

ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

CAP. CLX.

An Act for the Encouragement of Seamen, and the more effectual Manning of His Majesty's Navy during the present War. [11th *July* 1815.]

WHEREAS His Majesty by His Order in Council dated the Twenty-first Day of *June* One thousand eight hundred and fifteen, was pleased to order that general Reprisals be granted against the Ships, Goods, and Subjects of *France*, subject to such Exceptions as His Majesty may at any Time or Times hereafter be pleased to declare, so that as well His Majesty's Fleet and Ships, as also all other Ships and Vessels that should be commissionated by Letters of Marque, or General Reprisals, or otherwise, by His Majesty's Commissioners for executing the Office of Lord High Admiral of *Great Britain*, shall and lawfully may seize all Ships, Vessels, and Goods belonging to *France*, or to any Persons being Subjects of *France*, or inhabiting within any of the Territories of *France*, saving such Exceptions as His Majesty may at any Time or Times hereafter be pleased to declare, and bring the same to Judgment: And whereas His Majesty hath, of His Royal Munificence, been graciously pleased, by His Proclamation dated on the said Twenty-first Day of *June* One thousand eight hundred and fifteen, to declare His Intention to give the Benefit of all Prizes taken during the present War to the Captors thereof, being in His Majesty's Service, or duly commissioned, save as therein excepted: Now, for the Encouragement of the Officers and Seamen of His Majesty's Ships of War, and of Hired Armed Vessels in the Service of His Majesty, and of the Owners, and Officers and Seamen, of all other *British* Ships and Vessels having Commissions or Letters

of Marque; and for inducing all *Britiſh* Seamen, who may be in any Foreign Service, to return into this Kingdom, and become ſerviceable to His Majeſty; and for the more effectual ſecuring and extending the Trade of His Majeſty's Subjects; 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 the Flag Officers, Commanders, and other Officers, Seamen, Marines, and Soldiers, on board any Ship or Veſſel of War in His Majeſty's Pay, ſhall have the whole Right and Intereſt to and in all and every Ship, Veſſel, Goods, and Merchandize, deſcribed in the ſaid Order in Council by which His Majeſty has ordered General Repriſals to be granted againſt the Ships, Goods, and Subjects of *France*, which they have taken ſubſequent to the Date of the ſaid Order, or ſhall hereafter take during the Continuance of Hoſtilities againſt *France*, after the ſame ſhall have been adjudged lawful Prize to His Majeſty, in any of His Majeſty's Courts of Admiralty or Vice Admiralty, which ſhall be duly authorized to take Cognizance of the ſame, to be divided in ſuch Proportions, and after ſuch Manner, as His Majeſty, by His Proclamation, hath already ordered and directed, or as His Majeſty, His Heirs and Succeſſors, ſhall think fit to order and direct by any Proclamations hereafter to be iſſued; and the Commanders, Officers, Seamen, Marines, and Soldiers, on board His Majeſty's Hired Armed Ships, ſhall have ſuch Right and Intereſt to and in all and every Ship, Veſſel, Goods, and Merchandize, which they have taken or ſhall take as aforeſaid, after Adjudication as aforeſaid, as His Majeſty, by His Proclamation, hath been pleaſed to direct, or as His Majeſty, His Heirs and Succeſſors, may order and direct by any Proclamation hereafter to be iſſued: Provided nevertheleſs, that in all Prizes taken by any of His Majeſty's Squadrons, Ships, or Veſſels, while acting in Conjunction with any Squadron, Ship, or Veſſel, of any other Power in Alliance with His Majeſty, a Share of ſuch Prizes ſhall be ſet apart, and be at His Majeſty's Diſpoſal, equal to that Share which the Flag and other Officers and Crews of ſuch Squadrons, Ships, or Veſſels, would have been entitled to if they had belonged to His Majeſty.

Ships and Goods taken by His Majeſty's Ships, and adjudged as Prize, to be divided according to His Majeſty's Proclamation.

Share reſerved when Allies act in Conjunction.

