ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

CAP. XV.

An Act to indemnify ſuch Perſons in the United Kingdom as have omitted to qualify themſelves for Offices and Employments, and for extending the Times limited for thoſe Purpoſes reſpectively, until the Twenty-fifth Day of *March* One thouſand eight hundred and ten; and to permit ſuch Perſons in *Great Britain* as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors, to make and file the ſame on or before the Firſt Day of *Hilary* Term One thouſand eight hundred and ten.

[20th *March* 1809.]

Perſons who have omitted to qualify themſelves agreeable to 1 G. 1. ſt. 2. c. 13.

WHEREAS divers Perſons, who, on Account of their Offices, Places, Employments, or Profeſſions, or any other Cauſe or Occaſion, ought to have taken and ſubſcribed the Oath or Aſſurance reſpectively appointed to be by ſuch Perſons taken and ſubſcribed, in and by an Act, made in the Firſt Year of the Reign of His late Majeſty King *George* the Firſt, of glorious Memory, intituled, *An Act for the further Security of His Majeſty's Perſon and Government, and the Succeſſion of the Crown in the Heirs of the late Princeſs* Sophia, *being Proteſtants; and for extinguiſhing the Hopes of the pretended Prince of* Wales, *and*

and his open and ſecret Abettors; or to have qualified themſelves according to an Act, made in the Thirteenth Year of the Reign of King *Charles* the
13 C. 2. ſt. 2. c. 1. Second, intituled, *An Act for the well governing and regulating of Corporations*; or to have qualified themſelves according to another Act, made in the Twenty-fifth Year of the Reign of King *Charles* the Second, intituled,
25 C. 2. ſt. 2. c. 2. *An Act for preventing the Dangers which may happen from Popiſh Recuſants by receiving the Sacrament of the Lord's Supper according to the Uſage of the Church of* England, *and making and ſubſcribing the Declaration againſt Tranſubſtantiation therein mentioned*; or, according to another Act, made in the Thirtieth Year of the Reign of King *Charles* the Second, intituled,
30 C. 2. ſt. 2. *An Act for the more effectual preſerving the King's Perſon and Government, by diſabling Papiſts from ſitting in either Houſe of Parliament*; or according to another Act, made in the Eighth Year of the Reign of His late
8 G. 1. c. 6. Majeſty King *George* the Firſt, intituled, *An Act for granting the People called* Quakers *ſuch Forms of Affirmation or Declaration as may remove the Difficulties which many of them lie under*; or according to another Act, made in the Ninth Year of the Reign of His late Majeſty King *George* the
9 G. 2. c. 26. Second, intituled, *An Act for indemnifying Perſons who have omitted to qualify themſelves for Offices within the Time limited by Law, and for allowing further Time for that Purpoſe; and for amending ſo much of an Act, paſſed in the Second Year of the Reign of His preſent Majeſty, as requires Perſons to qualify themſelves for Offices before the End of the next Term or Quarter Seſſions, and alſo for enlarging the Time limited by Law, for making and ſubſcribing the Declaration againſt Tranſubſtantiation, and for allowing a further Time for Inrolment of Deeds and Wills made by Papiſts; and for Relief of Proteſtant Purchaſers, Deviſees, and Leſſees*; or according to another Act, made in the Eighteenth Year of the Reign of His late Ma-
18 G. 2. c. 20. jeſty King *George* the Second, intituled, *An Act to amend and render more effectual an Act paſſed in the Fifth Year of His preſent Majeſty's Reign, intituled, 'An Act for the further Qualification of Juſtices of the Peace';* or according to another Act made in the Sixth Year of the Reign of His
and 6 G. 3. c. 53. preſent Majeſty, intituled, *An Act for altering the Oath of Abjuration, and the Aſſurance; and for amending ſo much of an Act, made in the Seventh Year of the Reign of Her late Majeſty Queen* Anne, *intituled, 'An Act for 'the Improvement of the Union of the Two Kingdoms,' as, after the Time therein limited, requires the Delivery of certain Liſts and Copies therein mentioned to Perſons indicted of High Treaſon, or Miſpriſion of Treaſon*; have, through Ignorance of the Law, Abſence, or ſome unavoidable Accident, omitted to take and ſubſcribe the ſaid Oaths and Aſſurance, and make and ſubſcribe the Declaration required by Law, or otherwiſe to qualify themſelves as aforeſaid, within ſuch Time, and in ſuch Manner, as in and by the ſaid Acts reſpectively, or by any other Act of Parliament in that Behalf made, is required, whereby they have incurred, or may be in Danger of incurring, divers Penalties and Diſabilities: For quieting the Minds of His Majeſty's Subjects, and for preventing any Inconveniencies that might otherwiſe happen by Means of ſuch Omiſſions; 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,
before the paſſing of this Act; That all and every Perſon or Perſons, who, at or before the paſſing of this Act, hath or ſhall have omitted to take and ſubſcribe the ſaid Oaths and Declarations, or to receive the Sacrament of the Lord's Supper, or otherwiſe to qualify him, her, or themſelves, within ſuch Time, and

