ANNO QUADRAGESIMO TERTIO

GEORGII III. REGIS.

CAP. XL.

An Act for enlarging the Period for the Payment of Part of certain Sums of Money advanced by way of Loan to several Persons connected with and trading to the Islands of *Grenada* and *Saint Vincent*.

[17th *May* 1803.]

WHEREAS an Act was passed in the Thirty-fifth Year of the 35 Geo. 3.
Reign of His present Majesty, to direct the Issue of Exchequer c. 127.
Bills, to a limited Amount, for the Purposes and in the Manner therein mentioned: And whereas Exchequer Bills were issued under the said Act to certain Commissioners therein named to a large Amount, and were by them advanced to certain Persons connected with and trading to the Islands of *Grenada* and *Saint Vincent*, on certain Terms and
Conditions: And whereas an Act was passed in the Thirty-seventh Year 37 Geo. 3.
of His Majesty's Reign, for allowing further Time for Payment of Instal- c. 27.
ments to become due on certain Sums advanced by way of Loan, pursuant to the said first mentioned Act; and for granting further Relief to
Persons connected with and trading to the said Islands: And whereas an 39 Geo. 3.
Act was passed in the Thirty-ninth Year of the Reign of His present c. 11. and
Majesty, for allowing further Time for the Payment of Instalments to
become due on the said Loans: And whereas another Act was also passed 39&40 Geo. 3.
in the Second Session of Parliament in the said Thirty-ninth Year of the c. 13.
Reign of His present Majesty for allowing further Time for the Payment of a certain Proportion of the Instalments then and to become due on

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41 Geo. 3. c. 27. 42 Geo. 3. c. 39.

the ſaid Loans: And whereas another Act was alſo paſſed in the Forty-firſt Year of His Majeſty's Reign for allowing further Time for the Payment of Inſtalments to become due on the ſaid Loans: And whereas an Act was paſſed in the Forty-ſecond Year of His Majeſty's Reign for extending the Time for Repayment of the Inſtalments of the ſaid Loans: And whereas Part of the ſaid Loans with the Intereſt thereof has been repaid, but Circumſtances have occurred which render it expedient to continue the Powers of the ſaid Acts, and further to extend the Time for the Repayment of the Inſtalments remaining due on the ſaid Loans, upon the Terms and Conditions herein-after ſpecified: 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 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 have already repaid One-third Part at the leaſt of the original Sum advanced to him or them, and who reſpectively ſhall be deſirous of enlarging or extending the Time limited by the ſaid Acts for the Repayment of the remaining Part of any Loan of ſuch Exchequer Bills, to make Application to the Commiſſioners named and appointed under the ſaid Acts, 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 what remains due upon any ſuch Loan, in the Proportions as to what may remain 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,

Perſons who have repaid One Third of the original Sum advanced may apply to the Commiſſioners to have the Time for Repayment of Loans extended, who may extend it as herein ſpecified.

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.

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.

II. And be it further enacted, That all and every Perſons and Perſon liable as Sureties or Surety for the Repayment of any ſuch Loan or Advance, at the Times limited by the ſaid herein-before mentioned Acts, and who ſhall be willing to 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 Time 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 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 Purpoſes 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 render 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, or procuring the Conſent of any ſuch Surety or Sureties, as they in their Diſcretion ſhall think fit to allow, 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 Persons 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 the First Instalment of the Remainder of such Loan under this Act, 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 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: Provided always, that all and every such Securities and Security, Sureties and Surety aforesaid, shall, at the Expiration of any such Time so granted under this Act as aforesaid, be and remain liable as such Securities or Security, Sureties or Surety, in like Manner as if such further Time had not been granted for the procuring such Consent as aforesaid.

