ANNO TRICESIMO NONO

GEORGII III. REGIS.

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C A P. XLIII.

An Act for enlarging the Time limited by certain Acts paſſed for the Redemption of the Land Tax, for receiving Contracts and making Transfers of Stock thereon, and for explaining and amending the ſaid Acts. [10th *May* 1799.]

WHEREAS it is expedient to extend the Time for transferring in certain Caſes the Conſideration for the Redemption of Land Tax contracted for under and by virtue of an Act, paſſed in the Thirty-eighth Year of the Reign of His preſent Majeſty, intituled, *An Act for making perpetual, ſubject to Redemption and Purchaſe in the Manner therein ſtated, the ſeveral Sums of Money now charged in* Great Britain *as a Land Tax, for One Year, from the Twenty-fifth Day of* March *One thouſand ſeven hundred and ninety-eight*; and of Two other Acts, paſſed in the preſent Seſſion of Parliament, for explaining and amending, and rendering more effectual the ſame, or of either of them: Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Tempo-

Preamble.

38 *Geo.* III, Cap. 60, and 39 *Geo.* III, Cap. 6 and 21, recited.

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tal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That where any Contract for the Redemption of any Land Tax ſhall have been entered into before the Firſt Day of *May* One thouſand ſeven hundred and ninety-nine, wherein the Conſideration ſhall be in Stock, to be transferred in the Whole, or in the Proportion allowed for One Inſtalment, on or before the ſaid Firſt Day of *May*, and the Conſideration, or the Proportion, to be transferred as the Firſt Inſtalment thereof, ſhall not have been transferred on or before the ſaid Firſt Day of *May*, it ſhall be lawful for the Governor and Company of the Bank of *England*, and they are hereby authorized and required at any Time before or on the Twenty-eighth Day of *May* One thouſand ſeven hundred and ninety-nine, in reſpect of the Conſolidated Three Pounds *per Centum* Annuities, and on or before the Twenty-fifth Day of *June* One thouſand ſeven hundred and ninety-nine, in reſpect of the Three Pounds *per Centum* Reduced Annuities, to permit and ſuffer the neceſſary Transfers upon ſuch Contracts to be made, and all ſuch other Acts, Matters, or Things, relating thereto, or to the Redemption of ſuch Land Tax, to be done, as by the ſaid recited Acts, or any or either of them, are authorized and required to be done in Caſes of Tranfers, on or before the Firſt Day of *May* One thouſand ſeven hundred and ninety-nine, upon ſuch Contracts; and every ſuch Transfer of Stock made upon any ſuch Contracts as aforeſaid before the Twenty-eighth Day of *May* One thouſand ſeven hundred and ninety-nine, and the Twenty-fifth Day of *June* One thouſand ſeven hundred and ninety-nine reſpectively as aforeſaid, ſhall be as good, valid, and effectual, for all Purpoſes, and the reſpective Perſons, Bodies, Corporations, or Companies, transferring ſuch Stock, or cauſing the ſame to be transferred, ſhall have and be entitled to the ſame Benefits and Advantages as to the Period of exonerating their Manors, Meſſuages, Lands, Tenements, and Hereditaments, from the Land Tax charged thereon, as if the Conſideration ſpecified in ſuch Contract, or the Firſt Inſtalment thereof, had been transferred before the ſaid Firſt Day of *May*, according to the Terms and Conditions of ſuch Contract; and all ſuch Perſons, Bodies, Corporations, or Companies, ſhall be, and they are hereby indemnified and ſaved harmleſs from all Penalties, Forfeitures, and Payments whatſoever, which ſhall have been incurred under and by virtue of the ſaid recited Acts, or any or either of them, by reaſon of not transferring ſuch Stock on or before the ſaid Firſt Day of *May*; any Thing in the ſaid Acts, or any or either of them, to the contrary notwithſtanding.

