ſo to be granted ſhould be ſubject to Redemption upon ſuch Terms and in ſuch Manner as ſhould be agreed upon between the Commiſſioners of the Treaſury, or the Lord High Treaſurer for the Time being, and the ſaid *Charles* now Duke of *Richmond*: And it was further enacted, That, upon and from and after the Day which ſhould be mentioned in ſuch Contract for that Purpoſe, the ſaid Duties or Sums of Twelve-pence in the ſaid Letters Patent intended to be granted for every ſuch Chaldron of Coals as therein is mentioned, (except as to any Arrears thereof), ſhould for ever thereafter be, and be deemed and taken to be Duties payable unto and for the Uſe of His Majeſty, His Heirs and Succeſſors; and that there ſhould accordingly from thenceforth for ever be raiſed, levied, collected, and paid unto and for the Uſe of His Majeſty, His Heirs and Succeſſors, in ready Money without any Diſcount whatever, a Duty of Twelve-pence upon every Chaldron of ſuch Coals of the Water Meaſure of *Newcaſtle-upon-Tyne*, as or in reſpect of which the Sum or Duty of Twelve-pence was payable or intended to be payable according to the ſaid Letters Patent; which Duty ſhould be payable and paid as the other Duties then payable to His Majeſty on Coals had been uſually paid: And after various other Enactments it was further enacted, That out of the ſaid Duties on Coals by the ſaid Act now in recital to be granted, and confirmed to His Majeſty, His Heirs and Succeſſors, there ſhould be paid by the Receiver General of the Cuſtoms for the Time being, in caſe the ſaid Contract ſhould take Effect, to the Perſon or Perſons entitled to the ſaid Annuity of Five hundred Pounds, or any Part thereof, the like Sums as would have been payable to him, her, or them, if the ſaid Act now in recital had not been made; which Sums ſhould be payable at ſuch Times, and in ſuch Proportions, and in like Manner as the ſaid Annuity was payable before the paſſing of the ſaid Act: And whereas by Indenture, bearing Date the Nineteenth Day of *Auguſt* laſt, and made, or expreſſed to be made, between the Right Honourable *William Pitt*, the Right Honourable *Sylveſter Douglas*, and *Charles Small Pybus* Eſquire, Three of the Commiſſioners of His Majeſty's Treaſury, of

Contract, dated *Aug.* 19, 1799, between the Lords of the Treaſury and the Duke of *Richmond*.