II. And be it further enacted, That the Flag Officers, Commanders, and other Officers, Seamen, Marines, and Soldiers, on board every Ship and Veſſel of War in His Majeſty's Pay, being armed, officered, and employed in His Majeſty's Service, who ſhall take any Fortreſs upon the Land, or any Arms, Ammunition, Stores of War, Goods, Merchandize, and Treaſure, belonging to the State, or to any public trading Company of any of His Majeſty's Enemies upon the Land, or any Ship or Veſſel, or Goods or Merchandize laden on board the ſame, in any Creek, River, Haven, or Road, belonging to and defended by ſuch Fortreſs upon the Land, ſhall have the ſole Right and Intereſt to and in all and every ſuch Ship or Veſſel, Arms, Ammunition, Stores of War, Goods, Merchandize, and Treaſure, after final Adjudication thereof as lawful Prize to His Majeſty, in any of His Majeſty's Courts of Admiralty or Vice Admiralty, duly authorized as aforeſaid, (which Courts are hereby required to proceed thereon as in other Caſes of Prize), to be diſtributed in ſuch Manner and Proportion as in other Caſes of Prize.

Arms, Stores, &c. taken by His Majeſty's Ships in any Fortreſs on Land, and Ships and Goods in any Creek, &c. defended thereby, to be divided as other Prize.

III. And be it further enacted, That in conjunct Expeditions of the Navy and Army againſt any Fortreſs or Poſſeſſion of His Majeſty's Ene-

Diviſion of Prize taken

mies upon the Land, the Flag and General Officers, and Commanders, and other Officers, Seamen, Marines, and Soldiers, acting on such conjunct Expeditions, shall have such proportional Right and Interest as His Majesty shall think fit to order and direct, in all the Arms, Ammunition, Stores of War, Goods, Merchandize, and Treasure, belonging to the State, or to any public trading Company of such Enemies, which shall be found in such Fortress or Possession, and also in all and every Ship or Vessel, with their Arms, Ammunition, Tackle, Apparel, and Furniture, and all the Goods, Merchandize, and other Effects on board the same, which shall be captured in any Road, Haven, River, or Creek belonging to such Fortress or Possession, after final Adjudication thereof as lawful Prize to His Majesty in any of the Courts aforesaid, (which Courts are hereby required to proceed thereon to lawful Adjudication); and the Share assigned to the Fleet by such Directions shall be distributed in the same Manner and Proportions as in other Cases of Prize; and the Share assigned to the Army shall be distributed amongst the Officers and Soldiers, in such Manner as His Majesty shall under His Sign Manual be pleased to direct: Provided nevertheless, that the Right and Interest hereby given to the Army employed on such conjunct Expeditions shall not extend, or be deemed or construed to extend, to entitle the said Army to share in the Distribution of any Ships or Vessels, Goods, Merchandize, or Effects captured in the Voyage to or from such Fortress or Possession.

in conjunct Expeditions of the Army and Navy.

IV. And be it further enacted, That no Person or Persons belonging to any of His Majesty's Ships or Vessels of War, or to any Merchant Ship employed in His Majesty's Service, who shall run away, or withdraw himself or themselves from the Ship or Vessel by which any Prize or Prizes shall be taken from any of His Majesty's Enemies, or shall otherwise desert or withdraw himself or themselves from His Majesty's Service, before or after Notification as by Law directed shall be given, of the Day appointed for the Payment of the several Shares to the Captors of the said Prize or Prizes, or who shall be marked on the Books of any Ship or Vessel in the Service of His Majesty, His Heirs and Successors, as having run therefrom, shall have, or be entitled to have or claim, any Interest in or Benefit from the said Share or Shares of the said Prize or Prizes, or the Bounty Money herein-after mentioned, or any Part thereof, that shall then remain unpaid; but such Shares and also the Shares of all Officers, Seamen, Marines, Soldiers, and others, as well on board hired armed Ships as on board His Majesty's Ships of War, which shall not be legally demanded within Six Years after the same have been paid to the Treasurer of *Greenwich* Hospital, by virtue of any Law then in force, shall be forfeited to, and to the Use of the said Royal Hospital, unless with respect to such Officers and Seamen as shall be marked "Run," such Mark shall be taken off by Order of the Commissioners for executing the Office of Lord High Admiral of *Great Britain*, or by Order of the Commissioners of His Majesty's Navy; provided nevertheless, with respect to the Shares of such Officers, Seamen, Marines, and Soldiers herein-before mentioned, which shall not be claimed within the Time above limited in that Behalf, that if reasonable Cause shall be shewn and allowed by the Directors of *Greenwich* Hospital for the Time being, or Five or more of them, or by the Judge of the High Court of Admiralty, why such last mentioned Shares were not claimed in due Time, the said Shares shall not be forfeited.

Persons running away not entitled to Prize; their Shares, and Shares not claimed in Six Years, to go to Greenwich Hospital.