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in such Manner, as in and by the said Acts, or any of them, or by any other Act of Parliament in that Behalf made, is required, and who, after accepting any such Office, Place, or Employment, or undertaking any Profession or Thing on Account of which such Qualifications ought to have been had, and is required, before the passing of this Act, hath or have taken and subscribed the said Oaths, or made the Declarations required by Law, and also received the Sacrament of the Lord's Supper, according to the Usage of the Church of *England*, or who, on or before the Twenty-fifth Day of *March* One thousand eight hundred and ten shall take and subscribe the said Oaths, Declarations, and Assurance respectively, in such Cases wherein by Law the said Oaths, Declarations, and Assurance, ought to have been taken and subscribed, in such Manner and Form, and at or in such Place or Places as are appointed in and by the said Act, made in the First Year of the Reign of His said late Majesty King *George* the First, or by any other Act or Acts of Parliament in that Behalf made and provided, and also hath or have, received, or shall, on or before the said Twenty-fifth Day of *March* One thousand eight hundred and ten, receive the Sacrament of the Lord's Supper, according to the Usage of the Church of *England*, in such Cases wherein the said Sacrament ought to have been received, and hath or ought to have made and subscribed, or shall, on or before the said Twenty-fifth Day of *March* One thousand eight hundred and ten, make and subscribe the said Declaration against Transubstantiation, and also hath or have made and subscribed, or shall, on or before the said Twenty-fifth Day of *March* One thousand eight hundred and ten, make and subscribe the said Declaration in the said Statute made in the Thirtieth Year of King *Charles* the Second, in such Cases wherein the said Declaration ought to have been made and subscribed, or take and subscribe the Oath directed by the said Act made in the Eighteenth Year of the Reign of His late Majesty King *George* the Second, in such Cases wherein the said Oath ought to have been taken and subscribed, in such Manner as by the said Act is directed, shall be, and are hereby indemnified, freed, and discharged, from and against all Penalties, Forfeitures, Incapacities, and Disabilities, incurred, or to be incurred for or by reason of any Neglect or Omission, previous to the passing of this Act, of taking or subscribing the said Oaths or Assurance, or receiving the Sacrament, or making or subscribing the said Declarations, or taking or subscribing the said Oath according to the above mentioned Acts, or any of them, or any other Act or Acts; and such Person and Persons is and are, and shall be fully and actually recapacitated and restored to the same State and Condition as he, she, or they, were in before such Neglect or Omission, and shall be deemed and adjudged to have duly qualified him, her, or themselves, according to the above mentioned Acts, and every of them; and that all Elections of, and Acts done or to be done by any such Person or Persons, or by Authority derived from him, her, or them, are and shall be of the same Force and Validity as the same, or any of them, would have been if such Person or Persons respectively had taken the said Oaths or Assurance, and received the Sacrament of the Lord's Supper, and made and subscribed the said Declarations, and taken and subscribed the said Oath according to the Directions of the said Acts, and every or any of them; and that the Qualification of such Person or Persons, qualifying themselves in Manner and within the Time appointed by this Act, shall be, to all Intents and Purposes, as effectual as if such Person or Persons had respectively taken

and who shall on or before March 25, 1810, qualify themselves,

shall be indemnified against Forfeitures.

the ſaid Oaths and Aſſurance, and received the Sacrament, and made and ſubſcribed the ſaid Declaration, and taken and ſubſcribed the ſaid Oath, within the Time and in the Manner appointed by the ſeveral Acts before mentioned.

Perſons neglecting to qualify themſelves agreeable to the Iriſh Act of 2 Anne, and who ſhall qualify on or before December 25, 1810, ſhall be indemnified.