of the one Part, and the ſaid *Charles* now Duke of *Richmond* of the other Part; after reciting as herein-before is recited, and alſo after reciting that it had been made to appear to the ſaid Commiſſioners of His Majeſty's Treaſury, from the Accounts of the Receivers of the ſaid Duties, regularly tranſmitted to the ſaid *Charles* now Duke of *Richmond*, and ſworn to by the ſaid Receivers, that the Revenue ariſing from the ſaid Coal Duties had, for upwards of Fifty Years, been progreſſively increaſing, and, upon an Average of the laſt Ten Years, the ſame had amounted to the clear yearly Sum of Twenty-one thouſand Pounds, or thereabouts; it is witneſſed that, in purſuance of the Power and Authority veſted in them, under and by virtue of the ſaid laſt recited Act of Parliament, they, the ſaid *William Pitt*, *Sylveſter Douglas*, and *Charles Small Pybus*, as ſuch Commiſſioners as aforeſaid, did, on the Behalf of His Majeſty, His Heirs and Succeſſors, contract and agree with the ſaid *Charles* now Duke of *Richmond*, for the abſolute Purchaſe and Surrender of all the Eſtate, Right, Title, and Intereſt of him the ſaid *Charles* now Duke of *Richmond*, and the Heirs Male of his Body, and of the ſaid Lord *George Henry Lennox*, and the Heirs Male of His Body, and of the Heirs of the Body of the ſaid *Charles* Firſt Duke of *Richmond*, and of all other Perſons claiming under or by virtue of the ſaid Letters Patent, or the ſaid Act of Parliament of the Thirtieth Year of the Reign of His ſaid late Majeſty King *George* the Second, or otherwiſe, of and in the ſaid Duties of Twelve-pence *per* Chaldron; and for all the Rights, Privileges, Profits, and other Advantages whatſoever belonging thereto, in Conſideration of an Annuity in lieu thereof of Nineteen thouſand Pounds, to 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 had 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 ſhould thereafter be charged upon or payable out of the ſaid Fund), free and clear of all Deductions and Taxes whatſoever, to the ſaid *Charles* now Duke of *Richmond*, and the Heirs Male of his Body, and in Default of Heirs Male of his Body, then unto the ſaid Lord *George Henry Lennox*, and the Heirs Male of his Body, and in Default of Heirs Male of the Body of the ſaid Lord *George Henry Lennox*, then unto the Heirs of the Body of the ſaid *Charles* Duke of *Richmond*, Grantee in the ſaid recited Letters Patent, and in Default of Heirs of the Body of the ſame *Charles* Duke of *Richmond*, then the ſaid Annuities ſhould revert to His Majeſty, His Heirs and Succeſſors; And it is declared and agreed, That the ſaid Annuity ſhould commence and take Effect from the Fifth Day of *July* then laſt, the Firſt Payment to be computed from the ſame Fifth Day of *July*, until the Tenth Day of *October* then next, and from thenceforth ſhould be paid, and payable Quarterly on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October*, in each and every Year, by even and equal Portions; and the Firſt of the ſaid Quarterly Payments ſhould be made on the Tenth Day of *October* next enſuing the Date thereof, and that upon and from and after the Twenty-ſecond Day of *Auguſt* then inſtant, the ſaid Duties or Sums of Twelve-pence in the ſaid laſt recited Act mentioned, (except as to any Arrears thereof, until the ſaid Twenty-ſecond Day of *Auguſt*), ſhould for ever be, and be deemed and taken to be Duties payable unto, and for the Uſe of His Majeſty, His Heirs and Succeſſors; And it is further declared and agreed, That the Commiſſioners of the Treaſury, or the Lord High Treaſurer for the Time being, ſhould, by

by Warrant under their or his Hands or Hand, direct the Auditor of the Receipt of the Exchequer for the Time being, to make forth and pass Debentures from Time to Time, for paying the said Annuity of Nineteen thousand Pounds in Manner as aforesaid, and as the same should 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, should be a sufficient Authority to the several and respective Officers, of the Receipt of the Exchequer then and for the Time being, for the Payment of the said Annuity to the said *Charles* now Duke of *Richmond*, and the Person or Persons who should for the Time being be entitled thereto, at the respective Days therein-before appointed for Payment thereof, without any further or other Warrant to be sued for, had, or obtained in that Behalf; and that the said *Charles* now Duke of *Richmond*, or the Person or Persons who might for the Time being be entitled to the said Annuity so to be chargeable on the Consolidated Fund, should have all the like Powers for enforcing the due and regular Payment of the said Annuity, and all the like Remedies for recovering the same as were granted by any Act of Parliament then in force, for enforcing or recovering the Payment of any other Annuity granted, charged, or chargeable on the Consolidated Fund: And it is further declared and agreed, That in case the said *Charles* now Duke of *Richmond*, or the Person or Persons who should for the Time being be entitled to the said Annuity, so to be chargeable on the Consolidated Fund, should at any Time after the Expiration of the Year One thousand eight hundred and eight, be desirous that the said Annuity or any Part thereof should be funded or redeemed by the Commissioners of the Treasury, or the Lord High Treasurer for the Time being, and should give Six Months Notice in Writing under his or their Hand or Hands of such his or their Desire to the said Commissioners of the Treasury or the Lord High Treasurer for the Time being, then and in such Case the said Commissioners of the Treasury or Lord High Treasurer for the Time being should from Time to Time direct that by and out of any Publick Monies in the Receipt of the Exchequer, applicable to the Supplies and Services of the current Year, there should accordingly be purchased and invested in the Names of the Lord High Treasurer or the First Commissioner of the Treasury for the Time being, the Right Honourable *Henry* Earl *Bathurst*, the Honourable *George Berkeley* Rear Admiral of His Majesty's Fleet, the Honourable *Cropley Ashley*, and *Robert Steele* of *Lincoln's Inn*, in the County of *Middlesex*, Esquire, or such other Trustee or Trustees as should be appointed in the Manner therein-after directed, so much of the Three *per Cent.* Consolidated Bank Annuities as should produce a clear yearly Annuity, equal to the said Annuity of Nineteen thousand Pounds, or to so much thereof as the said *Charles* now Duke of *Richmond*, or the Persons so for the Time being entitled as aforesaid, should require to be redeemed: And it is further declared and agreed, That the said Three *per Cent.* Consolidated Bank Annuities, and all the Dividends to be received thereon, should be vested in the said Lord High Treasurer or First Commissioner of the Treasury, and such other Trustees thereof for the Time being, in Trust for the said *Charles* now Duke of *Richmond*, and such other Person or Persons as would for the Time being have been entitled to the said Annuity of Nineteen thousand Pounds, in case the same had not been funded or redeemed: Provided also, and it is thereby further declared and agreed, That in case the said *Charles* now Duke