On reasonable Cause shewn, unclaimed Shares not forfeited.

V. Provided

Veſſels and Goods of His Majeſty's Subjects retaken from the Enemy to be reſtored on Payment of Salvage.

V. Provided always, and be it enacted, That if any Ship or Veſſel, or Boat, taken as Prize, or any Goods therein, ſhall appear and be proved in any Court of Admiralty having legal Cognizance thereof, to have belonged to any of His Majeſty's Subjects, (which Ships, Veſſels, Boats, or Goods, were before taken or ſurprized by any of His Majeſty's Enemies, and at any Time afterwards again ſurprized and retaken by any of His Majeſty's Ships of War, or any Privateer, or other Ship, Veſſel, or Boat, under His Majeſty's Protection and Obedience), ſuch Ships, Veſſels, Boats and Goods as aforeſaid, formerly belonging to His Majeſty's Subjects, ſhall in all Caſes, (ſave in ſuch as are hereafter excepted), be adjudged to be reſtored, and ſhall be, by the Decree of the ſaid Court of Admiralty, accordingly reſtored to ſuch former Owner or Owners, Proprietor or Proprietors, he or they paying, for and in lieu of Salvage, if retaken by any of His Majeſty's Ships of War, or hired armed Ships, One-eighth Part of the true Value of the Ships, Veſſels, Boats, and Goods reſpectively ſo to be reſtored, which ſaid Salvage of One-eighth ſhall be anſwered and paid to the Flag Officers, Captains, Officers, Seamen, Marines, and Soldiers, in His Majeſty's ſaid Ship or Ships of War, to be divided in ſuch Manner as before in this Act is directed, touching the Share of Prizes belonging to the Flag Officers, Captains, Officers, Seamen, Mariners, and Soldiers, where Prizes are taken by any of His Majeſty's Ships of War; and, if retaken by any Privateer or other Ship, Veſſel, or Boat, One-ſixth Part of the true Value of the ſaid Ships, Veſſels, Boats, and Goods, all which Payments to be made to the Owner or Owners, Officers, and Seamen, of ſuch Privateer, or other Ship, Veſſel, or Boat, ſhall be without any Deductions, and ſhall be divided in ſuch Manner and Proportions as ſhall have been agreed on by them reſpecting the Diſtribution of Prizes; and in caſe ſuch Ship, Veſſel, Boat, or Goods, ſhall have been retaken by the joint Operation or Means of One or more of His Majeſty's Ships, and One or more private Ship or Ships, then the Judge of the High Court of Admiralty, or other Court having Cognizance thereof, ſhall order and adjudge ſuch Salvage to be paid to the Recaptors by the Owner or Owners of ſuch retaken Ship, Veſſel, Boat, or Goods, as he ſhall, under the Circumſtances of the Caſe, deem fit and reaſonable, which Salvage ſo to be adjuſted ſhall be accordingly paid by the Owners of ſuch retaken Ship, Veſſel, or Goods, to the Agents of the Recaptors, in ſuch Proportions as the ſaid Court ſhall adjudge; but if any Ship or Veſſel taken and retaken as aforeſaid, ſhall appear to have been, after the taking by His Majeſty's Enemies, by them ſet forth as a Ship or Veſſel of War, the ſaid Ship or Veſſel ſhall not be reſtored to the former Owners or Proprietors, but ſhall, in all Caſes, whether retaken by any of His Majeſty's Ships or by any Privateer, be adjudged lawful Prize for the Benefit of the Captors.

Bounty to be paid of 5l. for every Man on board at the Beginning of the Engagement of any Ships of War of the Enemy taken or deſtroyed.

VI. And, as a further Encouragement to the Officers, Seamen, Marines, Soldiers, and others, on board His Majeſty's Ships of War, as alſo of Privateers, to attack any Ships of War or Privateers belonging to the Enemy, be it enacted, That there ſhall be paid by the Treaſurer of His Majeſty's Navy, upon Bills to be made forth by the Commiſſioners of the Navy, to be paid according to the Courſe thereof, without Fee or Reward, unto the Officers, Seamen, Marines, Soldiers, and others, who ſhall have been actually on board any of His Majeſty's Ships of War, or hired armed Veſſels, or of any Privateer, at the actual taking, ſinking, burning, or otherwiſe deſtroying, any Ship or Ships of War, or Privateer, belonging to the Enemy, during the preſent War, Five Pounds for every Man who