II. And whereas ſeveral Perſons well affected to His Majeſty's Government, and to the United Church of *England* and *Ireland* have, through Ignorance of the Law, neglected, or been by Sickneſs or other unavoidable Cauſes, prevented from taking and ſubſcribing the Declaration, and from receiving the Sacrament of the Lord's Supper, and delivering a Certificate thereof according to the Directions of an Act paſſed in the Parliament of *Ireland* in the Second Year of the Reign of Her late Majeſty Queen *Anne*, intituled, *An Act to prevent the further Growth of Popery*; be it therefore further enacted, That all Perſons who have incurred any Penalty or Incapacity in the ſaid recited Act mentioned, by neglecting to qualify themſelves according to the ſaid Act, ſhall be, and are hereby indemnified, freed and diſcharged from all Incapacities, Diſabilities, Penalties, and Forfeitures, incurred by reaſon of ſuch Omiſſion or Neglect as aforeſaid; and that no Act done by any of them not yet avoided, ſhall be queſtioned or avoided by reaſon of ſuch Omiſſion or Neglect, but that all ſuch Acts ſhall be, and are hereby declared to be good and effectual, as if ſuch Perſons reſpectively had taken and ſubſcribed the ſaid Oath, and received the ſaid Sacrament, and delivered the Certificate thereof, and made and repeated and ſubſcribed the ſaid Declaration, at ſuch Time, Place, and Manner, as in the ſaid Act is mentioned; any Thing in the ſaid Act to the contrary notwithſtanding: Provided always, that ſuch Perſon or Perſons do and ſhall take and ſubſcribe the ſaid Oaths, and make, repeat, and ſubſcribe the ſaid Declaration in ſuch Manner and Form, and in ſuch Place or Places reſpectively as are directed and appointed by the ſaid laſt recited Act, on or before the Twenty-fifth Day of *March* One thouſand eight hundred and ten.

Not to indemnify any Perſon for any Penalty incurred by neglecting to qualify himſelf.

III. Provided always, That this Act, or any Thing herein contained, ſhall not extend, or be conſtrued to extend, to indemnify any Perſon againſt whom final Judgement ſhall have been given, in any Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record, for any Penalty incurred by having neglected to qualify himſelf within the Time limited by Law.

Not to exempt Juſtices acting without legal Qualification.

IV. Provided always, and be it further enacted, That nothing contained in this Act ſhall extend, or be conſtrued to exempt any Juſtice of the Peace within *Great Britain* from the Penalties to which he is ſubject for acting as ſuch without being poſſeſſed of the Qualification required by the Laws now in force.

Perſons producing Appointments and Admiſſions before Dec. 25, 1810.

V. And whereas the Appointment of divers Clerks of the Peace, Town Clerks, and other Publick Officers, and the Admiſſions of divers Members and Officers of Cities, Corporations, and Borough Towns in *Great Britain*, or the Entries of ſuch Admiſſions in the Court Books, Rolls, or Records of ſuch Cities, Corporations, and Borough Towns, which by ſeveral Acts of Parliament are directed and required to be ſtamped, may not have been provided, or the ſame not ſtamped, or may have been loſt or miſlaid; be it further enacted, That for the Relief of ſuch Perſons whoſe Appointments and Admiſſions, or the Entries of whoſe Admiſſions

as aforesaid, may not have been provided, or not duly stamped, or where the same have been lost or mislaid, it shall and may be lawful to and for such Persons in *Great Britain*, on or before the Twenty-fifth Day of *March* One thousand eight hundred and ten, to provide or cause to be provided, Appointments, and Admissions, or Entries of Admissions, as aforesaid, duly stamped; or, in case where such Appointments, Admissions, or Entries of Admissions, as aforesaid, have been made or provided, but have not been duly stamped, to produce such Appointments, Admissions, or Entries of Admissions, as aforesaid, to the Commissioners appointed to inspect and manage the Revenues of the Stamp Duties to be duly stamped; which such Commissioners are hereby authorized, empowered, and required to duly stamp, on Payment of the Duties first payable, or to have been paid on such Appointments, Admissions, or Entries of Admissions, as aforesaid, without any Fine or Forfeiture thereon; and in order to denote the said Duties the said Commissioners are hereby authorized and empowered to use such Stamps as shall have been heretofore provided to denote any former Duties on Stamped Vellum, Parchment, and Paper, or to cause new Stamps to be provided for that Purpose, and to do all other Things necessary for putting this Act in Execution, in the like and in as full and ample Manner as they or the major Part of them are authorized to put in Execution any former Law concerning Stamped Vellum, Parchment, and Paper; and such Persons so providing Appointments, Admissions, or Entries of Admissions, as aforesaid, duly stamped, or procuring the same to be duly stamped, in Manner aforesaid, are and shall be hereby confirmed and qualified to act as Clerk of the Peace, Town Clerk, or other publick Officer, or Member or Members, Officer or Officers of such Cities, Corporations, and Borough Towns respectively, to all Intents and Purposes; and shall and may hold and enjoy and execute such Offices, or any other Office or Offices into which he or they hath or have been elected, notwithstanding his or their Omission, or the Omission of any of their Predecessors, in such Cities, Corporations, or Borough Towns, as aforesaid; and shall be indemnified and discharged of and from all Incapacities, Disabilities, Forfeitures, Penalties, and Damages by reason of any such Omission, and none of his or their Acts shall be questioned or avoided by reason of the same.

