Anno octavo

Georgii III. Regis.

CAP. VI.

An Act to indemnify such Persons as have omitted to qualify themselves for Offices and Employments within the Time limited by Law, and for allowing further Time for that Purpose; and to indemnify Members, and Officers in Cities, Corporations, and Borough Towns, whose Admissions have been omitted to be stamped according to Law, or, having been stamped, have been lost or mislaid, and for allowing them Time to provide Admissions duly stamped.

WHEREAS divers Persons who, on account of their Offices, Places, Employments, or Professions, or any other Cause or Occasion, ought to have taken and subscribed the Oaths, or the Assurance, respectively appointed to be by such Persons taken and subscribed, in and by an Act made in the First Year of the Reign of His late Majesty King George the First, of Glorious Memory, intituled, An Act for the further Security of His Majesty's Person and Government, and the Succession

Preamble, reciting the several Qualifying Acts of

1 Geo. I.

Succeſſion of the Crown in the Heirs of the late Princeſs *Sophia*, being Proteſtants; and for extinguiſhing the Hopes of the pretended Prince of *Wales*, and his open and ſecret
13 *Car.* II. Abettors; or to have qualified themſelves according to an Act made in the Thirteenth Year of the Reign of King Charles the Second, intituled, An Act for the
25 *Car.* II. well governing and regulating Corporations; or to have qualified themſelves according to another Act made in the Twenty fifth Year of the Reign of King Charles the Second, intituled, An Act for preventing the Dangers which may happen from Popiſh Recuſants, by receiving the Sacrament of the Lord's Supper according to the Uſage of the Church of England, and making and ſubſcribing the Declaration againſt Tranſubſtantiation
30 *Car* II. therein mentioned; or according to another Act made in the Thirtieth Year of the Reign of King Charles the Second, intituled, An Act for the more effectual preſerving the King's Perſon and Government, by diſabling
8 *Geo.* I. Papiſts from ſitting in either Houſe of Parliament; or according to another Act made in the Eighth Year of the Reign of His late Majeſty King George the Firſt, intituled, An Act for granting the People called *Quakers*, ſuch Forms of Affirmation or Declaration as may remove
9 *Geo.* II. the Difficulties which many of them lie under; or according to another Act made in the Ninth Year of the Reign of His late Majeſty King George the Second, intituled, An Act for indemnifying Perſons who have omitted to qualify themſelves for Offices within the Time limited by Law, and for allowing further Time for that Purpoſe; and for amending ſo much of an Act paſſed in the Second Year of the Reign of His preſent Majeſty, as requires Perſons to qualify themſelves for Offices before the End of the next Term or Quarter Seſſions; and alſo for enlarging the Time limited by Law for making and ſubſcribing the Declaration againſt Tranſubſtantiation; and for allowing a further Time for Inrolment of Deeds and Wills made by Papiſts; and for Relief
18 *Geo.* II. of Proteſtant Purchaſers, Deviſees, and Leſſees; or according to another Act made in the Eighteenth Year of the Reign of His late Majeſty King George the Second, intituled, An Act to amend and render more effectual an Act paſſed in the Fifth Year of His preſent Majeſty's Reign, intituled, *An Act for the further Qualification of Juſtices of*
and 6 *Geo.* III. *the Peace*; or according to another Act made in the Sixth Year of His preſent Majeſty, intituled, An Act for altering the Oath of Abjuration and the Aſſurance; and for amending ſo much of an Act made in the Seventh Year of Her late Majeſty Queen *Anne*, intituled,