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was living on board any Ship or Veſſel ſo taken, ſunk, burnt, or otherwiſe deſtroyed, at the Beginning of the Attack or Engagement between them, the Numbers of ſuch Men to be proved by the Oath of Three or more of the Chief Officers or Men who were belonging to the ſaid Ship or Ships of War, or Privateer of the Enemy, or belonging to any of them at the Time of her or their being taken as Prize, ſunk, burnt, or otherwiſe deſtroyed; or, in caſe ſo many as Three ſhall not ſurvive the Engagement, upon the Oath of ſuch of them as ſhall ſurvive, before the Mayor or other Chief Magiſtrate of the Port within any of His Majeſty's Dominions, whereunto ſuch Prize, or Officers or Men of ſuch Ships as were taken, ſunk, burnt, or otherwiſe deſtroyed, ſhall be brought, or before the *Britiſh* Conſul or Vice Conſul reſiding at any Neutral Port to which ſuch Prize, or Officers or Men, ſhall be brought, which Oaths the ſaid Mayor or other Chief Magiſtrate of any ſuch Port, or Conſul or Vice Conſul, are hereby reſpectively empowered and required to adminiſter; and the ſaid Mayor or other Perſon ſhall, without Fee or Reward, forthwith grant a Certificate thereof, and alſo of the Deponents or Deponent having likewiſe made Oath that, to the beſt of his or their Knowledge and Belief, no other Perſon belonging to the Enemy's Ships or Ship ſurvived the Engagement, which Certificate ſhall be directed to the Commiſſioners of His Majeſty's Navy; and, upon the Production thereof to them, together with an authentic Copy of the Sentence or Decree of Condemnation of ſuch Ship ſo taken; or where ſuch Certificate cannot be had and obtained, then upon producing only a Copy of the Sentence or Decree of Condemnation, whereby the Number of Men on board ſuch Ships of the Enemy ſhall appear to have been proved; or if ſuch Ships be ſunk, burnt, or otherwiſe deſtroyed, on producing only a Certificate from the Mayor or other Chief Magiſtrate, or Conſul or Vice Conſul as aforeſaid, the ſaid Commiſſioners of His Majeſty's Navy, or ſuch Perſon or Perſons as they ſhall appoint for that Purpoſe, ſhall, according to the Courſe of the Navy, within Fifteen Days, make out Bills for the Amount of ſuch Bounty, directed to the Treaſurer of the Navy, payable to and to be divided amongſt the Officers, Seamen, Marines, and Soldiers, on board His Majeſty's Ships of War, or hired armed Ships, in Manner, Form, and Proportion, as by His Majeſty's Proclamation for granting the Diſtribution of Prizes already iſſued or to be iſſued, is or ſhall be directed and appointed, and amongſt the Owners, Officers, and Seamen, of any private Ship or Veſſel of War, in ſuch Manner and Proportion as by any Agreement in Writing they ſhall have entered into for that Purpoſe, ſhall be directed: Provided nevertheleſs, that in all Caſes where ſuch Oath and Certificate cannot be adminiſtered and granted at the firſt Port whereunto any Prize, or Officers or Men of ſuch Ships as have been or ſhall be taken, ſunk, burnt, or otherwiſe deſtroyed, ſhall be brought, ſuch Oath or Oaths relating to any Prize or Prizes that ſhall be taken, or to any Ships of His Majeſty's Enemies that ſhall be ſunk, burnt, or otherwiſe deſtroyed as aforeſaid, ſhall and may be adminiſtered and taken by and before the Mayor or other Chief Magiſtrate of any Port within any of His Majeſty's Dominions, or by or before the *Britiſh* Conſul or Vice Conſul reſiding at any Neutral Port whereunto ſuch Prize or Prizes, or Officers or Men of ſuch Ships belonging to His Majeſty's Enemies as have or ſhall be taken, ſunk, burnt, or otherwiſe deſtroyed, ſhall at any Time afterwards be brought, Proof being firſt made by Affidavit before ſuch Perſon or Perſons, of the Inability of making ſuch Oath or Oaths, and obtaining ſuch

