

ANNO QUADRAGESIMO SEXTO

GEORGII III. REGIS.

CAP. LXXIX.

An Act to confirm an Agreement entered into between the Commiſſioners of His Majeſty's Treaſury, and the Moſt Noble *Auguſtus Henry* Duke of *Grafton*, in purſuance of an Act of the Forty-third Year of His preſent Majeſty. [3d *July* 1806.]

Letters Patent 24 Car. 2 granting Priſage and Butlerage of Wines recited.

WHEREAS by Letters Patent under the Great Seal of *England*, bearing Date the Fifth Day of *June* in the Twenty-fourth Year of the Reign of His late Majeſty King *Charles* the Second, after reciting and granting in Manner therein mentioned, His ſaid late Majeſty out of his more abundant Grace certain Knowledge and mere Motion and for divers other good Cauſes and Conſiderations Him thereunto eſpecially moving, did give and grant for Himſelf, His Heirs and Succeſſors, unto the Lord *George Fitz Roy*, ſometimes called the Lord *George Palmer*, one of the natural Sons of His ſaid late Majeſty by His Right Truſty and entirely beloved Couſin the Lady *Barbara* Ducheſs of *Cleveland*, and the Heirs Male of His Body; and for Default of ſuch Iſſue to *Charles Fitz Roy* commonly called *Earl of Southampton*, Knight of the Moſt Noble Order of the Garter, the eldeſt of the natural Sons of His ſaid late Majeſty, by the ſaid Lady *Barbara* Ducheſs of *Cleveland*, and the Heirs Male of His Body; and for Default of ſuch Iſſue to *Henry Fitz Roy* Earl of *Euſton*, one other of the natural Sons of His ſaid late Majeſty, by the ſaid Lady *Barbara* Ducheſs of *Cleveland*, and the Heirs Males of His Body; the Priſage of all and all Manner of Wines of what Sorts or Kinds ſoever, and alſo all Manner

of Wines and Tons of Wines called *Prize Wines* or *Prisage Wines* of whatsoever Sorts or Kinds, to His said late Majesty, His Heirs and Successors, within His Realm of *England* and the Ports there whatsoever, in anywise happening, belonging, or appertaining, as often and whensoever any Wines should be brought into any of the Ports, Havens, Creeks, Rivers, or other Places within the said Realm of *England*; and also the Butlerage of all Wines whatsoever, within His said Realm of *England*, and all Profits and Commodities by reason of the said Butlerage, to His said late Majesty, His Heirs and Successors, within His said Realm of *England*, or any the Ports, Creeks, Havens, Rivers, or any other Place or Places within the same, happening, belonging, or appertaining; and also the Reversion and Reversions depending or expectant upon any Demise or Grant, Demises or Grants, made of the Premises or of any Part or Parcel thereof, as well of Record as not of Record; except and always foreprized out of that Demise or Grant, the Prisage and Butlerage of all and all Manner of Wines, of what Sorts or Kinds soever, which during the Continuance of that Grant should be brought into the Principality of *Wales*, Duchy of *Cornwall*, and Earldom of *Chester*, or any of them; and also except and foreprized out of that Grant the Prisage of all and all Manner of Wines whatsoever, which during the Continuance of that Grant should be brought into His said late Majesty's said Realm of *England*, or any of His Dominions thereunto belonging, for or to the Use of any Aliens or Strangers, or any of them; to hold and enjoy the said Tons of Wines, Prize Wines, and Prisage of Wines, Butlerage of Wines, Profits, Commodities, Reversion and Reversions, and Premises, with the Appurtenances (except before excepted) unto the said Lord *George Fitz Roy*, sometimes called *Lord George Palmer*, and the Heirs Males of his Body; and for Default of such Issue to the said *Charles Fitz Roy*, Earl of *Southampton*, and the Heirs Males of His Body; and for Default of such Issue to the said *Henry Fitz Roy* Earl of *Euston* and the Heirs Males of his Body, without rendering or paying to His said Majesty, His Heirs or Successors, any Rent, Account, or other Consideration for the same: And whereas the said Lord *George Fitz Roy* who after the Date of the said Letters Patent was created Duke of *Northumberland*, died in the Year One thousand seven hundred and sixteen without Issue: And whereas the said *Charles Fitz Roy* Earl of *Southampton*, afterwards Duke of *Cleveland*, died in the Year One thousand seven hundred and thirty, having had Issue Three Sons, that is to say, the Most Noble *Henry Fitz Roy* Second Duke of *Cleveland* who succeeded his said Father, and the Right Honourable *Charles Fitz Roy* commonly called *Lord Charles Fitz Roy*, and the Right Honourable *Henry Fitz Roy* commonly called *Lord Henry Fitz Roy*, who both died without Issue in the Lifetime of their said Father: And whereas the said *William Fitz Roy* Second Duke of *Cleveland* died without Issue Male in the Year One thousand seven hundred and seventy-four: And whereas the said *Henry Fitz Roy* Earl of *Euston*, named in the said Letters Patent, and who was afterwards created Duke of *Grafton*, to him and the Heirs Male of his Body, died in the Year One thousand six hundred and ninety, leaving Issue One Son and only Child, namely *Charles Fitz Roy* commonly called *Earl of Euston*, who thereupon became Duke of *Grafton*: And whereas the said *Charles* Duke of *Grafton* had Issue, besides Daughters, several Sons, all of which Sons died in the Lifetime of their said Father, and all of which Sons, except *Augustus Fitz Roy* commonly called *Earl of Euston*,

