


ANNO QUADRAGESIMO OCTAVO

# GEORGII III. REGIS.

## CAP. XCI.

An Act for enabling the Commissioners appointed to examine Accounts of Public Expenditures in the *West Indies*, more speedily and effectually to investigate the said Accounts. [23d *June* 1808.]

WHEREAS an Act, passed in the Forty-sixth Year of the Reign of His present Majesty, intituled, *An Act to provide for the more effectual Examination of Accounts of the Expenditure of the Public Money in the* West Indies, *and for the better Discovery of Frauds and Abuses therein*: And whereas it is expedient to make further Provision for enabling the Commissioners appointed under the said recited Act more effectually to carry into Execution the Purposes of the said Act; 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 it shall be lawful for the Commissioners appointed under the said recited Act for the Time being, and they are hereby required from Time to Time, when and as soon as the Examination of any Account shall have been completed by them, to make up and transmit a Statement thereof to the Lords Commissioners of the Treasury, specifying all the Articles forming the Charge and Discharge of such Account, and specifying all Sums disallowed by them in such Account, and also all Sums which in their Opinion ought to be set Insuper in such Account upon any Persons concerned in such Account; and the Lords Commissioners of His Majesty's Treasury, if they approve of the Statement

46 G. 3. c. 80.

Commissioners to transmit a Statement of the Accounts examined to the Treasury who shall transmit them if approved, to the Auditors of Public Ac-

counts, who shall prepare the same for Declaration.

of such Account, shall transmit the same, together with their Warrant, to the Commissioners for auditing Publick Accounts to prepare the same for Declaration, which said Commissioners for auditing Public Accounts are hereby authorized to make up and prepare for Declaration such Accounts in conformity to such Statements or Warrants, without any further Examination or Investigation of such Accounts, or of any Vouchers relating thereto, unless any further Examination and Investigation of such Accounts or of any Part thereof, or of any Vouchers relating thereto, shall appear to the said Commissioners for auditing Accounts to be necessary, in which case the said last-mentioned Commissioners shall report their Opinion thereon to the Lords Commissioners of His Majesty's Treasury, and proceed in such Examination and Investigation; and the said Commissioners for auditing the Public Accounts, are hereby authorized and directed to cause all Sums which shall be specified as Sums which ought to be set Insuper in any such Statements as aforesaid, to be so set Insuper on the several Persons therein mentioned, or in the Warrants accompanying the same, unless upon such further Examination as aforesaid, it shall not appear to them to be proper that such Sums should be so set Insuper, and to do all other Acts, Matters, and Things for the Declaration of such Accounts, and for putting in charge as Public Accountants or Sub-accountants all Persons liable so to be put in charge upon such Accounts, in order to the securing and recovering of all Sums of Money due to His Majesty on the same, in like Manner as if the said Accounts had been examined, and Statements thereof made by the said Commissioners for auditing Public Accounts.

When it appears that any Persons ought to account for public Money or Stores, Commissioners shall transmit the Names of such Persons with their Reasons to the Treasury who shall require Accounts to be delivered up.

II. And be it further enacted, That it shall be lawful for the said Commissioners appointed under the said recited Act, and they are hereby required, whenever it shall appear to them that any Person or Persons ought to account for any public Money, Stores, or Provisions connected with the Public Expenditure in the *West Indies* or *South America*, that may have passed through his or their Hands, forthwith to transmit to the Lords Commissioners of the Treasury the Name or Names of every such Person or Persons together with the Ground and Reasons for their Opinion, that it would be fit and proper that such Person or Persons should be Public Accountants; and if the said Lords Commissioners of the Treasury should agree thereto, they the said Lords Commissioners are hereby required to issue their Warrant or Warrants, directing the said Commissioners appointed under the said recited Act, or the Commissioners for auditing the Public Accounts, to call upon and require such Person or Persons to deliver in their Accounts regularly attested, within a reasonable Time to be limited by such Commissioners respectively; and such Person or Persons shall be compelled so to deliver in their said Accounts, in like Manner as if the said Person or Persons had been returned Insupers in any Account declared before His Majesty's Chancellor of the Exchequer; and the said Commissioners respectively are also hereby directed to proceed to the Examination of such Accounts, and to transmit Statements thereof to the Lords Commissioners of the Treasury, for the Purpose of having the same prepared for Declaration in the Manner hereinbefore directed with respect to other Accounts.