of

of *Richmond*, or the Perſon or Perſons who ſhould for the Time being be ſo entitled as aforeſaid, ſhould, at any Time before the Expiration of the Year One thouſand eight hundred and eight, be deſirous that any Part of the ſaid Annuity ſo to be charged on the Conſolidated Fund, not exceeding One Third Part thereof, ſhould be funded or redeemed as aforeſaid, and ſhould give ſuch Notice of his or their Deſire to the ſaid Commiſſioners or Lord High Treaſurer for the Time being, then and in ſuch Caſe they the ſaid Commiſſioners or Lord High Treaſurer ſhould direct that, by and out of ſuch publick Monies as aforeſaid, there ſhould accordingly be purchaſed and inveſted in the Name of the Firſt Commiſſioner of the Treaſury or the Lord High Treaſurer for the Time being, and ſuch other Truſtees as are therein-before mentioned, ſo much of the Three *per Cent.* Conſolidated Bank Annuities as ſhould be ſufficient to produce an Annuity equal to ſo much of the ſaid Annuity of Nineteen thouſand Pounds, as the ſaid Duke, or ſuch Perſon or Perſons entitled as aforeſaid, ſhould require to be funded or redeemed; ſuch Annuity from the ſaid Three *per Cent.* Conſolidated Bank Annuities to be in Truſt as aforeſaid: Provided always, and it is thereby further declared and agreed, That notwithſtanding any Thing therein-before contained, it ſhould be lawful for the Commiſſioners of His Majeſty's Treaſury or the Lord High Treaſurer for the Time being, at any Time either before or after the Expiration of the Year One thouſand eight hundred and eight, if they ſhould deem it expedient to fund or redeem the Whole or any Part of the ſaid Annuity, thereby charged upon the Conſolidated Fund, upon the ſame Terms and in the ſame Manner as they are thereby required to fund or redeem the ſame, upon the Application of the ſaid Duke of *Richmond* or the Perſon or Perſons ſo for the Time being entitled as aforeſaid, at any Time after the Expiration of the Year One thouſand eight hundred and eight: And it is thereby further declared and agreed, That in caſe and when the ſaid Commiſſioners of the Treaſury or Lord High Treaſurer for the Time being ſhould have made any ſuch Inveſtment as therein-before is mentioned, then and immediately thereupon the ſaid Annuity of Nineteen thouſand Pounds ſo to be charged upon the Conſolidated Fund, or ſo much thereof as ſhould have been funded or redeemed by ſuch Inveſtment, ſhould ceaſe and determine, and be no longer payable; Provided always, and it is thereby further declared and agreed, That upon the Death of any of them, the ſaid *Henry* Earl *Bathurſt*, *George Berkeley*, *Cropley Aſhley*, and *Robert Steele*, or in caſe they or any of them ſhould deſire to be diſcharged from, or decline to act in the Truſts aforeſaid, it ſhould be lawful for the ſaid *Charles* now Duke of *Richmond*, or the Perſon or Perſons who ſhould for the Time being be entitled to the ſaid Annuity of Nineteen thouſand Pounds out of the ſaid Conſolidated Fund, or the Dividends of the ſaid Three *per Cent.* Conſolidated Bank Annuities, (with the Conſent in Writing of the Firſt Commiſſioner of the Treaſury, or the Lord High Treaſurer for the Time being), by any Deed or Inſtrument in Writing under the Hand and Seal of the ſaid *Charles* now Duke of *Richmond*, or the Perſon or Perſons for the Time being ſo entitled as aforeſaid, to nominate and appoint any other Perſon or Perſons to be a Truſtee or Truſtees for the Purpoſes aforeſaid, in the Room of the Truſtee or Truſtees ſo dying, or deſiring to be diſcharged, or declining to act as aforeſaid; and ſuch new Truſtee or Truſtees ſhould have, and be inveſted with ſuch and the ſame Powers in all Reſpects as if he or they had been originally nominated a Truſtee or Truſtees in and by thoſe Preſents; and upon the Death or Removal of the Lord High Treaſurer