died

died without leaving Iſſue: And whereas the ſaid *Charles* Duke of *Grafton* died in the Year One thouſand ſeven hundred and fifty-ſeven, leaving *Auguſtus Henry Fitz Roy*, then commonly called *Earl of Euſton*, and now the Moſt Noble *Auguſtus Henry* Duke of *Grafton*, who was eldeſt ſurviving Son and alſo Heir of the ſaid *Auguſtus Fitz Roy* Earl of *Euſton*, his Grandſon and Heir: And whereas upon the Deceaſe of the ſaid *Henry* Second and laſt Duke of *Cleveland*, without Iſſue, in One thouſand ſeven hundred and ſeventy-four, as herein-before mentioned, the ſaid *Auguſtus Henry* Duke of *Grafton*, under the Intail created by the ſaid Letters Patent, became ſeiſed as Heir in Tail Male to his Great Grandfather the ſaid *Henry* Duke of *Grafton*, of the ſaid Priſage and Butlerage ſo granted by the ſaid Letters Patent as aforeſaid, and is now ſo ſeiſed of the ſaid Priſage and Butlerage: And whereas the Reverſion in the ſaid Priſage and Butlerage immediately expectant upon the Eſtate in Tail Male, which by the ſaid recited Letters Patent was ſo limited to the ſaid *Henry* Duke of *Grafton*, and of which the ſaid *Auguſtus Henry* now Duke of *Grafton* is become ſeiſed as aforeſaid is now veſted in His preſent Majeſty: And whereas the Commiſſioners appointed to examine, take, and ſtate the Publick Accounts of the Kingdom, in their Thirteenth Report, which was made in the Year One thouſand ſeven hundred and eighty-five, ſtated as their Opinion that it would tend to Uniformity in the Collection and Application of the Revenue and Cuſtoms if the Priſage Duties were, by the Conſent of the Grantees, to be re-veſted in the Crown for the Publick Service: And whereas the Select Committee of Finance appointed by the Houſe of Commons in their Fourth Report, which was made in the Year One thouſand ſeven hundred and ninety-ſeven, ſtrongly recommended that the Priſage and Butlerage Duties on Wines ſhould be re-veſted in the Crown, if the Conſent of the Grantees could be obtained: And whereas by an Act of Parliament, paſſed in the Forty third Year of the Reign of his ſaid preſent Majeſty King *George* the Third, intituled, *An Act to enable the Commiſſioners of His Majeſty's Treaſury of* Great Britain *to contract for the Purchaſe of the Duties of Priſage and Butlerage of Wines*, after reciting, as therein is mentioned, it is among other Things enacted, that it ſhould be lawful for the Commiſſioners of His Majeſty's Treaſury then or for the Time being, or any Three or more of them, or the Lord High Treaſurer for the Time being, on Behalf of His Majeſty, His Heirs and Succeſſors, to treat, contract, and agree with the ſaid *Auguſtus Henry* now Duke of *Grafton* and other Perſons therein named, or any other Perſons claiming or to claim under or by virtue of the reſpective Grants or Letters Patent under which they reſpectively held, had, or were or ſhould be entitled to claim in and to the Priſage and Butlerage of Wines brought into any Ports, Havens, Creeks, Rivers, and other Places in *England*, or in the Principality of *Wales*, (other than and except the Port of *Liverpool*, and all Ports, Havens, Creeks, Rivers, and Places within the County Palatine of *Lancaſter*, and alſo except the Port of *Plymouth*, and all the Ports, Havens, Creeks, Rivers, and Places within the County of *Cornwall*,) and of all the Rights, Privileges, Profits, and other Advantages whatſoever thereunto belonging, for ſuch Annuities reſpectively to be charged upon and payable out of the Conſolidated Fund, at ſuch Times and in ſuch Manner, and upon and ſubject to ſuch Terms and Conditions for the Redemption thereof or otherwiſe relating thereto, as the Commiſſioners of His Majeſty's Treaſury then or for the Time being, or any Three or more of them, or the Lord High Treaſurer

Commiſſioners of Publick Accounts and Select Committee of Finance recommend the Priſage and Butlerage of Wines to be re-veſted in the Crown.

