ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS.

CAP. CXXXVII.

An Act for extending the Time for the Payment of certain Sums of Money, advanced by Way of Loan under an Act, passed in the last Session of Parliament, for enabling His Majesty to direct the Issue of Exchequer Bills, to a limited Amount, for the Purposes and in the Manner therein mentioned. [20th *July* 1812.]

WHEREAS an Act was passed in the Fifty-first Year of the Reign of His present Majesty, intituled *An Act for enabling His Majesty to direct the Issue of Exchequer Bills, to a limited Amount, for the Purposes and in Manner therein mentioned:* And whereas Exchequer Bills were issued under the said Act, to certain Commissioners therein named, and were by them advanced to Manufacturers, Merchants, and Persons engaged in Trade, on certain Terms and Conditions: And whereas Circumstances have occurred which render it expedient to extend the Time for the Repayment of the Instalments remaining due on the said Loans of Exchequer Bills, 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 Act, his, her, or their Heirs, Executors and Administrators, and his, her, or their Sureties, and who respectively shall be desirous of enlarging or extending the Time limited by the said Act for the Repayment of any Part of any Loan of such Exchequer Bills, to make Application to the Commissioners named and appointed under the said Act, or such of them as shall be still living, who are hereby nominated and appointed Commissioners for

51 G. 3. c. 15.

Persons may apply to the Commissioners to have the Time for Repayment of Loans extended, who may extend it as herein specified.

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 any ſuch Loan in the Proportions as to what may be 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, if they think neceſſary, 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 Act to do with reſpect to any Security or Securities, Surety or Sureties, to be propoſed and given previous to the Advance or Iſſue of any Exchequer Bills under the ſaid recited Act.

Sureties willing to remain ſo for Repayment of the 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 Act, 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 ſignifying 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

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

Persons to receive all such Applications in Writing as shall be made to them for such Enlargment 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 Purpose 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).

Applications for Extension of Times for Repayment of Loans, and Seven Days for taking them into Consideration.

IV. And be it further enacted. That in case any Person or Persons 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 Act 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 One Month 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 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 Act mentioned, or otherwise, for the Purpose of recovering or compelling Payment of the said Loan, or any Part thereof: Provided always, that the Sureties now bound shall consent to such Extension of Time, and shall in the mean Time remain liable under their present Security.

Commissioners may grant to Persons not prepared to render new Securities or Sureties previous to Instalments becoming due, &c. further Time, the Grant of which shall be in the Form in the Schedule (B.)

V. And be it further enacted, That from and after the signing of such Consent by such Sureties under the said Act, and the Deposit of such further Security or Securities, Surety or Sureties (where any such shall be required by the said Commissioners), it shall 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, Regard being had by the said Commissioners as well to the Merits of the Case of the Party so applying, as to the Sufficiency of the Security or Securities, Surety or Sureties, so tendered by them, so that the said Loan be made payable in Proportions not less, and Periods not longer than herein-after particularly mentioned; (that is to say), One-third Part of the said Loan as remains unpaid,

After signing Consent by original Sureties, &c. the Commissioners may grant Extension of Time of Repayment of Loan.

with Intereſt for the ſame, at the Rate of Five Pounds *per Centum per Annum* on the Firſt Day of *February* One thouſand eight hundred and thirteen; One other Third Part thereof, with the like Intereſt for the ſame, on the Firſt Day of *April* One thouſand eight hundred and thirteen; and the remaining Third Part thereof, with the like Intereſt for the ſame, on the Firſt Day of *Auguſt* One thouſand eight hundred and thirteen: And ſuch Parties reſpectively, to whom the ſaid Commiſſioners ſhall allow ſuch Enlargement or Extenſion of the Times of Payment 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, except in the Caſes in the ſaid Act ſpecified.

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 Perſon and Perſons 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, ſhall, previous to the receiving any ſuch Certificate as aforeſaid, pay or cauſe to be paid to the ſaid Commiſſioners, or ſuch Perſon or Perſons as they, or any Three or more of them, ſhall appoint to receive the ſame, all Intereſt then due and payable on every ſuch Loan at the Time of granting any ſuch Extenſion of Time as aforeſaid.

