ANNO QUADRAGESIMO TERTIO

GEORGII III. REGIS.

C A P. XXXIX.

An Act for appointing Commiſſioners for diſtributing the Money ſtipulated to be paid by the United States of *America*, under the Convention made between His Majeſty and the ſaid United States, among the Perſons having Claims to Compenſation out of ſuch Money. [22d *April* 1803.]

WHEREAS by a Convention, made at *London* on the Eighth Day of *January* One thouſand eight hundred and two, between His Majeſty and the United States of *America*, the ſaid United States engaged to pay, and His Majeſty conſented to accept, for the

Uſe of the Perſons deſcribed in the Sixth Article of the Treaty of Commerce, Amity, and Navigation concluded at *London* on the Fourth Day of *November* One thouſand ſeven hundred and ninety-four, between His Majeſty and the ſaid United States, in Satisfaction and Diſcharge of the Money which the United States might have been liable to pay, in purſuance of the Proviſions of the ſaid Sixth Article, the Sum of Six hundred thouſand Pounds Sterling, payable at the City of *Waſhington* in *America*, in Three annual Inſtalments of Two hundred thouſand Pounds Sterling each, and to ſuch Perſon or Perſons as ſhould be authorized by His Majeſty to receive the ſame; the Firſt of the ſaid Inſtalments to be paid at the Expiration of One Year, and the Second Inſtalment at the Expiration of Two Years, and the Third and laſt Inſtalment at the Expiration of Three Years next following the Exchange of the Ratification of the ſaid Convention, and to be paid in Money of the ſaid United States, reckoning Four Dollars and Forty-four Cents, to be equal to One Pound Sterling: And whereas it is expedient that Commiſſioners ſhould be appointed for the apportioning, dividing, and diſtributing ſuch Sum of Money amongſt the ſeveral Perſons who ſhall by ſuch Commiſſioners be found entitled to receive Compenſation out of the ſame, in Proportion to their ſeveral and reſpective Claims, ſo far as the ſame ſhall by ſuch Commiſſioners be approved or adjudged to be good: May it therefore pleaſe Your Majeſty that it may be enacted; and 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 *Thomas Macdonald* Eſquire, *Henry Pye Rich* Eſquire, and *John Guillemard* Eſquire, ſhall be and they are hereby conſtituted and appointed Commiſſioners for the Purpoſes aforeſaid; and that the Adjudication of ſuch Commiſſioners, or any Two of them, as to all Claims made for Compenſation out of ſuch Money, and alſo as to the Apportionment and Diſtribution thereof as aforeſaid, ſhall be final and concluſive.

Commiſſioners appointed,

who ſhall take an Oath.

II. And be it further enacted, That the ſaid Commiſſioners in this Act named, before they enter upon the Execution of the ſame, ſhall take an Oath before the Maſter of the Rolls, for the Time being, or One of His Majeſty's Juſtices of the Court of King's Bench, Common Pleas, or Barons of the Exchequer (which they, or either of them, are hereby authorized and required to adminiſter in the Form following, that is to ſay),

'I *A. B.* do ſwear, That according to the beſt of my Judgement and Knowledge, I will faithfully, impartially, and truly execute the ſeveral Powers and Truſts veſted in me by an Act, intituled, *An Act* [*here inſert the Title of the Act*], according to the Tenor and Purport of the ſaid Act.'

Parties or Witneſſes may be examined on Oath.

III. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, or any Two of them, and they are hereby empowered and required to examine upon Oath (which Oath they, or any Two of them,

are hereby authorized to adminiſter), all Perſons whether Parties or Witneſſes, whom the ſaid Commiſſioners, or any Two of them, ſhall think fit to examine touching all ſuch Matters and Things as ſhall appear to them to be neceſſary for the Execution of the Powers veſted in the ſaid Commiſſioners by this Act; and all ſuch Perſons are hereby directed and required punctually to attend the ſaid Commiſſioners, at ſuch Time or Place as they, or any Two of them, ſhall appoint.