43 G. 3. c. 156.

surer for the Time being, should think fit, and as should be agreed upon in that Behalf; but it was by the said Act provided and further enacted that no such Contract which should be entered into as aforesaid should be carried into effect unless and until the same should be sanctioned and confirmed by Parliament: And whereas by Indenture bearing Date the Twenty-sixth Day of *March* in the Year of Our Lord One thousand eight hundred and six, and made or expressed to be made between the Right Honourable *William Wyndham* Baron *Grenville*, the Right Honourable *Henry Petty* commonly called *Lord Henry Petty*, and *John Charles Spencer* Esquire commonly called *Lord Viscount Althorpe*, Three of the Commissioners of His Majesty's Treasury, of the one Part; and the said *Augustus Henry* Duke of *Grafton* of the other Part; after reciting as herein-before is recited, and also after reciting that it had been made to appear to the Commissioners of His Majesty's Treasury from the Accounts of the Receipts of the said Duties of Prisage and Butlerage of which the said *Augustus Henry* Duke of *Grafton* was then seised by virtue of the therein-before recited Letters Patent of the Fifth of *June* in the Twenty-fifth Year of His said late Majesty King *Charles* the Second, that the said Duties had at a very moderate Composition of Five Shillings for each Pipe of Wine, which had been for many Years accepted in lieu and stead of the said Duties in Kind, had on an Average of Twelve Years, ending at *Christmas* One thousand eight hundred and two, produced the clear yearly Sum of Six thousand eight hundred and seventy Pounds beyond all Expences and Deductions whatsoever, it is witnessed, that in pursuance of the Power and Authority vested in them under and by virtue of the said recited Act of Parliament, they the said *William* Lord *Grenville*, *Henry Petty* commonly called *Lord Henry Petty*, and *John Charles Spencer* commonly called *Lord Viscount Althorpe*, as such Commissioners as aforesaid, had, on the Behalf of His Majesty, His Heirs and Successors, contracted and agreed, and by those Presents did contract and agree, with the said *Augustus Henry* now Duke of *Grafton* for the absolute Purchase or Surrender of all the Estate, Right, Title, and Interest of him the said *Augustus Henry* now Duke of *Grafton*, and the Heirs Male of the Body of the said Henry First Duke of *Grafton*, and of all other Persons claiming or to claim under or by virtue of the said therein-before recited Letters Patent, in and to the Prisage and Butlerage of Wines in and by the said Letters Patent granted (except as in the said Letters Patent excepted), and for all the Rights, Privileges, Profits, and other Advantages whatsoever belonging thereto, in Consideration of an Annuity in lieu thereof of Six thousand eight hundred and seventy Pounds, to be issuing and payable out of and charged and chargeable upon the Consolidated Fund, after Payment or reserving sufficient to pay all such Sum and Sums of Money as had been directed by any former Act or Acts of Parliament to be paid out of the same, but with Preference to all other Payments which should or might thereafter be charged upon or payable out of the said Fund, free and clear of all Deductions and Taxes whatsoever, to the said *Augustus Henry* now Duke of *Grafton*, and the Heirs Male of the Body of his said Great Grandfather *Henry* Duke of *Grafton*, and in Default of Heirs Male of the Body of the said *Henry* Duke of *Grafton*, to His Majesty, His Heirs and Successors; and it was thereby declared and agreed that the said Annuity should commence and take effect from the Fifth Day of *July* One thousand eight hundred and six,

The Treasury by Indenture dated March 26, 1806, contract with the Duke of Grafton for the Purchase of the Prisage and Butlerage of Wine granted by the recited Letters Patent, for the Payment of an Annuity of 6,870*l.*