or First Commissioner of the Treasury for the Time being as aforesaid, and the Appointment thereupon of another Person to be Lord High Treasurer or First Commissioner of the Treasury, and also upon the Appointment of any such new Trustee or Trustees by the said *Charles* now Duke of *Richmond*, or the Person or Persons for the Time being so entitled as aforesaid, the Trust Funds aforesaid should, from Time to Time, be transferred into the Names of such Lord High Treasurer or First Commissioner of the Treasury, and such new Trustee or Trustees, together with the continuing Trustee or Trustees (if any), upon the Trusts aforesaid, so that at all Times, as soon as might be, the Trust Funds aforesaid might stand and be vested in the Names of the Lord High Treasurer or First Commissioner of the Treasury for the Time being, and Four other Trustees nominated or to be nominated as aforesaid, upon Trust for the Purposes aforesaid: And whereas it is expedient, that the Contract and Agreement so entered into between the said Commissioners of His Majesty's Treasury and the said *Charles* now Duke of *Richmond*, in pursuance of the Act last herein-before recited, should be confirmed and established: 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, That the said herein-before recited Contract and Agreement, so made and entered into, by and between the said Right Honourable *William Pitt*, *Sylvester Douglas*, and *Charles Small Pybus*, as such Commissioners as aforesaid, with the said *Charles* now Duke of *Richmond*, for the absolute Purchase or Surrender of all the Estate, Right, Title, and Interest of him the said *Charles* now Duke of *Richmond*, and the Heirs Male of his Body, and of the said Lord *George Henry Lennox*, and the Heirs Male of his Body, and of the Heirs of the Body of the said *Charles* First Duke of *Richmond*, and of all other Persons under or by virtue of the said Letters Patent, or Act of Parliament or otherwise, of and in the said Duties of Twelve-pence upon every Chaldron of such Coals of the Water Measure of *Newcastle-upon-Tyne* as aforesaid, and for all the Rights, Privileges, Profits, and other Advantages whatsoever belonging thereto, and every Clause, Article, and Thing, in the said Contract and Agreement contained, shall be, and the same are hereby fully and absolutely ratified, confirmed, and established.

Recited Contract confirmed.

II. And, to that End, be it further enacted, That the said Annuity of Nineteen thousand Pounds so agreed upon as the Consideration for such Purchase or Surrender of the said Coal Duty as aforesaid, shall be issuing 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 such Preference to all other Payments out of the said Fund, as in the said Contract or Agreement herein-before recited and confirmed is mentioned), and be payable, free and clear from all Deductions and Taxes whatsoever, Quarterly, on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October*, in every Year, by equal Portions, and be accordingly paid to the said *Charles* now Duke of *Richmond*, and the Heirs Male of his Body; and in Default of the Heirs Male of his Body, then unto the said Lord *George Henry Lennox*, and the Heirs Male of his Body; and in Default of Heirs Male of his Body, then unto the Heirs of the Body of the said *Charles* First Duke of *Richmond*; and in Default of the Heirs of the Body of the said *Charles* First Duke of *Richmond*, the said Annuity

Annuity for Surrender of the Coal Duty, charged upon the Consolidated Fund, and payable quarterly.