Commiſſioners may ſend for Perſons and Records,

IV. And be it further enacted, That the ſaid Commiſſioners, or any Two of them, are hereby authorized to meet and ſit from Time to Time at ſuch Place as they, or any Two of them, ſhall think proper, with or without Adjournment, and to ſend their Precept or Precepts under their Hands and Seals, or the Hands and Seals of any Two of them, for any Perſon or Perſons whatſoever, and for ſuch Books, Papers, Writings, or Records, as they ſhall judge neceſſary for their Information in the Execution of the Powers veſted in the ſaid Commiſſioners by this Act; and the ſaid Commiſſioners, or any Two of them, are hereby authorized to make ſuch Rules and Orders for regulating their Proceedings, and in ſuch Form and Manner as they ſhall think proper, and to appoint a Secretary, and employ ſuch Agents, Clerks, Meſſengers, and Officers as they ſhall think meet, and to adminiſter to ſuch Secretary, and to every of the ſaid Agents, Clerks, and Officers an Oath, for his true and faithful Demeanour in all Things relating to the due Performance of the Truſt repoſed in him by the ſaid Commiſſioners, and in all other Things touching the Premiſes; which ſaid Secretary, Agents, Clerks, and Officers are hereby required faithfully to execute and perform the Truſt in them ſeverally and reſpectively repoſed, without taking any Thing for ſuch their Service, other than ſuch Salary or Rewards as the ſaid Commiſſioners, or any Two of them, ſhall think fit to direct and appoint in that Behalf.

and appoint Officers, *etc.*

Written Depoſitions, *&c.* may be received in Evidence.

V. And be it further enacted, That the ſaid Commiſſioners, or any Two of them, are hereby authorized to receive in Evidence, all written Depoſitions or Books or Papers, or Copies or Extracts thereof; every ſuch Depoſition, Book or Paper, or Copy or Extract being authenticated in ſuch Manner as the ſaid Commiſſioners, or any Two of them, ſhall ſee Cauſe to require or allow.

Perſons giving falſe Evidence, ſubject to the Pains of Perjury.

VI. And be it further enacted, That in caſe any Perſon or Perſons upon Examination upon Oath before the ſaid Commiſſioners, or any Two of them reſpectively, as before mentioned, ſhall wilfully and corruptly give falſe Evidence; every ſuch Perſon ſo offending, and being thereof duly convicted, ſhall be, and is and are hereby declared to be, ſubject and liable to ſuch Pains and Penalties as by any Law now in being, Perſons convicted of wilful and corrupt Perjury are ſubject and liable to.

VII. And

No Claim to be received after *June* 1, 1804.

VII. And be it further enacted, That no Claim or Requeſt of any Perſon or Perſons under this Act ſhall be received after the Firſt Day of *June* One thouſand eight hundred and four.

Commiſſioners ſhall give an Account of their Proceedings to the Treaſury, &c.

VIII. And be it further enacted, That the ſaid Commiſſioners ſhall from Time to Time at their Diſcretion, or as often as they ſhall be thereunto required, and as ſoon as poſſible for the Determination of their Examinations and Proceedings, by virtue of this Act, without any further Requiſition, give an Account of their Proceedings in Writing to the Lords Commiſſioners of His Majeſty's Treaſury, and to His Majeſty's Principal Secretaries of State for the Time being.

Treaſury to iſſue Money neceſſary for carrying Act into Execution.

IX. And be it further enacted, That the Lords Commiſſioners of the Treaſury, or Lord High Treaſurer for the Time being, are hereby authorized to iſſue, or cauſe to be iſſued, all ſuch Sums of Money as may from Time to Time be neceſſary for the enabling the ſaid Commiſſioners to carry into Execution the Purpoſes of this Act, and ſhall cauſe the ſame to be paid to ſuch Perſon or Perſons as the ſaid Commiſſioners, or any Two of them, ſhall, by Writing under their Hands, deſire or direct out of any Part of the publick Monies remaining in His Majeſty's Exchequer; which Sum ſo iſſued and paid ſhall be employed for the Payment of ſuch Secretary, Agents, Clerks, Meſſengers, and other Officers, and in defraying all other neceſſary Charges in or about the Execution of the Powers of this Act, and in ſuch Manner and in ſuch Proportions as ſhall be appointed by the ſaid Commiſſioners, or any Two of them, by Writing under their Hands and Seals in that Behalf, the ſame to be accounted for by the Perſon or Perſons to whom the ſame ſhall be iſſued and paid, according to the Courſe of His Majeſty's Exchequer, without any Fee or other Charges to be taken or demanded for the iſſuing and Payment of the ſame, or on the paſſing of the ſaid Accounts, other than ſuch Sum as the ſaid Commiſſioners, or any Two of them, ſhall appoint, and which Money ſo iſſued ſhall not be ſubject to any Tax, Duty, Rate, or Aſſeſſment whatſoever impoſed by Authority of Parliament.

His Majeſty to ſupply Vacancies occaſioned by Death or Reſignation of Commiſſioners.