ſix, and ſhould be paid and payable quarterly on the Tenth Day of *October*, the Fifth Day of *January*, the Fifth Day of *April*, and the Fifth Day of *July*, in each and every Year, by even and equal Portions, and that the Firſt of the ſaid Quarterly Payments ſhould be made on the Tenth Day of *October* One thouſand eight hundred and ſix; and that, upon and from and after the ſaid Fifth Day of *July* One thouſand eight hundred and ſix, the ſaid Duties of Priſage and Butlerage in and by the ſaid recited Letters Patent granted, (except as to any Arrears thereof, until the ſaid Fifth Day of *July* One thouſand eight hundred and ſix) ſhould for ever thereafter be and be deemed and taken to be Duties payable unto and for the Uſe of His Majeſty, His Heirs and Succeſſors; and it is thereby further declared and agreed that the Commiſſioners of the Treaſury, or the Lord High Treaſurer for the Time being, ſhould and would, by Warrant under their or his Hands or Hand, direct the Auditor of the Receipt of the Exchequer then and for the Time being to make forth and paſs Debentures from Time to Time for paying the ſaid Annuity of Six thouſand eight hundred and ſeventy Pounds in Manner as aforeſaid, and as the ſame ſhould from Time to Time become due and payable, without any Fees or Charges to be demanded or taken for paying the ſame, or any Part thereof; which ſaid Warrant, and the Debentures to be made forth and paſſed thereupon, ſhould be a ſufficient Authority to the ſeveral and reſpective Officers of the Receipt of the Exchequer then and for the Time being, for the Payment of the ſaid Annuity to the ſaid *Auguſtus Henry* Duke of *Grafton*, and the Perſon or Perſons who ſhould for the Time being be entitled thereto, at the reſpective Days therein-before appointed for Payment thereof, without any further or other Warrant to be ſued for, had, or obtained in that Behalf, and that the ſaid *Auguſtus Henry* now Duke of *Grafton*, or the Perſon or Perſons who may for the Time being be entitled to the ſaid Annuity, or to be chargeable on the Conſolidated Fund, ſhould have all the like Powers for enforcing the due and regular Payment of the ſaid Annuity, and all the like Remedies for recovering the ſame, as are granted by any Act of Parliament in force, for enforcing or recovering the Payment of any other Annuity granted, charged, or chargeable on the Conſolidated Fund; and it is thereby further declared and agreed, that in caſe the ſaid *Auguſtus Henry* Duke of *Grafton*, or the Perſon or Perſons who ſhould for the Time being be entitled to the ſaid Annuity ſo to be chargeable on the Conſolidated Fund, ſhould at any Time after the Expiration of the Year One thouſand eight hundred and fourteen, be deſirous that the ſaid Annuity or any Part thereof ſhould be funded or redeemed by the Commiſſioners of the Treaſury, or the Lord High Treaſurer for the Time being, and ſhall give Six Months Notice, in Writing under his or their Hand or Hands of ſuch his or their Deſire to the ſaid Commiſſioners of the Treaſury, or the Lord High Treaſurer for the Time being, then and in ſuch Caſe the ſaid Commiſſioners of the Treaſury, or the Lord High Treaſurer for the Time being, ſhould and would from Time to Time direct that by and out of any Publick Monies in the Receipt of the Exchequer, applicable to the Supplies and Services of the current Year, there ſhould accordingly be purchaſed and inveſted, in the Name of the Lord High Treaſurer, or the Firſt Commiſſioner of the Treaſury for the Time being, the Right Honourable *John Jefferies* Earl *Camden*, the Right Honourable *William* Lord Viſcount *Lowther*, the Right Honourable *John Villiers*, and *John Harriſon* of *Norton Place*, in the County of *Lincoln*, Eſquire, or ſuch other Truſtee or Truſtees as ſhould be appointed in the Manner therein-after directed, ſo much of the Three