After signing 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 Sureties under the said Acts, or any or either of them, 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 One Third Part of such Loan only hath been repaid, One Sixth Part of the Remainder of such Loans, with Interest due for the same at the Rate of Five Pounds *per Centum per Annum*, on the Fifth Day of *May*, next ensuing the passing of this Act; One other Sixth Part thereof, with the like Interest for the same, on the Fifth Day of *October* then next ensuing; One other Sixth Part thereof, with the like Interest for the same, on the Fifth Day of *March* One thousand eight hundred and four; One other Sixth Part thereof, with the like Interest for the same, on the Fifth Day of *October* One thousand eight hundred and four; One other Sixth Part thereof, with the like Interest for the same, on the Fifth Day of *March* One thousand eight hundred and five; and the remaining Sixth Part thereof, with the like Interest for the same, on the Fifth Day of *October* One thousand eight hundred and five; and in every Case where the Second Instalment, 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 Repayment of the Remainder of any such Loan may be extended to such respective Times for what may remain due on such Loan as are herein-before mentioned for the Payment of corresponding Instalments of any Loan on which only One Third Part has been paid; and such Parties respectively, to whom the said Commissioners shall allow such Enlargement or Extension of the Times of Payment

ment 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 Certificate 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, and by which a Payment or Inſtalment ſhall be appointed to be made on the Fifth Day of *May* One thouſand eight hundred and three, 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, the Payment or Inſtalment ſo appointed to be made on the ſaid Fifth Day of *May* One thouſand eight hundred and three, with the Intereſt due thereon,

Remedies of recited or other Acts for compelling Repayment of Loan to continue, &c.

VIII. Provided always, and it is hereby declared, That the ſaid Acts herein-before recited, and all Remedies thereby provided, and all other Remedies whatever under any Act or Acts, or Law or Laws for recovering or compelling the Repayment of the Amount of the Exchequer Bills iſſued and advanced under the ſame as aforeſaid, or enforcing any ſuch Security or Securities, or Proceeding againſt any Surety or Sureties, 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; and alſo againſt all Perſons, and in reſpect of all Securities and Sureties where any further Time ſhall have been allowed under the ſaid Acts, or any or either of them, or this Act, for the Payment of any ſuch Loan, or any Part of any ſuch Loan, in like Manner in every Reſpect, as if the Bonds, Mortgages, Obligations, or other Securities given, or Sureties who ſhall have become bound in reſpect of any Loan for the Repayment whereof, or of any Part whereof, any ſuch further Time ſhall have been or ſhall be granted, in purſuance of this Act, had been given, renewed, and entered into, or ſuch Sureties had become bound under this Act, as original Bonds, Mortgages, Obligations, Securities, or Sureties.

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 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 Re-imburſement.

X. And be it further enacted, That if any Perſons or Perſon conſenting to remain Sureties or Surety for any Parties 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 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, or 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 of 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, &c. 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 Repayment of the Amount of any ſuch Sum or Sums of Money as aforeſaid, nor any Affidavit, Depoſition, or Receipt taken or made 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, Thirty-ninth and Fortieth, Forty-first, and Forty-second Years of His Majesty's Reign, or any of them, 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 Re-payment of the Sum of remaining unpaid on the said Loan, with Interest thereon at the Rate of *per Centum per Annum*, at the extended Periods allowed to the said by the Commissioners under an Act of the Forty-third Year of the Reign of His said Majesty, intituled, *An Act for extending the Time for the Re-payment of what remains due of certain Sums of Money advanced by way of Loan, to several Persons connected with and trading to the Islands of* Grenada *and* Saint Vincent, in the Manner as the same now stand, as a Security for Re-payment thereof, by Instalments according to the said former 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 Security already received for the same, or any further or other Securities 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.

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 Security or Securities, Surety or Sureties, or [the Consent of the former Surety or Sureties of the said to remain answerable as such Surety or Sureties], under an Act passed in the Forty-third 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 first mentioned Acts, and if the said does not produce the same, on or before the said Day of 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.

SCHEDULE

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-ninth 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 Re-payment of the ſaid Loans by certain Inſtalments, payable at certain Periods, in ſuch 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 Forty-third 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 Re-payment of the Sum of Part of the ſaid Sum of that is to ſay, [*recite the Times and Sums*].

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