Where the Conſideration in any Contract ſhall be Stock to be transferred by *May* 1, 1799, and which ſhall not have been ſo tranſferred, the Bank may permit ſuch Transfers in the 3 *per Cent.* Conſols. till *May* 28, and in the 3 *per Cent.* Reduced till *June* 25, incluſive;

II. And be it further enacted, That where any Contract for the Redemption of any Land Tax ſhall have been, or ſhall be entered into before the ſaid Firſt Day of *May* One thouſand ſeven hundred and ninety-nine, wherein the Conſideration ſhall be in Stock to be transferred in the Whole, or in the Proportion allowed for One Inſtalment, on or before the ſaid Firſt Day of *May*, if in ſuch Caſe the Conſideration to be paid upon ſuch Contract is to be raiſed by the Sale, Mortgage, or Grant of any Manors, Meſſuages, Lands, Tenements, or Hereditaments, under and by virtue of the ſaid Acts, or any or either of them, then and in every ſuch Caſe it ſhall be lawful for the Governor and Company of the Bank of *England*, upon the Certificate under the Hands of the Commiſſioners, having Authority under the ſaid Acts, or any or either of

and where ſuch Conſideration is to be raiſed by Sale of Lands, &c. the Bank, upon Certificate of the Commiſſioners authorized to conſent to ſuch Sale, may receive the Money, &c. before *Auguſt* 1, 1799.

of them, to conſent and approve of ſuch Sale, or any Two or more of them, that ſuch Sale, Mortgage, or Grant, was not or could not be completed before the ſaid Firſt Day of *May*; and the ſaid Governor and Company are hereby authorized and required to receive the Money ariſing by ſuch Sale, Mortgage, or Grant, and place the ſame to the like Account, and to permit and ſuffer the neceſſary Transfers upon ſuch Contract to be made, and all ſuch other Acts, Matters, or Things relating thereto, or to the Redemption of ſuch Land Tax, to be done at any Time before the Firſt Day of *Auguſt* One thouſand ſeven hundred and ninety-nine, in like Manner in every Reſpect as by the ſaid Acts, or any or either of them, are authorized and required to be done in Caſes of Payments on Transfers made on or before the Firſt Day of *May* One thouſand ſeven hundred and ninety-nine, upon ſuch Contracts; and every ſuch Payment and Receipt of ſuch Purchaſe Money made in purſuance of ſuch Sale, Mortgage, or Grant, and Contract, for the Redemption of ſuch Land Tax, and of the Certificate under the Hands of ſuch Commiſſioners as aforeſaid; and every ſuch Transfer of Stock made in purſuance thereof ſhall be as good, valid, and effectual, for all Purpoſes, and the reſpective Perſons, Bodies, Corporations, or Companies, redeeming ſuch Land Tax, ſhall have and be entitled to the ſame Benefits and Advantages as to the Period of exonerating their Manors, Meſſuages, Lands, Tenements, and Hereditaments, from the Land Tax charged thereon, as if the Conſideration ſpecified in ſuch Contract, or the Firſt Inſtalment thereof, had been paid, or the Stock to be purchaſed therewith had been transferred, before the ſaid Firſt Day of *May*, according to the Tenor of ſuch Contract; and all Perſons, Bodies, Corporations, or Companies, redeeming ſuch Land Tax, and all Purchaſers, Mortgagees, and Grantees of ſuch Manors, Meſſuages, Lands, Tenements, or Hereditaments, ſhall be, and they are hereby reſpectively indemnified and ſaved harmleſs from all Penalties, Forfeitures, and Payments whatſoever, which ſhall have been incurred under and by virtue of the ſaid recited Acts, or any or either of them, by reaſon of not paying ſuch Money, or ſuch Stock being transferred, on or before the ſaid Firſt Day of *May*; any Thing in the ſaid Acts, or any or either of them, to the contrary notwithſtanding.

Second and ſubſequent Inſtalments to be made by the Times mentioned in recited Acts, and Contracts to be regiſtered as thereby required.

III. Provided always, That the Second and every ſubſequent Inſtalment to be transferred on any ſuch Contract, ſhall be made good on or before the reſpective Times in the ſaid recited Acts mentioned, in the ſame Manner as if this Act had not been paſſed, or the Firſt Inſtalment had been transferred on or before the ſaid Firſt Day of *May*: Provided alſo, That nothing herein contained ſhall extend to the altering the Time for the Regiſtry of any ſuch Contract; but that every ſuch Contract ſhall be regiſtered in ſuch and the like Manner, and at ſuch Time as by the ſaid Act is required, as if the Transfer of Stock made thereon had been made on or before the ſaid Firſt Day of *May*, in the ſaid Acts mentioned.