Certificate at the ſaid firſt Port; and the Mayor or other Chief Magiſtrate, Conſul or Vice Conſul, ſhall thereupon grant ſuch Certificates as are herein-before directed, which Certificates ſhall be good and effectual to all Intents and Purpoſes, as if the ſame were granted by the Mayor or other Chief Magiſtrate, Conſul or Vice Conſul, of the Port to which ſuch Prize or Prizes, Officers or Men as aforeſaid, ſhall be firſt brought; any Thing herein contained to the contrary thereof in anywiſe notwithſtanding: Provided always, that where ſuch Oath of the Number of Men on board any Ship or Ships ſo taken, burnt, ſunk, or otherwiſe deſtroyed, cannot be had by reaſon of the total Deſtruction of the Officers and Crew of ſuch Ship or Ships, then, and in every ſuch Caſe, the Number of Men on board ſuch Ship or Ships, at the Beginning of the Attack or Engagement, ſhall be aſcertained by ſuch Evidence, as under the Circumſtances of the Caſe ſhall, by the Judge of the High Court of Admiralty, or by the Judge of any other Court of Admiralty duly authorized, be deemed ſufficient Proof thereof: Provided likewiſe, that in any Caſes in which Doubts ſhall ariſe, whether the Party or Parties claiming Head Money are entitled thereto, the ſame ſhall be ſummarily determined by the Judge of the High Court of Admiralty, or by the Judge of any other Court of Admiralty in which the Prize ſhall have been adjudged, ſubject nevertheleſs to an Appeal to the Lords Commiſſioners of Appeal in Prize Cauſes.

Bills for the Bounty to be made payable to Agents.

VII. And be it further enacted, That the Bill or Bills to be made out for the Bounty hereby granted to the Commanding Officers, Seamen, Marines, and others of His Majeſty's Ships of War, or hired armed Ships, for taking, ſinking, burning, or otherwiſe deſtroying any Ships of War or Privateers belonging to any of His Majeſty's Enemies, ſhall be made payable to ſuch Perſon or Perſons as ſhall be authorized and appointed, as the Law directs, Agents for Appraiſements and Sales of ſuch Prizes in reſpect of which ſuch Bounty ſhall be payable, the ſame Bounty to be diſtributed and divided by the ſaid Perſon or Perſons ſo authorized and appointed amongſt the Captors, in ſuch Manner, Form, and Proportion as aforeſaid; and the ſeveral Shares of ſuch Captors as ſhall run from His Majeſty's Service and of ſuch as ſhall not be legally demanded within the Times preſcribed for the Demand of Prize Money, ſhall be applied to the Uſe of the ſaid Royal Hoſpital at *Greenwich*, ſubject to the ſame Proviſoes and Exceptions as in the Caſe of Prize Monies; and that the Bill or Bills to be made out for the Bounty hereby granted to Privateers, for taking, burning, ſinking, or otherwiſe deſtroying, any Ships of War or Privateers belonging to any of His Majeſty's Enemies, ſhall be made payable to ſuch Perſon or Perſons as ſhall be nominated and appointed by the Owner or Owners, Officers and Seamen of ſuch Privateer or Privateers, who ſhall have taken, burnt, ſunk, or otherwiſe deſtroyed the ſame, or the major Part of them, to be divided in ſuch Manner and Proportions as ſhall have been agreed on by them as aforeſaid.

Diviſion and Forfeitures of Bounty as of Prize Money.

Regulations of Prize to apply to Bounty and Salvage.

VIII. And be it further enacted, That all Regulations herein contained reſpecting Prizes ſhall apply to all Caſes of Bounty Money granted by this Act, and to all Caſes of Salvage upon Recaptures from His Majeſty's Enemies.

No Ship or Goods belonging to

IX. And be it further enacted, That it ſhall not be lawful for any of His Majeſty's Subjects to ranſom, or to enter into any Contract or Agreement

Agreement for ranſoming any Ship or Veſſel belonging to any of His Majeſty's Subjects, or any Merchandize or Goods on board the ſame, which ſhall be captured by the Subjects of any State at War with His Majeſty, or by any Perſons committing Hoſtilities againſt His Majeſty's Subjects, unleſs in the caſe of Neceſſity, to be allowed by the High Court of Admiralty. His Majeſty's Subjects to be ranſomed.

X. And be it further enacted, That all Contracts and Agreements which ſhall be entered into, and all Bills, Notes, and other Securities, which ſhall be given by any Perſon or Perſons for Ranſom of any Ship or Veſſel, or of any Merchandize or Goods on board the ſame, contrary to this Act, ſhall be abſolutely null and void in Law, and of no Effect whatſoever. Contracts for Ranſom to be void.

XI. And be it further enacted, That if any Perſon or Perſons ſhall, contrary to this Act, ranſom, or enter into any Contract or Agreement for ranſoming any ſuch Ship or Veſſel, or any Merchandize or Goods on board the ſame, every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and loſe the Sum of Five hundred Pounds. Penalty on Perſons ranſoming.