per Centum Conſolidated Bank Annuities as ſhould produce a clear yearly Annuity equal to the ſaid Annuity of Six thouſand eight hundred and ſeventy Pounds, or to ſo much thereof as the ſaid *Auguſtus Henry* now Duke of *Grafton*, or the Perſon or Perſons ſo for the Time being entitled as aforeſaid, ſhould require to be redeemed; and it is thereby further declared and agreed, that the ſaid Three *per Centum* Conſolidated Bank Annuities, and all the Dividends to be received thereon, ſhould be veſted in the Lord High Treaſurer, or Firſt Commiſſioner of the Treaſury, and ſuch other Truſtees thereof for the Time being, in Truſt for the ſaid *Auguſtus Henry* now Duke of *Grafton*, and ſuch other Perſon or Perſons as would for the Time being have been entitled to the ſaid Annuity of Six thouſand eight hundred and ſeventy Pounds, in caſe the ſame had not been funded or redeemed; and it is thereby provided alſo and further agreed and declared, that in caſe the ſaid *Auguſtus Henry* now Duke of *Grafton*, or the Perſon or Perſons who ſhould for the Time being be ſo entitled as aforeſaid, ſhould at any Time before the Expiration of the ſaid Year One thouſand eight hundred and fourteen, be deſirous that any Part of the ſaid Annuity ſo to be charged on the Conſolidated Fund, not exceeding One-third Part thereof, ſhould be funded or redeemed as aforeſaid, and ſhould give ſuch Notice of ſuch his or their Deſire to the ſaid Commiſſioners or Lord High Treaſurer for the Time being, then and in ſuch Caſe they the ſaid Commiſſioners or Lord High Treaſurer ſhould and would direct that by and out of ſuch Publick Money as aforeſaid, there ſhould accordingly be purchaſed and inveſted in the Name of the Firſt Commiſſioner of the Treaſury, or the Lord High Treaſurer for the Time being, and ſuch other Truſtees as are therein-before mentioned, ſo much of the Three *per Centum* Conſolidated Bank Annuities as ſhould be ſufficient to produce an Annuity equal to ſo much of the ſaid Annuity of Six thouſand eight hundred and ſeventy Pounds, as the ſaid Duke, or ſuch Perſon or Perſons entitled as aforeſaid, ſhould require to be funded or redeemed, ſuch Annuity from the ſaid Three *per Centum* Conſolidated Bank Annuities to be in Truſt as aforeſaid; provided always, and it is thereby further declared and agreed, that notwithſtanding any Thing therein-before contained, it ſhould be lawful for the Commiſſioners of His Majeſty's Treaſury, or the Lord High Treaſurer for the Time being, at any Time, either before or after the Expiration of the Year One thouſand eight hundred and fourteen, if they ſhould deem it expedient, to fund or redeem the Whole or any Part of the ſaid Annuity thereby charged upon the Conſolidated Fund, upon the ſame Terms and in the ſame Manner as they were thereby required to fund or redeem the ſame upon the Application of the ſaid *Auguſtus Henry* now Duke of *Grafton*, or the Perſon or Perſons ſo for the Time being entitled as aforeſaid, at any Time after the Expiration of the Year One thouſand eight hundred and fourteen; and it is thereby further declared and agreed, that in caſe and when the ſaid Commiſſioners of the Treaſury, or the Lord High Treaſurer for the Time being, ſhould have made any ſuch Inveſtment as herein-before is mentioned, then and immediately thereupon the ſaid Annuity of Six thouſand eight hundred and ſeventy Pounds ſo to be charged upon the Conſolidated Fund or ſo much thereof as ſhall have been funded or redeemed by ſuch Inveſtment ſhould ceaſe, determine, and be no longer payable; provided always, and it is thereby further declared and agreed, that upon the Death of any of them the ſaid *John Jefferies* Earl *Camden*, *William* Lord Viſcount *Lowther*, *John Villiers*, and *John Harriſon*, or in caſe they or any of them ſhould deſire to be diſcharged from or decline to act in the Truſts aforeſaid, it

ſhould

should be lawful for the said *Augustus Henry* now Duke of *Grafton*, or the Person or Persons who should for the Time being be entitled to the said Annuity of Six thousand eight hundred and seventy Pounds out of the said Consolidated Fund, or the Dividends of the said Three *per Centum* Consolidated Bank Annuities, with the Consent in Writing of the First Commissioner of the Treasury, or the Lord High Treasurer for the Time being, by any Deed or Instrument in Writing under the Hand and Seal of the said *Augustus Henry* now Duke of *Grafton*, or the Person or Persons for the Time being so entitled as aforesaid, to nominate and appoint any other Person or Persons to be a Trustee or Trustees for the Purposes aforesaid in the Room of the Trustee or Trustees so dying or desiring to be discharged or declining to act as aforesaid, and such new Trustee or Trustees should have and be invested with such and the same Powers in all Respects as if he or they had been originally nominated a Trustee or Trustees in and by those Presents; and upon the Death or Removal of the Lord High Treasurer, or First Commissioner of the Treasury for the Time being as aforesaid, and the Appointment thereupon of another Person to be Lord High Treasurer or First Commissioner of the Treasury, and also upon the Appointment of any such new Trustee or Trustees by the said *Augustus Henry* Duke of *Grafton*, or the Person or Persons for the Time being so entitled as aforesaid, the Trust Funds aforesaid should from Time to Time be transferred into the Names of such Lord High Treasurer or First Commissioner of the Treasury, and such new Trustee and Trustees, together with the continuing Trustee or Trustees, if any, upon the Trusts aforesaid, so that at all Times, as soon as may be, the Trust Funds aforesaid might stand and be vested in the Names of the Lord High Treasurer, or First Commissioner of the Treasury for the Time being, and Four other Trustees nominated or to be nominated as aforesaid upon Trust for the Purposes aforesaid: And whereas it is expedient that the Contract and Agreement so entered into between the said Commissioners of His Majesty's Treasury and the said *Augustus Henry* Duke of *Grafton* in pursuance of the Act last herein-before recited should be confirmed and established: 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 the said herein-before recited Contract and Agreement so made and entered into by and between the said Right Honourable *William Wyndham* Baron *Grenville*, *Henry Petty* commonly called *Lord Henry Petty*, and *John Charles Spencer* commonly called *Lord Viscount Althorpe*, as such Commissioners as aforesaid, with the said *Augustus Henry* Duke of *Grafton* for the absolute Purchase or Surrender of all the Estate, Right, Title, and Interest of him the said *Augustus Henry* Duke of *Grafton*, and the Heirs Male of the Body of the said *Henry* First Duke of *Grafton*, and of all other Persons under or by virtue of the said Letters Patent, in and to the Prisage and Butlerage of Wines in and by the said Letters Patent granted (except as in the said Letters Patent excepted) and for all the Rights, Privileges, Profits, and other Advantages whatsoever belonging thereto, and every Clause, Article, and Thing in the said Contract and Agreement contained, shall be and the same are hereby fully and absolutely ratified, confirmed, and established; and to that End be it further enacted, that the said Annuity of Six thousand eight hundred and seventy Pounds, so agreed upon as the Consideration for such Purchase or Surrender of the said Duties of Prisage and Butlerage of Wines as aforesaid,