Laſt recited Act not to reſtrain the Court of Chancery in *England*, or the Court of Seſſion in

IV. And be it further enacted, That nothing contained in the ſaid laſt recited Act of the preſent Seſſion of Parliament ſhall extend to reſtrain the Court of Chancery in *England*, or the Court of Seſſion in *Scotland*, to make ſuch Order reſpecting the Application of the Income to be derived

Scotland, to make Order reſpecting the Application of Income derived from Land Tax redeemed from Sales of Timber cut down by Order of thoſe Courts.

derived from the Redemption of any Land Tax which ſhall be redeemed by or out of the Monies to be produced by the Sale of any Timber which ſhall be cut down by Order of the ſaid Courts, during ſo long Time as the Manors, Lands, Tenements, or Hereditaments, on which ſuch Timber ſhall be growing, ſhall be in Poſſeſſion of any Perſon or Perſons having a limited Intereſt or limited Intereſts therein, having Regard to the State and Condition of ſuch Timber, and to the Rights of all Perſons intereſted therein.

Where Leſſees under Biſhops, &c. ſhall be liable to pay the Land Tax, and the Lands ſhall have been demiſed to under Leſſees, ſuch Land Tax ſhall be conſidered as Rent reſerved on ſuch laſt Demiſe.

V. And be it further enacted, That where any Leſſee of any Manors, Meſſuages, Lands, Tenements, or Hereditaments, demiſed by any Biſhop or other Eccleſiaſtical Corporation, and charged with Land Tax, ſhall be liable by virtue of the ſaid laſt recited Act, on occaſion of the Redemption of the Land Tax charged thereon, to pay the Amount of ſuch Land Tax to ſuch Biſhop or other Eccleſiaſtical Corporation, and ſuch Manors, Meſſuages, Lands, Tenements, or Hereditaments, ſhall be demiſed to any under Leſſee, who ſhall be bound by Covenant or Agreement to pay ſuch Land Tax, then and in ſuch Caſe the Amount of the Land Tax charged on ſuch Manors, Meſſuages, Lands, Tenements, and Hereditaments, and ſo redeemed as aforeſaid, ſhall be conſidered as Rent reſerved or made payable on ſuch laſt mentioned Demiſe, and the ſame Powers ſhall be had, uſed, or enjoyed, for the Recovery thereof, as for the Recovery of ſuch Rent when in Arrear.

The Governors of Queen *Anne*'s Bounty may execute the Powers contained in the firſt recited Act for Redemption of Land Tax contracted for by Incumbents previous to the Sale thereof under the ſaid Act.

VI. And be it further enacted, That it ſhall be lawful for the Governors of the Bounty of Queen *Anne*, in the ſaid firſt recited Act mentioned, to execute the Powers contained therein for the Redemption of any Land Tax which ſhall have been or ſhall be contracted for by the Incumbent or Incumbents of Livings at any Time previous to the Sale of ſuch Land Tax under the ſaid Act, in like Manner as they might have done within the Period limited by the ſaid Act; and all Acts and Deeds of ſuch Governors, and alſo all Contracts made before the paſſing of this Act, ſhall be valid and effectual for the Purpoſes in the ſaid Act mentioned, notwithſtanding any Limitation of Time therein contained.

Truſtees for the poor Clergy under any Wills may execute the Powers given by the ſecondly recited Act for the Redemption of Land Tax contracted for by Incumbents before *March* 25, 1800.

VII. And be it further enacted, That it ſhall be lawful for the Truſtees for the Time being of any Truſt Property heretofore given by any Will for the Purpoſe of being laid out in the Purchaſe of Lands or impropriate Tythes, for the Benefit of the poor Clergy of *England*, and who were empowered by the ſaid ſecondly recited Act to apply their Funds therein mentioned for the Redemption or Purchaſe of Land Tax charged upon the Lands, Tythes, or other Profits ariſing from any Living or Livings belonging to the Church of *England*, which ſhould have been contracted for on or before the Twenty-fifth Day of *March* One thouſand ſeven hundred and ninety-nine, to carry into Execution all and every the ſaid Powers for the Redemption or Purchaſe of ſuch Land Tax which ſhall have been or ſhall be contracted for by the Incumbent or Incumbents of any Living or Livings in the Manner directed by the ſaid Act, at any Time before the Twenty-fifth Day of *March* One thouſand eight hundred, and the Transfers of Stock to be made for ſuch Redemption ſhall have Effect from the Quarter Day preceding the making thereof, and all other Acts,