intituled, *An Act for the Improvement of the Union of the Two Kingdoms*, as, after the Time therein limited, requires the Delivery of certain Lists and Copies therein mentioned to Persons indicted of High Treason, or Misprision of Treason; have, through Ignorance of the Law, Absence, or some unavoidable Accident, omitted to take and subscribe the said Oaths and Assurance, and make and subscribe the Declaration required by Law, or otherwise to qualify themselves as aforesaid, within such Time, and in such Manner, as in and by the said Acts respectively, or by any other Act of Parliament in that Behalf made, is required, whereby they have incurred, or may be in Danger of incurring, divers Penalties and Disabilities: For quieting the Minds of His Majesty's Subjects, and for preventing any Inconveniencies that might otherwise happen by means of such Omissions, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every Person or Persons who at, or before, the passing of this Act, hath, or shall have, omitted to take and subscribe the said Oaths and Declarations, or to receive the Sacrament of the Lord's Supper, or otherwise to qualify him, her, or themselves, within such Time, and in such Manner, as in and by the said Acts, or any of them, or by any other Act of Parliament in that Behalf made, is required; and who, after accepting any such Office, Place, or Employment, or undertaken any Profession or Thing, on account of which such Qualification ought to have been had, and is required, before the passing of this Act, hath or have taken and subscribed the said Oaths, or made the Declarations required by Law, and also received the Sacrament of the Lord's Supper according to the Usage of the Church of England; or who, on or before the Twenty fifth Day of December, One thousand seven hundred and sixty eight, shall take and subscribe the said Oaths, Declarations, and Assurance respectively, in such Cases wherein by Law the said Oaths, Declarations, and Assurance, ought to have been taken or subscribed, in such Manner and Form, and at or in such Place or Places, as are appointed in and by the said Act made in the First Year of the Reign of His said late Majesty King George the First, or by any other Act or Acts of Parliament in that Behalf made and provided; and also hath or have received, or shall, on or before the said Twenty fifth Day of December,

Persons, who at, or before, the passing of this Act, have omitted to qualify themselves for Offices and Employments, as the Laws direct, &c.

and who shall duly qualify themselves on or before 25 *Dec.* 1768,

One thouſand ſeven hundred and ſixty eight, receive the Sacrament of the Lord's Supper according to the Uſage of the Church of England, in ſuch Caſes wherein the ſaid Sacrament ought to have been received; and hath or have made and ſubſcribed, or ſhall, on or before the ſaid Twenty fifth Day of December, One thouſand ſeven hundred and ſixty eight, make and ſubſcribe the ſaid Declaration againſt Tranſubſtantiation; and alſo hath or have made and ſubſcribed, or ſhall, on or before the ſaid Twenty fifth Day of December, One thouſand ſeven hundred and ſixty eight, make and ſubſcribe the ſaid Declaration in the ſaid Statute made in the Thirtieth Year of King Charles the Second, in ſuch Caſes wherein the ſaid Declarations ought to have been made and ſubſcribed; and take and ſubſcribe the Oath directed by the ſaid Act made in the Eighteenth Year of the Reign of His late Majeſty King George the Second, in ſuch Caſes wherein the ſaid Oath ought to have been taken and ſubſcribed, in ſuch Manner as by the ſaid Act is directed; ſhall be and are hereby indemnified, freed, and diſcharged, from and againſt all Penalties, Forfeitures, Incapacities, and Diſabilities, incurred, or to be incurred, for or by reaſon of any Neglect or Omiſſion, previous to the paſſing of this Act, of taking or ſubſcribing the ſaid Oaths or Aſſurance, or receiving the Sacrament, or making or ſubſcribing the ſaid Declarations, or taking or ſubſcribing the ſaid Oath, according to the above-mentioned Acts, or any of them, or any other Act or Acts; and ſuch Perſon and Perſons is and are, and ſhall be, fully and actually recapacitated and reſtored to the ſame State and Condition as he, ſhe, or they, were in before ſuch Neglect or Omiſſion, and ſhall be deemed and adjudged to have duly qualified him, her, or themſelves, according to the above-mentioned Acts, and every of them; and that all Elections of, and Acts done, or to be done, by any ſuch Perſon or Perſons, or by Authority derived from him, her, or them, are and ſhall be of the ſame Force and Validity as the ſame, or any of them, would have been, if ſuch Perſon or Perſons reſpectively had taken the ſaid Oaths or Aſſurance, and received the Sacrament of the Lord's Supper, and made and ſubſcribed the ſaid Declarations, and taken and ſubſcribed the ſaid Oath, according to the Direction of the ſaid Acts, and every or any of them; and that the Qualification of ſuch Perſon or Perſons qualifying themſelves in Manner, and within the Time, appointed by this Act, ſhall be, to all Intents and Purpoſes, as effectual, as if ſuch Perſon or Perſons had reſpectively taken

are indemnified for any ſuch previous Omiſſion,

and recapacitated;

and all Elections and Acts done, or to be done, by them, &c. are declared to be as valid, as if they had before duly qualified themſelves as the ſaid ſeveral Acts direct;

taken the said Oaths and Assurance, and received the Sacrament, and made and subscribed the said Declaration, and taken and subscribed the said Oath, within the Time, and in the Manner, appointed by the several Acts before-mentioned.

except in such Cases where final Judgement hath been given in any Court for the Penalty incurred by any such Omission.