Contract entered into between the Treasury and the Duke of Grafton for the Purchase of the Prisage and Butlerage of Wines granted by recited Letters Patent shall be confirmed;

and the Annuity of 6,870l. as the Consideration, shall be paid out of the Consolidated Fund.

ſaid, ſhall be iſſuing out of and charged and chargeable upon the Conſolidated Fund of *Great Britain*, (after paying or reſerving ſufficient to pay all ſuch Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the ſame, but with ſuch Preference to all other Payments out of the ſaid Fund as in the ſaid Contract or Agreement herein-before recited and confirmed is mentioned), and be payable, free and clear from all Deductions and Taxes whatſoever, quarterly, on the Tenth Day of *October*, the Fifth Day of *January*, the Fifth Day of *April*, and the Fifth Day of *July*, in every Year, by equal Portions, and be accordingly paid to the ſaid *Auguſtus Henry* now Duke of *Grafton* and the Heirs Male of the Body of his ſaid Great Grandfather *Henry* Duke of *Grafton*, and in Default of the Heirs Male of the Body of the ſaid *Henry* Duke of *Grafton*, the ſaid Annuity ſhall belong and revert or be conſidered as reverting to His Majeſty, His Heirs and Succeſſors; and the ſaid Annuity being by the Terms of the Contract to take effect from the Fifth Day of *July* in the Year of our Lord One thouſand eight hundred and ſix, and the firſt Quarterly Payment of the ſaid Annuity, being according to the Terms of the ſaid Contract to be computed from the ſaid Fifth Day of *July* One thouſand eight hundred and ſix until the enſuing Tenth Day of *October*; ſuch Commencement and Computation are hereby ratified and confirmed, and the ſaid Annuity as from the ſaid Tenth Day of *October* ſhall be paid and payable Quarterly, in every Year, on the Days and in Manner hereby directed.

Days of Payment.

Treaſury to direct the Auditor of the Exchequer to paſs Debentures for Payment of the Annuity.

II. And be it further enacted, That the Commiſſioners of the Treaſury, or any Three or more of them, or the Lord High Treaſurer for the Time being, ſhall, by Warrant under their or his Hands or Hand, direct the Auditor of the Receipt of the Exchequer for the Time being to make forth and paſs Debentures from Time to Time for paying the ſaid Annuity of Six thouſand eight hundred and ſeventy Pounds, or ſo much thereof as ſhall not have been funded or redeemed purſuant to the Proviſions in the ſaid Agreement and in this Act contained, in Manner as aforeſaid, and as the ſame ſhall from Time to Time become due and payable, without any Fees or Charges to be demanded or taken for paying the ſame, or any Part thereof; which ſaid Warrant, and the Debentures to be made forth and paſſed thereupon, ſhall be a ſufficient Authority to the ſeveral and reſpective Officers of the Receipt of the Exchequer now and for the Time being, for the Payment of the ſaid Annuity, or ſo much thereof as ſhall not have been funded or redeemed, to the ſaid *Auguſtus Henry* now Duke of *Grafton*, and the Perſon or Perſons who ſhall for the Time being be entitled thereto, at the reſpective Days herein-before appointed for Payment thereof, without any further or other Warrant to be ſued for, had, or obtained in that Behalf.

Warrant for Payment of Annuity not to be revocable.

III. And be it further enacted, That after ſigning ſuch Warrant the ſame ſhall be good, valid, and effectual in Law, according to the Purport and true Meaning thereof and of this Act, and ſhall not be determinable or revocable upon the Demiſe of His Majeſty (whom God long preſerve), or any of his Heirs or Succeſſors, or upon the Death or Removal of any of the ſaid Commiſſioners of the Treaſury, or the Lord High Treaſurer, or by or upon the Determination of the Power, Office or Offices of them, or any of them.