shall be confirmed, and qualified to act as Clerk, Officer, or Member of Corporations, &c.

may enjoy all Offices into which they have been elected; and shall be indemnified from all Penalties and Damage incurred by reason of Omissions.

VI. Provided always, That this Act, or any Thing herein contained, shall not extend, or be construed to extend, to restore or entitle any Person or Persons to any Office or Employment, Benefice, Matter, or Thing whatsoever, already actually avoided by Judgment of any of His Majesty's Courts of Record, or already legally filled up and enjoyed by any other Person; but that such Office or Employment, Benefice, Matter, or Thing, so avoided, or legally filled up and enjoyed, shall be and remain in and to the Person or Persons who is or are now, or shall, at the passing of this Act, be legally entitled to the same, as if this Act had never been made.

Not to extend to restore Persons to any Office avoided by Judgement.

VII. And whereas many Persons have omitted to cause Affidavits to be made, and afterwards to be filed in the proper Office, of the actual Execution of several Contracts in Writing entered into by them to serve as Clerks to Attornies or Solicitors in *Great Britain*; and such Contract, and the Indenture thereof, to be inrolled within the Time in which the same ought to have been done, and many Infants, and others, may thereby incur

Persons who shall cause Affidavits to be filed before Michaelmas Term 1810.

certain Diſabilities; for preventing thereof, and relieving ſuch Perſons, be it enacted, That every Perſon who, at the paſſing of this Act, ſhall have neglected or omitted to cauſe any ſuch Affidavit or Affidavits as aforeſaid to be made and filed, or ſuch Contract or Indenture to be inrolled, and who, on or before the Firſt Day of *Hilary* Term One thouſand eight hundred and ten, ſhall cauſe ſuch Contract or Indenture to be inrolled with the proper Officer in that Behalf, and One or more Affidavit or Affidavits to be made, and afterwards to be filed in ſuch Manner as the ſame ought to have been made and filed, in due Time, ſhall be, and is hereby indemnified, freed, and diſcharged, from and againſt all Penalties, Forfeitures, Incapacities, and Diſabilities, in or by any Act or Acts of Parliament mentioned, and incurred, or to be incurred, for or by reaſon of ſuch Neglect or Omiſſion; and every ſuch Affidavit and Affidavits ſo to be made, and which ſhall be duly filed on or before the Firſt Day of *Hilary* Term One thouſand eight hundred and ten ſhall be as effectual, to all Intents and Purpoſes, as if the ſame had been made and filed within the reſpective Times the ſame ought, by the Laws now in being for that Purpoſe, to have been made and filed.

indemnified and diſcharged from Penalties.

VIII. And be it further enacted, That in caſe any Action, Suit, Bill of Indictment, or Information, ſhall, from and after the paſſing of this Act, be brought, carried on, or proſecuted againſt any Perſon or Perſons hereby meant or intended to be indemnified, recapacitated, or reſtored, for or on Account of any Forfeiture, Penalty, Incapacity, or Diſability whatſoever incurred or to be incurred by any ſuch Neglect or Omiſſion, ſuch Perſon or Perſons may plead the General Iſſue, and, upon their Defence, give this Act, and the ſpecial Matter in Evidence upon any Trial to be had thereupon.

Perſons proſecuted, and hereby meant to be indemnified, may plead the General Iſſue.

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