Provided always, That this Act, or any thing herein contained, shall not extend, or be construed to extend, to indemnify any Person against whom final Judgement shall have been given in any Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record, for any Penalty incurred by having neglected to qualify himself within the Time limited by Law.

Town Clerks, and other Public Officers, and Persons, whose Appointments, and Admissions, or Entries of Admissions in the Court Books, may not have been provided; or not duly stampt; or which have been lost or mislaid; providing, &c. the same on or before 25 *Dec.* 1768,

And whereas the Appointments of divers Clerks of the Peace, Town Clerks, and other publick Officers, and the Admissions of divers Members and Officers of Cities, Corporations, and Borough Towns, or the Entries of such Admissions in the Court Books, Rolls, or Records, of such Cities, Corporations, and Borough Towns, which, by several Acts of Parliament, are directed and required to be stamped, may not have been provided, or the same not duly stamped, or may have been lost or mislaid; be it further enacted by the Authority aforesaid, That, for the Relief of such Persons whose Appointments and Admissions, or the Entries of whose Admissions, as aforesaid, may not have been provided, or not duly stamped, or where the same have been lost or mislaid, it shall and may be lawful to and for such Persons, on or before the Twenty fifth Day of December, One thousand seven hundred and sixty eight, to provide, or cause to be provided, Appointments and Admissions, or Entries of Admissions, as aforesaid, duly stamped, or in case where such Appointments, Admissions, or Entries of Admissions as aforesaid, have been made or provided, but have not been duly stamped, to produce such Appointments, Admissions, or Entries of Admissions, as aforesaid, to the Commissioners appointed to inspect and manage the Revenues of the Stamp Duties, to be duly stamped; which such Commissioners are hereby authorized, impowered, and required, to duly stamp, on Payment of the Duties first payable, or to have been paid, on such Appointments, Admissions, or Entries of Admissions, as aforesaid, without any Fine or Forfeiture thereon; and such Persons so providing Appointments, Admissions, or Entries of Admissions, as aforesaid, duly stamped, or procuring the same to be duly stamped, in Manner aforesaid, are and shall be hereby confirmed and qualified to act as Clerk of the Peace, Town Clerk or other publick Officer, or Member

are confirmed in their Offices,

or Members, Officer or Officers, of such Cities, Corporations, and Borough Towns respectively, to all Intents and Purposes; and shall and may hold and enjoy, and execute, such Offices, as any other Office or Offices, into which he or they hath or have been elected, notwithstanding his or their Omission, or the Omission of any of their Predecessors, in such Cities, Corporations, or Borough Towns, as aforesaid; and shall be indemnified and discharged of and from all Incapacities, Disabilities, Forfeitures, Penalties, and Damages, by reason of any such Omission; and none of his or their Acts shall be questioned or avoided by reason of the same.

and indemnified, notwithstanding such Omission.

Provided always, That this Act, or any thing herein contained, shall not extend, or be construed to extend, to restore or intitle any Person or Persons to any Office or Employment, Benefice, Matter, or Thing whatsoever, already actually avoided by Judgement of any of His Majesty's Courts of Record, or already legally filled up and enjoyed by any other Person; but that such Office, Employment, Benefice, Matter, or Thing, so avoided, or legally filled up and enjoyed, shall be and remain in and to the Person or Persons who is or are now, or shall, at the passing of this Act, be legally intitled to the same, as if this Act had never been made.

Offices, &c. already avoided by Judgement of a Court, and legally filled up, confirmed.

And be it further enacted, That in case any Action, Suit, Bill of Indictment, or Information, shall, from and after the passing of this Act, be brought, carried on, or prosecuted, against any Person or Persons hereby meant or intended to be indemnified, recapacitated, or restored, for or on account of any Forfeiture, Penalty, Incapacity, or Disability whatsoever, incurred, or to be incurred, by any such Neglect or Omission, such Person or Persons may plead the General Issue, and, upon their Defence, give this Act, and the Special Matter in Evidence, at any Trial to be had thereupon. 7

Persons sued may plead the General Issue.

FINIS.