IV. And

IV. And be it further enacted, That the Commiſſioners of the Treaſury now and for the Time being, or any Three or more of them, and the Lord High Treaſurer of the Treaſury for the Time being, Chancellor, and Under Treaſurer, Chamberlain, and Barons of the Exchequer, and all other Officers and Miniſters of the Court of Exchequer, and of the Receipt thereof now and for the Time being, ſhall and they are hereby authorized and ſtrictly enjoined and required to do, without Fee or Reward, all ſuch Acts, Matters, and Things as are herein-before directed and required, or ſhall be neceſſary to be done and performed by them, or any or either of them, in order to render this Act and the ſeveral Payments hereby directed effectual.

Treaſury and all Officers of the Exchequer required to do every Thing, without Fee, neceſſary to render the Payments effectual.

V. And be it further enacted, That the Acquittance or Acquittances, or Receipt or Receipts of the ſaid *Auguſtus Henry* now Duke of *Grafton*, or the Perſon or Perſons who ſhall for the Time being be entitled to the ſaid Annuity of Six thouſand eight hundred and ſeventy Pounds, ſhall be a good and ſufficient Diſcharge for the Payment of the ſaid Annuity, without any further or other Warrant to be ſued for or obtained in that Behalf; and that the ſaid Annuity and every Part thereof ſhall be free and clear from all Taxes, Impoſitions, Fees, and other Charges whatſoever; and in caſe any of the Officers of the Receipt of His Majeſty's Exchequer ſhall refuſe or neglect to pay the ſaid Annuity or Yearly Rent or Sum, or any Part thereof, according to the true Intent and Meaning of this Act, or to do any Act neceſſary to enable the ſaid *Auguſtus Henry* now Duke *Grafton*, and the Perſon or Perſons who ſhall for the Time being be entitled to the ſaid Annuity, to receive the ſame, then the ſaid *Auguſtus Henry* now Duke of *Grafton*, and the Perſon or Perſons ſo for the Time being entitled as aforeſaid, may, from Time to Time, ſue, proſecute, and implead ſuch Officers, or any of them, their Heirs, Executors, or Adminiſtrators, by Bill, Plaint, or Action of Debt, and ſhall and may recover Judgement and ſue out Executions thereupon againſt ſuch Officers reſpectively, their Heirs, Executors, or Adminiſtrators, for ſo much of ſuch Sum or Sums of Money then due and owing upon the ſaid Annuity, Yearly Rent, or Sum, or any Part thereof as ſhall have been in the Hands of the Officer or Officers of the Receipt of the Exchequer, applicable to the Payment thereof, at the Time or Times when Demands ſhall have been legally made of the Payment of the ſaid Annuity, or any Part thereof, as aforeſaid, or for the Refuſal or Neglect to do any Act neceſſary to be done by ſuch Officer or Officers reſpectively.

Acquittances of the Duke of Grafton to be a ſufficient Diſcharge for Payment of the Annuity, &c.

VI. Provided always, and be it further enacted, That in caſe the ſaid *Auguſtus Henry* now Duke of *Grafton*, or the Perſon or Perſons who ſhall for the Time being be entitled to the ſaid Annuity of Six thouſand eight hundred and ſeventy Pounds ſo to be chargeable on the Conſolidated Fund, or if ſuch Perſon or Perſons ſhall be under the Age of Twenty-one, then his, her, or their Guardian or Guardians for the Time being, ſhall at any Time after the Expiration of the Year One thouſand eight hundred and fourteen, be deſirous that the ſaid Annuity or any Part thereof ſhall be funded or redeemed by the Commiſſioners of the Treaſury or the Lord High Treaſurer for the Time being, and ſhall give Six Months Notice, in Writing, under his or their Hand or Hands of ſuch his or their Deſire to the ſaid Commiſſioners of the Treaſury or Lord High Treaſurer for the Time being, then and in ſuch Caſe the ſaid Commiſſioners of the Treaſury, or any Three or more of them, or the Lord High Treaſurer for the Time being, ſhall from Time to Time direct that, by and out of any Publick

Proviſion in caſe the Duke of Grafton be deſirous, after the Year 1814, that the Annuity be funded by the Treaſury.