nuity shall belong and revert, or be considered as reverting to His Majesty, His Heirs and Successors; and the said Annuity having, by the Terms of the Contract hereby confirmed, taken Effect from the Fifth Day of *July* in the Year of our Lord One thousand seven hundred and ninety-nine, and the First Quarterly Payment of the said Annuity having, according to the Terms of the said Contract, been computed from the said Fifth Day of *July* One thousand seven hundred and ninety-nine until the ensuing Tenth Day of *October*, such Commencement and Computation are hereby ratified and confirmed; and the said Annuity, as from the said Tenth Day of *October*, shall be paid and payable Quarterly in every Year, on the Days and in Manner hereby directed.

Treasury by Warrant to direct the Auditor of the Exchequer to make forth Debentures for the Annuity without Fees.

III. And be it further enacted, That the Commissioners of the Treasury, or any Three or more of them, or the Lord High Treasurer for the Time being, shall, by Warrant, under their or his Hands or Hand, direct the Auditor of the Receipt of the Exchequer for the Time being to make forth and pass Debentures from Time to Time for paying the said Annuity of Nineteen thousand Pounds, or so much thereof as shall not have been funded or redeemed, pursuant to the Provisions in the said Agreement and in this Act contained, 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 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 so much thereof as shall not have been funded or redeemed, to the said *Charles* now Duke of *Richmond*, and the Person or Persons who shall for the Time being be entitled thereto, at the respective Days herein-before appointed for Payment thereof, without any further or other Warrant to be sued for, had, or obtained in that Behalf.

Warrant to be valid.

IV. And be it further enacted, That, after signing 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 upon the Demise of His Majesty, (whom God long preserve), or any of His Heirs or Successors, 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.

Treasury, *etc.* to do all Acts without Fee.

V. And be it further enacted, That the Commissioners of the Treasury now and for the Time being, or any Three or more of them, and the Lord High Treasurer of the Treasury for the Time being, Chancellor and Under Treasurer, Chamberlain and Barons of the Exchequer, and all other 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.

Acquittance of the Person entitled to the Annuity to be sufficient, who may sue

VI. And be it further enacted, That the Acquittance or Acquittances, or Receipt or Receipts of the said *Charles* now Duke of *Richmond*, or the Person or Persons who shall for the Time being be entitled to the said Annuity of Nineteen thousand Pounds, shall be a good

good and sufficient Discharge for the Payment of the said Annuity, without any further or other Warrant to be sued for or obtained in that Behalf, and that the said Annuity, and every Part thereof, shall be free and clear from all Taxes, Impositions, Fees, 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 *Charles* now Duke of *Richmond*, and the Person or Persons who shall for the Time being be entitled to the said Annuity, to receive the same, then the said *Charles* now Duke of *Richmond*, and the Person or Persons so for the Time being entitled as aforesaid, 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, 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, applicable to the Payment thereof at the Time or Times when Demands shall have been legally made of the Payment of the said Annuity 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.

for Neglect of Payment of it.

VII. Provided always, and be it further enacted, That in case the said *Charles* now Duke of *Richmond*, or the Person or Persons who shall for the Time being be entitled to the said Annuity of Nineteen thousand Pounds so to be chargeable on the Consolidated Fund, or if such Person or Persons shall be under the Age of Twenty-one, then his, her, or their Guardian or Guardians for the Time being, shall at any Time after the Expiration of the Year One thousand eight hundred and eight, be desirous that the said Annuity or any Part thereof shall be funded or redeemed by the Commissioners of the Treasury, or the Lord High Treasurer for the Time being, and shall give Six Months Notice in Writing under his or their Hand or Hands, of such his or their Desire to the said Commissioners of the Treasury, or Lord High Treasurer for the Time being, then and in such Case the said Commissioners of the Treasury, or any Three or more of them, or the Lord High Treasurer for the Time being, shall from Time to Time direct, that, by and out of any publick Monies in the Receipt of the Exchequer, applicable to the Supplies and Services of the then current Year, there shall accordingly be purchased and invested in the Names of the Lord High Treasurer, or the First Commissioner of the Treasury for the Time being, and of the said *Henry* Earl *Bathurst*, *George Berkeley*, *Cropley Ashley*, and *Robert Steele*, or such other Trustee or Trustees as shall be appointed in the Manner herein-after directed, so much of the Three Pounds *per Centum* Consolidated Bank Annuities, as shall produce a clear yearly Annuity equal to the said Annuity of Nineteen thousand Pounds, or to so much thereof as the said *Charles* now Duke of *Richmond*, or the Person or Persons so for the Time being entitled as aforesaid, shall require to be redeemed; and the said Three Pounds *per Centum* Consolidated Bank Annuities so to be purchased and invested as aforesaid shall be vested in, and the Dividends to be received thereon shall be payable to the said Lord High Treasurer, or First Commissioner of the Treasury, and the aforesaid other Trustees thereof for the Time being, in Trust for the said *Charles* now Duke of *Richmond*,