XII. And be it further enacted, That in caſe any Commander of any of His Majeſty's Ships or Veſſels of War, or of any hired armed Ship in His Majeſty's Service, or of any private Ship or Veſſel of War, ſhall agree with the Commander or Commanders, or other Perſon or Perſons of or belonging to any Neutral or other Ship or Ships, Veſſel or Veſſels, or the reſpective Cargo or Cargoes thereof, or any Part thereof, for the Ranſom of any ſuch Ship, Veſſel, or Cargo, or any Part thereof, after the ſame ſhall have been taken as Prize, and ſhall, in purſuance of ſuch Agreement, or otherwiſe by Colluſion, actually quit, ſet at liberty, reſtore, or diſcharge any ſuch Ship, Veſſel, or Cargo, or any Part thereof, inſtead of bringing the ſame into ſome Port belonging to His Majeſty's Dominions, or after the ſame ſhall have been brought into Port, ſhall by Colluſion reſtore the ſame, that then every ſuch Commander of ſuch Ship or Veſſel of War, or hired armed Ship, or private Ship or Veſſel of War, who ſhall agree for any ſuch Ranſom, and ſhall ſo as aforeſaid quit, ſet at liberty, reſtore, or diſcharge, any ſuch Ship, Veſſel, or Cargo, or any Part thereof, unleſs in caſe of Neceſſity, to be allowed by the High Court of Admiralty, ſhall forfeit and ſuffer ſuch Penalty or Fine as the ſaid Court ſhall adjudge; and the Commander of ſuch private Ship of War ſhall likewiſe forfeit his Letter of Marque. Penalty on Perſons ranſoming or colluſively reſtoring Ships or Goods taken as Prize.

XIII. Provided nevertheleſs, and be it hereby enacted, That if any Ship, Veſſel, or Boat, belonging to any of His Majeſty's Subjects, which ſhall have been taken by the Enemy, ſhall be retaken before ſhe has been carried into an Enemy's Port, it ſhall be lawful for her, if the Recaptors conſent thereto, to proſecute her Voyage, and it ſhall not be neceſſary for the Recaptors to proceed to Adjudication till after Six Months, or till the Return of the Ship to the Port from which ſhe ſailed; and it ſhall be lawful for the Maſter, the Owners, or their Agent, with the Conſent of the Recaptors, to unlade and diſpoſe of their Cargoes before Adjudication; and in caſe the Veſſel ſhall not return directly to the Port from whence ſhe ſailed, or the Recaptors ſhall have had no Opportunity of proceeding regularly to the Adjudication within Six Months, on account of the Abſence of the ſaid Veſſel, the Court of Admiralty ſhall, at the Inſtance of the Recaptors, decree Ships of His Majeſty's Subjects, retaken before carried into Port, may proſecute their Voyage.

decree the Reſtitution to the former Owners, paying Salvage, upon ſuch Evidence as to the ſaid Court ſhall, under the Circumſtances of the Caſe, appear reaſonable.

Penalty on colluſive Captures.

XIV. And be it further enacted, That in caſe any Ship or Veſſel, or any Goods or Merchandize, ſhall be taken by the Commander, or other Perſon having the Charge or Command of any Privateer by Colluſion or Connivance, the Ship and Veſſel, and Goods and Merchandize ſo taken, ſhall upon Proof thereof, and that the ſaid Ship, Veſſels, Goods, or Merchandize are lawful Prize, to be made in any Court of Admiralty having legal Cognizance thereof, be declared and adjudged to be good Prize to His Majeſty; and one Moiety thereof ſhall be to the Uſe of His Majeſty, His Heirs, and Succeſſors, and the other Moiety to the Uſe of ſuch Perſon who ſhall diſcover and ſue for the ſame; and the Bond given by the Captain or Commander of ſuch Privateer ſhall be, and is hereby declared to be, forfeited to His Majeſty; and in caſe any Ship or Veſſel, or any Goods or Merchandize as aforeſaid, ſhall be taken by any Commander, Captain, or other Officer having the Command of any Ship or Veſſel of War belonging to His Majeſty, or of any hired armed Veſſel in His Majeſty's Service, by Colluſion or Connivance, the ſaid Ship, Veſſel, Goods, and Merchandize ſo taken, ſhall, on Proof thereof, and that the ſame are lawful Prize, to be made in any Court of Admiralty having legal Cognizance thereof, be declared and adjudged to be good Prize to His Majeſty, and ſhall remain at the Diſpoſal of His Majeſty; and the ſaid Commander, Captain, or other Officer aforeſaid, ſhall forfeit the Sum of One thouſand Pounds, One Moiety thereof to the Uſe of His Majeſty, His Heirs and Succeſſors, and the other Moiety to the Uſe of ſuch Perſon who ſhall diſcover and ſue for the ſame.

