ANNO QUADRAGESIMO QUINTO

GEORGII III. REGIS.

****

C A P. XLVI.

An Act to continue, until the End of the next Seſſion of Parliament, and amend an Act made in the Forty-third Year of His preſent Majeſty, for appointing Commiſſioners to enquire and examine into any Irregularities, Frauds, or Abuſes which are or have been practiſed by Perſons employed in the ſeveral Naval Departments therein mentioned.

[5th *June* 1805.]

WHEREAS an Act was made in the Forty-third Year of the Reign of His preſent Majeſty, intituled, *An Act for appointing Commiſſioners to enquire and examine into any Irregularities, Frauds, or Abuſes, which are or have been practiſed by Perſons employed in the ſeveral Naval Departments therein mentioned, and in the Buſineſs of Prize Agency; and to report ſuch Obſervations as ſhall occur to them for preventing ſuch Irregularities, Frauds, and Abuſes, and for the better conducting and managing the Buſineſs of the ſaid Departments, and of Prize Agency in future,* which was to continue in force for the Space of Two Years, and from thence to the End of the then next Seſſion of Parliament: And whereas it is expedient, that the ſaid Act ſhould be continued and amended; 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,

43 G. 3. c. 16.

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Recited Act continued until the End of next Seſſion.

bled; and by the Authority of the ſame, That the ſaid Act ſhall be and the ſame is hereby continued from the Expiration thereof until the End of the next Seſſion of Parliament.

But not to compel Commiſſioners to enquire into Abuſes which no onger exiſt.

II. Provided always, and be it further enacted, That nothing in the ſaid Act contained ſhall be conſtrued to compel the ſaid Commiſſioners to enquire into any Abuſes, Frauds, or Irregularities that have exiſted, and no longer exiſt, in any of the Departments or Offices therein named, in ſuch Caſes as may not appear to them to require it: Provided alſo, that it ſhall be lawful for the ſaid Commiſſioners to enquire into all Matters concerning the Royal Hoſpital at *Greenwich*, as fully as if it had been included among the Offices and Departments enumerated in the ſaid Act, and alſo into any Profits made on any Sums or Balances of publick Money in the Hands or Cuſtody of any Perſon or Perſons belonging to any of the ſaid Offices or Departments, either by ſuch Perſon or any other Perſon or Perſons in his or their Behalf; and that any ſuch Perſon who ſhall neglect or refuſe to appear before the ſaid Commiſſioners, or any Three of them, or to bring or produce any Accounts, Books, Papers, Writings, or Records, relating to any ſuch Sums, Balances, or Profits aforeſaid, that ſhall be in his, her, or their Poſſeſſion, Cuſtody, or Power, and which he, ſhe, or they ſhall have been required by any Summons and the ſaid Act to produce, or ſhall refuſe to be ſworn, or being Quakers ſhall refuſe to affirm, or being ſworn, or being Quakers having affirmed, ſhall refuſe to anſwer to and before the ſaid Commiſſioners, or any Three of them, any Queſtion on Oath or Affirmation, touching or concerning any Matter or Thing relating to any ſuch Sum, Balance, or Profits aforeſaid, then and in every ſuch Caſe, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Three of them, and they are hereby authorized and empowered to make and iſſue their Warrant or Warrants, under their Hands and Seals, or under the Hands and Seals of any Three of them, for taking and apprehending any ſuch Perſon or Perſons, and committing him, her, or them to ſuch Priſon as the ſaid Commiſſioners, or any Three of them, ſhall think fit, there to remain without Bail or Mainprize until he, ſhe, or they ſhall ſubmit to be examined touching and concerning all Matters and Things neceſſary for the Execution of the Powers given by the ſaid Act, or to make ſuch Production as aforeſaid, as the Caſe may be.

Inquiry may be made into the Affairs of Greenwich Hoſpital, etc.

Perſons neglecting to appear before Commiſſioners, or refuſing to anſwer Queſtions on Oath, etc. may be committed.

But no Perſon ſhall be compelled to criminate himſelf.

III. Provided always, and be it further enacted, That no Perſon ſhall be compellable to anſwer any Queſtion, or to produce any Account, Book, Paper, or Writing, the Anſwer to which, or the Production of which, may criminate or tend to criminate ſuch Perſon, or to expoſe ſuch Perſon to any Pains, or Penalties.

Habeas Corpus may be awarded againſt Priſoners in Cuſtody in England to bring them before Commiſſioners,

IV. And whereas it is expedient to make Proviſion for bringing Perſons detained in Cuſtody, under Civil or Criminal Proceſs, to be examined before the Commiſſioners herein before named, touching ſuch Matters and Things as are neceſſary for the Execution of the Powers veſted in them by this Act; be it therefore further enacted, That, from and after the paſſing of this Act, it ſhall be lawful for any Judge of His Majeſty's Courts of King's Bench and Common Pleas reſpectively, or for any Baron

of His Majesty's Court of Exchequer of the Degree of the Coif, at his Discretion, to award a Writ or Writs of *Habeas Corpus* for bringing any Prisoner or Prisoners detained in any Gaol or Prison in that Part of the United Kingdom called *England* before the Commissioners herein-before named, or any Three of them, to be by them examined touching the Matters and Things aforesaid.

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