Remedies of recited or other Acts, for compelling Repayment of Loan, ſo continue.

VIII. Provided always, and it is hereby declared, That the ſaid recited Act, and all Remedies thereby provided 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 charged 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,

into, or ſuch Sureties had become bound under this Act, or original Bonds, Mortgages, Obligations, Securities, or Sureties.

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 Act in reſpect of any ſuch Loan, or of any Default in Repayment of any Loan made under the ſaid Acts. Commiſſioners to have the ſame Powers as under recited Acts.

X. And be it further enacted, That if any Perſon or Perſons conſenting to remain Sureties or Surety for any Parties to whom ſuch Enlargement or Extenſion of the Times of Repayment of any 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 Act for the Benefit of the Sureties of the Perſons obtaining a Loan of Exchequer Bills under the ſaid Act; 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 Act 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 avoidable by and under the Authority of the ſaid Commiſſioners, in like Manner, and with the ſame Force and Effect, as by the ſaid Act is 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 Act. 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 Reimburſement.

XI. And be it further enacted, That all Matters and Things, which the ſaid Commiſſioners are hereby or by the ſaid recited Act 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. Three Commiſſioners may act.

XII. And be it further enacted, That the 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. Obligations taken by the Commiſſioners, &c. not liable to Stamp Duty.

SCHEDULES 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 an Act, paſſed in the Fifty-firſt Year of His preſent Majeſty's Reign, intituled "An Act for enabling His Majeſty to direct the Iſſue of "Exchequer Bills, to a limited Amount, for the Purpoſes and in Manner "therein mentioned," as Sureties for *A. B.* for the Repayment of a Loan of Exchequer Bills made to the ſaid *A. B.* under the ſaid Act of the Fifty-firſt Year of His preſent Majeſty's Reign, ſhall remain and continue as a Security for Repayment of the ſaid Sum of remaining unpaid on the Loan, with Intereſt thereon, at the Rate of per Centum per Annum, at the extended Periods allowed to the ſaid by the Commiſſioners under the ſaid Act: 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 other Security, 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.

Dated the Day of

SCHEDULE (B.)

WE Commiſſioners under an Act of Parliament, paſſed in the Fifty-firſt Year of the Reign of His preſent Majeſty, intituled "An Act for enabling His Majeſty to direct the Iſſue "of Exchequer Bills, to a limited Amount, for the Purpoſes and in "Manner therein mentioned," do hereby grant to until the and no longer, for procuring and tendering to us good and ſufficient new Security or Securities, with Sureties [*or*, the Conſent of Sureties of the ſaid to remain anſwerable as ſuch Sureties] under an Act, paſſed in the Fifty-ſecond Year 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 Act of the Fifty-firſt Year aforeſaid; 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 recovering the Money due on the ſaid Loan.

Dated the Day of

SCHEDULE

SCHEDULE (C.)

WHEREAS the Sum of was advanced to in Exchequer Bills, on certain Conditions, purſuant to an Act, paſſed in the Fifty-firſt Year of the Reign of His preſent Majeſty, intituled "An Act for enabling His Majeſty to direct the "Iſſue of Exchequer Bills, to a limited Amount, for the Purpoſes and in "Manner therein mentioned:" And whereas the ſaid hath given Security, with Sureties, purſuant to the Directions of the ſaid Act of Parliament reſpecting ſuch Relief as aforeſaid, for the Repayment 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 an Extenſion of the Time for repaying ſuch Loan: Now We, whoſe Names are hereunto ſubſcribed, being of the Commiſſioners under the ſaid Act, do, in purſuance of the Directions contained in an Act, paſſed in the Fifty-ſecond 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 Repayment of the Sum of or the Inſtalment or Inſtalments of the ſaid Sum of [*as the Caſe may be*] that is to ſay [*recite the Times, and Sums.*]

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