Commanders deſerting Convoys, or ſailing out of their Courſe having His Majeſty's Diſpatches, in purſuit of Prize, ſhall forfeit their Shares.

XV. And be it further enacted, That if any Captain, or other Commander of any of His Majeſty's Ships or Veſſels of War, or hired armed Veſſels in His Majeſty's Service, having Tranſports or Merchant Ships or Veſſels under Convoy, ſhall wilfully deſert or ſail away from them, in purſuit of and with the view of capturing any Ship or Veſſel of the Enemy, (other than Ships or Veſſels armed and fitted for War, and which ſhall be ſeen hovering about or bearing down upon ſuch Convoy), or, having captured a Prize, ſhall wilfully deſert the Convoy for the Purpoſe of carrying his Prize into Port; or if the Commander of any Ship or Veſſel whatſoever, having His Majeſty's Diſpatches on board, ſhall ſail out of his proper Courſe in purſuit of and with the view of making Prize of any Ship or Veſſel of the Enemy and ſhall be duly convicted thereof by Sentence of a Court-Martial, ſuch Commander ſhall forfeit the Share of all and every ſuch Prize to His Majeſty, for the Uſe of *Greenwich* Hoſpital.

Private Ships having Commiſſion for War, whilſt under Convoy, not to ſhare in Prizes.

XVI. And be it further enacted, That nothing in this Act contained ſhall entitle any private Ship or Veſſel having a Commiſſion for War, and which ſhall receive general Orders and Inſtructions from, and put herſelf under the Convoy of any of His Majeſty's Ships or Veſſels, to ſhare in any Prize or Prizes taken by ſuch Ships or Veſſels of His Majeſty, or by ſuch private Ship or Veſſel, having a Commiſſion for War, or Letter of Marque, whilſt the ſaid commiſſioned Ship or Veſſel ſhall remain under the Care and Protection of ſuch Convoy, unleſs ſuch private Ship or Veſſel ſhall have received Orders from the Commander of the convoying Ship to

chaſe, or otherwiſe act hoſtilely againſt the Enemy, and ſhall have been actually aiding and aſſiſting in ſuch Captures.

Admiralty may iſſue Letters of Marque.

XVII. And be it further enacted, That the Lord High Admiral of *Great Britain*, or the Commiſſioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any Three or more of them, or any Perſon or Perſons by him or them empowered and appointed, ſhall, at the Requeſt of any Owner or Owners, whom they ſhall deem fitly qualified, of any Ship or Veſſel duly regiſtered according to Law, (ſuch Owner or Owners giving ſuch Bail or Security as herein-after is mentioned or expreſſed), cauſe to be iſſued in the uſual Manner One or more Commiſſion or Commiſſions, or Letter or Letters of Marque and Repriſal, to any Perſon or Perſons whom ſuch Owner or Owners ſhall nominate to be Commander, or, in caſe of Death, ſucceſſively Commanders, of ſuch Ships or Veſſels, for the attacking, ſurprizing, ſeizing, and taking by and with ſuch Ship or Veſſel, or with the Crew thereof, any Place or Fortreſs upon the Land, or any Ship or Veſſel, Arms, Ammunition, Stores of War, Goods, or Merchandize, belonging to or poſſeſſed by any of His Majeſty's Enemies in any Sea, Creek, Haven, or River; and that ſuch Ship or Ships, Veſſel or Veſſels, Arms, Ammunition, Stores of War, Goods, and Merchandize whatſoever, with all their Furniture, Tackle, and Apparel, ſo to be taken by or with ſuch private Owner or Owners' Ship or Veſſel, according to ſuch Commiſſion and Commiſſions, or Letter or Letters of Marque, after final Adjudication as lawful Prize in the High Court of Admiralty, or in any other Court of Admiralty in His Majeſty's Dominions, which ſhall be duly authorized thereto, ſhall wholly and entirely belong to, and be divided between and among the Owner or Owners of ſuch Ship or Veſſel, and the ſeveral Perſons who ſhall be on board the ſame, and be aiding and aſſiſting in the taking thereof, in ſuch Shares and Proportions as ſhall be agreed on with the Owner or Owners of ſuch Ship or Veſſel, their Agents or Factors, as the proper Goods and Chattels of ſuch Owner or Owners, and the Perſons who ſhall be entitled thereto by virtue of ſuch Agreements among themſelves; and that neither His Majeſty, His Heirs or Succeſſors, nor any Admiral, Vice Admiral, Governor or other Perſon commiſſioned by or claiming under His Majeſty, His Heirs and Succeſſors, nor any other Perſon or Perſons whoſoever, other than the Owner or Owners of ſuch Ship or Veſſel, being the Captor of ſuch Prize Ship or Veſſel, Arms, Ammunition, Stores of War, Goods, and Merchandize, and the Perſons claiming under ſuch Agreements ſhall be entitled to any Part or Share thereof, except as to the Cuſtoms and Duties hereafter mentioned; any Law, Uſage, or Cuſtom to the contrary thereof in anywiſe notwithſtanding: Provided always, that nothing in this Act contained ſhall extend, or be conſtrued to extend, to entitle any Perſon or Perſons to any Intereſt in ſuch Ships or Veſſels, Goods or Merchandize, as may be captured by any private Ships or Veſſels of War belonging to or hired by, or in the Service of His Majeſty's Commiſſioners of Cuſtoms or Exciſe, but that the ſame Ships or Veſſels, Goods and Merchandize, ſo captured, ſhall belong to His Majeſty, and be applied and diſpoſed of in ſuch Manner as His Majeſty, under His Sign Manual, ſhall order and direct, after legal Adjudication thereof.