X. And be it further enacted, That in caſe of a Vacancy or Vacancies, by Death or Reſignation, of any One or more of the ſaid Commiſſioners during the Receſs of Parliament, it ſhall and may be lawful for His Majeſty to nominate and appoint ſuch Perſon or Perſons as He may think proper, to ſupply ſuch Vacancy or Vacancies; and that every Perſon ſo nominated and appointed ſhall take the Oath herein-before directed, and be held and conſidered to be inveſted with all the ſame Powers as are delegated to the Commiſſioners appointed by this Act.

The Inſtalments of the 600,000*l.* when paid in *America*, ſhall be remitted to the Bank of *England*, ſubject to the Or-

XI. And be it further enacted, That the ſaid ſeveral Inſtalments of the ſaid Sum of Six hundred thouſand Pounds, ſhall, as ſoon after the Payment thereof reſpectively in *America* as the ſame can be done, be remitted to and paid into the Hands of the Caſhier of the Governor and Company of the Bank of *England*, to the Account of, and with the Privity and in the Names of, the Commiſſioners appointed under this Act, and ſhall be

and

and remain in the Names of the ſaid Commiſſioners for the Time being under this Act, to be paid to the ſeveral and reſpective Perſons entitled thereto, under the Orders of the ſaid Commiſſioners, or any Two of them, purſuant to the Proviſions of this Act. der of the Commiſſioners.

XII. And be it further enacted, That when and ſo ſoon as the ſaid Commiſſioners, or any Two of them, ſhall have approved and adjudged the Claim of any Perſon or Perſons to any ſuch Compenſation as aforeſaid, to be good and valid in the Whole or in Part, and aſcertained the Amount of any Dividend or Proportion of Money to which any ſuch Perſon is or Perſons reſpectively are then entitled, the ſaid Commiſſioners, or any Two of them, ſhall make out, or cauſe to be made out, in ſuch Form as they ſhall think fit, an Order or Orders for the Payment of ſuch Sum or Sums reſpectively as ſhall have been ſo aſcertained as aforeſaid, or of ſuch Part thereof as ſhall be in Proportion to the Amount of the Money which ſhall then have been remitted from *America*, and paid into the Bank of *England*, in Manner herein-before directed, and ſhall annex their Hands and Seals, or the Hands and Seals of any Two of them, to ſuch Order or Orders, and ſhall cauſe the ſame to be delivered to the Perſon or Perſons reſpectively entitled thereto, or to the Agent or Agents of ſuch Perſon or Perſons duly authorized, on ſuch Receipts, Acquittances, or Aſſignments being delivered, duly executed, by ſuch Perſon or Perſons, to the Extent of the Money to be by ſuch Perſon or Perſons reſpectively received, as the ſaid Commiſſioners, or any Two of them, ſhall have directed or required. When Claims are aſcertained, Orders ſhall be made out for Payment.

XIII. And be it further enacted, That when and ſo ſoon as any Inſtalment or Inſtalments as aforeſaid ſhall have been ſo paid into the Bank of *England*, the ſaid Commiſſioners, or any Two of them, ſhall cauſe Notice thereof to be publiſhed in *The London Gazette*, and ſo ſoon as they ſhall have aſcertained any Dividend or Proportion of Money as aforeſaid, they ſhall either cauſe Special Notice thereof to be given to the Perſon or Perſons entitled to receive the ſame, or to the known Agent or Agents of ſuch Perſon or Perſons reſpectively, of the Time when and Place where the Order or Orders for Payment will be delivered, or cauſe Notice thereof to be publiſhed in the *London Gazette*, as they ſhall think proper. Notice of ſuch Remittances or Orders for Payment to be publiſhed in the *Gazette*.

XIV. And be it further enacted, That the Order of the ſaid Commiſſioners, or any Two of them, ſhall at any Time be ſufficient Authority to the Governor and Company of the Bank of *England*, for the Payment of any Money ſo paid into the Names of the ſaid Commiſſioners as aforeſaid, in Manner directed by this Act. Orders of the Commiſſioners ſhall be ſufficient Authority to the Bank for Payment.

XV. And be it further enacted, That every Order made by the ſaid Commiſſioners, or any Two of them, under this Act ſhall be transferrable by the Indorſement thereon, and Signature, atteſted by Two credible Witneſſes to ſuch Indorſement of the Perſon or Perſons to whom the ſame ſhall have been made and given by the ſaid Commiſſioners, or of Orders may be transferrable.

the Perſon or Perſons holding the ſame under any ſuch Indorſement thereof as aforeſaid, and no ſuch Order or Indorſement thereon ſhall be ſubject to any Stamp Duty.

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