Accounts specified in recited Act which

III. And be it further enacted, That all Accounts of Expenditure of Public Money in the *West Indies* or *South America*, as specified in the said

said recited Act, which shall have arisen in part before and in part after the First Day of *January* One thousand seven hundred and ninety-three, shall be examined and proceeded upon by the Commissioners appointed under the said recited Act, who shall have and they are hereby invested with the same Powers and Authorities in all respects in relation to the Examination of such Accounts, and the Accountants and all other Persons touching the same, as they would have had and been invested with under the said recited Act and this Act, in case the said Accounts had arisen wholly after the First Day of *January* One thousand seven hundred and ninety-three. have arisen in part before and in part after Jan. 1, 1793, to be proceeded upon.

IV. And be it further enacted, That the Commissioners appointed under the said recited Act shall be and are hereby invested with, and shall have, use, and exercise all the Powers and Authorities as to the Examination of all Accounts submitted to their Investigation respectively, and as to all Public Accountants, Sub-accountants, and other Persons concerned in such Accounts, and as to all Matters and Things in anywise relating to such Accounts or the Examination thereof, or to Public Accountants or other Persons concerned in any such Accounts, and shall also be subject and liable to the same Control, Regulations, and Directions in every Respect, in relation to the Examination of all such Accounts, and in relation to such Public Accountants, Sub-accountants, and other Persons aforesaid, as the Commissioners for auditing the Public Accounts are invested with, or now have, use, or exercise, or are subject or liable to under an Act passed in the Twenty-fifth Year of the Reign of His present Majesty, intituled, *An Act for the better examining the Public Accounts of this Kingdom*; and another Act, passed in the Thirty-ninth Year of the Reign of His present Majesty, intituled, *An Act for transferring to the Commissioners for auditing the Public Accounts, the Duties now performed in the Offices of the Auditor of the Land Revenue, and for directing the Mode of attesting the Accounts of the Paymaster General of His Majesty's Forces*; and another Act, passed in the Forty-fifth Year of the Reign of His present Majesty, intituled, *An Act to amend an Act made in the Twenty-fifth Year of His present Majesty, for the better examining and auditing the Public Accounts of this Kingdom, and for enabling the Commissioners in certain cases to allow of Vouchers, although not stamped according to Law*; and another Act, passed in the Forty-sixth Year of the Reign of His present Majesty, intituled, *An Act for making more effectual Provision, for the more speedy and regular Examination and Audit of the Public Accounts of this Kingdom*; and another Act, passed in the Forty-seventh Year of His present Majesty, intituled, *An Act for more effectually charging Public Accountants with Interest upon Balances, and for other Purposes relating to the passing of Public Accounts*: Provided always, that nothing in this Act contained shall authorize such Commissioners appointed under the said first recited Act, to prepare or present for Declaration any Account of any Public Accountant, Sub-accountant or Person set Insuper, or other Person which shall have been examined and stated by them in manner directed by this Act. Commissioners invested with same Powers as the Commissioners for auditing Public Accounts. 25 G. 3. c. 52. 39 G. 3. c. 83. 45 G. 3. c. 55. 46 G. 3. c. 141. 47 G. 3. c. 39. But not to present any Account for Declaration.

V. And be it further enacted, That all Powers, Authorities, Jurisdictions, Matters and Things, by the said recited Act or this Act vested in or required to be done by the Commissioners appointed under the said first Powers of this and the recited Act may be executed by Two

Commissioners or One if reduced to One, and the Powers of SelectedCommissioners may be executed by One of them.

first recited Act of the Forty-sixth Year aforesaid or this Act, are hereby vested in and shall and may be executed and done by any Two or more of such Commissioners, or by any One of such Commissioners in case the Number of such Commissioners remaining in *England* shall be reduced to One, by the Absence therefrom of any of the selected Commissioners; and all Powers, Authorities, Jurisdictions, Matters, and Things, by the said first recited Act of the Forty-sixth Year aforesaid or this Act, vested in or required to be done by any selected Commissioners, are hereby vested in and shall and may be executed and done by any one of such selected Commissioners singly, in the Absence of the other of such Commissioners, or by any Person appointed to act in the Place and Stead of any selected Commissioner deceased or resigning.

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