After 1808, the Person entitled to the Annuity may, on Six Months Notice to the Treasury, have the Whole or any Part funded in Trustees Names.

Richmond, and such other Person or Persons as, and exclusively of His Majesty, His Heirs and Successors, would for the Time being have been entitled to the said Annuity of Nineteen thousand Pounds in case the same had not been funded or redeemed, and in Default of Heirs of the Body of the said *Charles* First Duke of *Richmond*, in Trust for His Majesty, His Heirs and Successors.

Before the Expiration of the Year 1808, a Part of the Annuity, not exceeding a Third, may be funded on Notice from the Annuitant.

VIII. Provided also, and be it further enacted, That in case the said *Charles* now Duke of *Richmond*, or the Person or Persons who shall for the Time being be so entitled as aforesaid, shall, at any Time before the Expiration of the Year One thousand eight hundred and eight, be desirous that any Part of the said Annuity hereby charged on the Consolidated Fund, not exceeding One Third Part thereof, shall be funded or redeemed, and shall give such Notice as aforesaid, of such his or their Desire, to the said Commissioners, or Lord High Treasurer for the Time being, then, and in such Case, the said Commissioners, or any Three or more of them, or Lord High Treasurer for the Time being, shall direct that, by and out of such Publick Monies as aforesaid, there shall, accordingly, on the Expiration of such Notice, be purchased and invested in the Name of the First Commissioner of the Treasury, or the Lord High Treasurer for the Time being, and such other Trustees as are hereinbefore mentioned, so much of the Three Pounds *per Centum* Consolidated Bank Annuities as shall be sufficient to produce an Annuity equal to so much of the said Annuity of Nineteen thousand Pounds, as the said *Charles* now Duke of *Richmond*, or the Person or Persons entitled as aforesaid, shall require to be funded or redeemed, and the Annuity so to be produced from the said Three Pounds *per Centum* Consolidated Bank Annuities shall be in Trust as aforesaid.

The Treasury may fund the Whol or any Part of the Annuity at any Time.

IX. Provided also, and be it further enacted, That notwithstanding any Thing herein-before contained, it shall be lawful for the Commissioners of His Majesty's Treasury, or the Lord High Treasurer for the Time being, at any Time either before or after the Expiration of the Year One thousand eight hundred and eight, if they shall deem it expedient to fund or redeem the Whole or any Part of the said Annuity of Nineteen thousand Pounds hereby charged upon the Consolidated Fund, upon the same Terms and in the same Manner as they are hereby required to fund or redeem the same, upon the Application of the said *Charles* Duke of *Richmond*, or the Person or Persons so for the Time being entitled as aforesaid, at any Time after the Expiration of the Year One thousand eight hundred and eight.

On Investment, as herein mentioned, in the Funds, the Annuity, or so much as has been funded, to cease.

X. And be it further enacted, That in case and when the said Commissioners of the Treasury, or Lord High Treasurer for the Time being, shall have made any such Investment as herein-before is mentioned, then and immediately thereupon the said Annuity of Nineteen thousand Pounds hereby charged upon the Consolidated Fund, or so much thereof as shall have been funded or redeemed by such Investment, shall cease and determine, and be no longer payable.

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