Matters,

Matters, and Things, which the ſaid Truſtees might lawfully have done under and by virtue of the ſaid ſecondly recited Act, ſhall be as valid and effectual to exonerate and diſcharge the Lands, Tythes, and other Profits of ſuch Living or Livings from the Payment of the Land Tax redeemed, as if ſuch Land Tax had been contracted for on or before the Twenty-fifth Day of *March* One thouſand ſeven hundred and ninety-nine.

Laſt recited Act not to extend to Appeals againſt any Land Tax, or Aſſeſſment contracted for, or to any Contract for Redemption of ſuch Land Tax which ſhall have been reduced within Three Years preceding, unleſs made againſt the Party contracting, &c.

VIII. Provided always, and be it further enacted, That nothing in the ſaid laſt recited Act of the preſent Seſſion of Parliament contained ſhall be conſtrued to extend to any Appeal againſt any Land Tax, or any Aſſeſſment of Land Tax contracted for, or to any Contract for the Redemption of ſuch Land Tax which ſhall have been reduced in its Amount within Three Years preceding the Time of completing ſuch Contract, unleſs ſuch Appeal ſhall be made againſt the Party who ſhall have entered into ſuch Contract, his or her Heirs or Aſſigns, and unleſs it ſhall be proved to the Satisfaction of the Commiſſioners before whom ſuch Appeal ſhall be heard, and ſhall be adjudged by them, that the Reduction in the Amount of the Aſſeſſment of Land Tax ſo redeemed was fraudulently made, or was obtained by ſome undue Practice or falſe Repreſentation of the Value of the Eſtate of ſuch Party, in the Pariſh or Place where ſuch Aſſeſſment was made, or of the Proportion of Value which his or her Eſtate bore to other Eſtates or Income liable to be aſſeſſed in the ſame Pariſh or Place, ſo as to prove, to the Satisfaction of ſuch Commiſſioners, that ſuch Reduction was wrongfully made; any Thing in the ſaid Act contained to the contrary thereof notwithſtanding.

Guardians, &c. may transfer Stock ſtanding in the Names of Infants, &c. or jointly with themſelves, for Redemption of Land Tax.

IX. And be it further enacted, That it ſhall be lawful for all Guardians, Tutors, and Curators of Infants, and for all Truſtees for married Women, who have contracted, or who ſhall contract, for the Redemption of the Land Tax charged on any Manors, Meſſuages, Lands, Tenements, or Hereditaments, wherein ſuch Infants or married Women ſhall be intereſted, to transfer to the Commiſſioners for the Reduction of the National Debt ſo much of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Annuities which ſhall be ſtanding in the Name or Names of ſuch Infants or married Women, either ſolely, or jointly with ſuch Guardians, Tutors, Curators, or Truſtees, or any of them, as ſhall be ſufficient for the Redemption of the Land Tax contracted for, and the Governor and Company of the Bank of *England* are hereby authorized and required to permit and ſuffer ſuch Transfers to be made; and the Caſhier or Caſhiers of the Bank of *England* ſhall give a Certificate or Receipt for the Stock to be ſo transferred, which ſhall be an Acquittance and Diſcharge to ſuch Guardians, Tutors, Curators, or Truſtees, transferring ſuch Stock as aforeſaid; and the ſaid Governor and Company, and their reſpective Officers, are hereby indemnified againſt all Perſons whatever for any Transfer made in purſuance of this Act.

Powers for accepting Stock, and for tranſ-

X. And be it further enacted, That any Letter, or Power of Attorney, authorizing any Perſon or Perſons to accept any Stock in the Three Pounds

ferring it for redeeming Land Tax, not liable to Stamp Duty.

Pounds *per Centum* Bank Annuities, and alſo to transfer the ſame to the Commiſſioners for the Reduction of the National Debt on Account of or for the Purpoſe of redeeming any Land Tax, ſhall be exempted from Stamp Duty, and ſhall be valid and effectual in the Law for the Purpoſe of ſuch Acceptances and Transfers.

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