Monies in the Receipt of the Exchequer, applicable to the Supplies and Services of the then current Year, there ſhall accordingly be purchaſed and inveſted, in the Names of the Lord High Treaſurer, or the Firſt Commiſſioner of the Treaſury for the Time being, of the ſaid Right Honourable *John Jefferies* Earl *Camden*, the Right Honourable *William* Lord Viſcount *Lowther*, the Right Honourable *John Villiers*, and *John Harriſon*, or ſuch other Truſtee or Truſtees as ſhall be appointed in the Manner hereinafter directed, ſo much of the Three Pounds *per Centum* Conſolidated Bank Annuities, as ſhall produce a clear Yearly Annuity equal to the ſaid Annuity of Six thouſand eight hundred and ſeventy Pounds, or to ſo much thereof as the ſaid *Auguſtus Henry* now Duke of *Grafton*, or the Perſon or Perſons ſo for the Time being entitled as aforeſaid, ſhall require to be redeemed, and the ſaid Three Pounds *per Centum* Conſolidated Bank Annuities ſo to be purchaſed and inveſted as aforeſaid ſhall be veſted in, and the Dividends to be received thereon ſhall be payable to, the ſaid Lord High Treaſurer or Firſt Commiſſioner of the Treaſury and the aforeſaid other Truſtees thereof for the Time being, in Truſt for the ſaid *Auguſtus Henry* now Duke of *Grafton*, and ſuch other Perſon or Perſons as and exclufively of His Majeſty, His Heirs and Succeſſors, would for the Time being have been entitled to the ſaid Annuity of Six thouſand eight hundred and ſeventy Pounds in caſe the ſame had not been funded or redeemed, and in Default of Heirs Male of the Body of the ſaid *Henry* Firſt Duke of *Grafton*, in Truſt for His Majeſty, His Heirs and Succeſſors.

Proviſion in caſe the Duke of Grafton ſhall be deſirous of having a Part of the Annuity not exceeding One third funded, before the Expiration of 1814.

VII. Provided alſo, and be it further enacted, That in caſe the ſaid *Auguſtus Henry* now Duke of *Grafton*, or the Perſon or Perſons who ſhall for the Time being be ſo entitled as aforeſaid, ſhall, at any Time before the Expiration of the Year One thouſand eight hundred and fourteen be deſirous that any Part of the ſaid Annuity hereby charged on the Conſolidated Fund not exceeding One third Part thereof, ſhall be funded or redeemed, and ſhall give ſuch Notice as aforeſaid of ſuch his or their Deſire to the ſaid Commiſſioners or Lord High Treaſurer for the Time being, then and in ſuch Caſe the ſaid Commiſſioners or any Three or more of them, or the Lord High Treaſurer for the Time being, ſhall direct that, by and out of ſuch publick Monies as aforeſaid, there ſhall accordingly on the Expiration of ſuch Notice be purchaſed and inveſted in the Name of the Firſt Commiſſioner of the Treaſury or the Lord High Treaſurer for the Time being and ſuch other Truſtees as are herein-before mentioned, ſo much of the Three Pounds *per Centum* Conſolidated Bank Annuities as ſhall be ſufficient to produce an Annuity equal to ſo much of the ſaid Annuity of Six thouſand eight hundred and ſeventy Pounds as the ſaid *Auguſtus Henry* now Duke of *Grafton*, or the Perſon or Perſons entitled as aforeſaid, ſhall require to be funded or redeemed, and the Annuity ſo to be produced from the ſaid Three Pounds *per Centum* Conſolidated Bank Annuities ſhall be in Truſt as aforeſaid.

Treaſury may at any Time fund or redeem the Annuity.

VIII. Provided alſo, and be it further enacted, That notwithſtanding any Thing herein-before contained, it ſhall be lawful for the Commiſſioners of His Majeſty's Treaſury or the Lord High Treaſurer for the Time being, at any Time either before or after the Expiration of the Year One thouſand eight hundred and fourteen, if they ſhall deem it expedient to fund or redeem the Whole or any Part of the ſaid Annuity of Six thouſand eight hundred and ſeventy Pounds hereby charged upon the Conſolidated Fund, upon

upon the ſame Terms and in the ſame Manner as they are hereby required to fund or redeem the ſame upon the Application of the ſaid *Auguſtus Henry* now Duke of *Grafton*, or the Perſon or Perſons ſo for the Time being entitled as aforeſaid, at any Time after the Expiration of the Year One thouſand eight hundred and fourteen.

When Inveſtment is made Annuity to ceaſe.

IX. And be it further enacted, That in caſe and when the ſaid Commiſſioners of the Treaſury or Lord High Treaſurer for the Time being, ſhall have made any ſuch Inveſtment as herein-before is mentioned, then and immediately thereupon the ſaid Annuity of Six thouſand eight hundred and ſeventy Pounds hereby charged upon the Conſolidated Fund, or ſo much thereof as ſhall have been funded or redeemed by ſuch Inveſtment, ſhall ceaſe and determine and be no longer payable.

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