Diviſion of Prize taken by Private Commiſſioned Ships.

Exception as to Veſſels in the Service of the Cuſtoms or Exciſe.

Applications for Letters of Marque to be

XVIII. And be it further enacted, That all and every Perſon or Perſons, who ſhall apply to the ſaid Lord High Admiral of *Great Britain*, or Commiſſioners

in Writing, and to contain the Particulars enumerated.

Commiſſioners for executing the Office of Lord High Admiral of *Great Britain*, for the Time being, or any Perſon or Perſons by him or them empowered and appointed, in order to obtain any Commiſſion or Letter of Marque to be granted or iſſued forth in purſuance of this Act, ſhall make every ſuch Application in Writing, and therein ſet forth a particular, true, and exact Deſcription of the Ship or Veſſel, for which ſuch Commiſſion or Letter of Marque is requeſted, ſpecifying the Name and Burthen of ſuch Ship or Veſſel, what Sort of Built ſhe is, and the Number and Nature of the Guns on-board the ſame, to what Place belonging, and the Name or Names of the Owner or Owners of ſuch Ship or Veſſel, and the Number of Men intended to be put on-board the ſame, (all which Particulars ſhall be inſerted in every Commiſſion or Letter of Marque to be granted in purſuance of this Act), and that every Commander of a private Ship or Veſſel of War, for which a Commiſſion or Letter of Marque ſhall be granted in purſuance of this Act, ſhall produce ſuch Commiſſion or Letter of Marque to the Collector, Cuſtomer, or Searcher for the Time being, of His Majeſty's Cuſtoms, reſiding at or belonging to the Port from whence ſuch Ship or Veſſel ſhall be firſt fitted out, or to the lawful Deputy or Deputies of ſuch Collector, Cuſtomer, or Searcher; and the ſaid Collector, Cuſtomer, or Searcher, or his or their lawful Deputy or Deputies ſhall, as ſoon thereafter as conveniently may be, without Fee or Reward, inſpect and examine ſuch Ship or Veſſel, ſo as to aſcertain the Built and Burthen thereof, and the Number of Men, and the Number and Nature of the Guns on-board the ſame; and if ſuch Ship or Veſſel ſhall thereupon be found to be of ſuch Built and Burthen, and be manned and armed according to the Tenor and Deſcription inſerted in ſuch Commiſſion or Letter of Marque, as aforeſaid, or be of greater Burthen or Force than ſhall be mentioned in ſuch Commiſſion or Letter of Marque, then, and not otherwiſe, ſuch Collector, Cuſtomer or Searcher, or his or their lawful Deputy or Deputies ſhall, and he and they are hereby required, immediately upon the Requeſt of the Commander of ſuch Ship or Veſſel, to give a Certificate thereof in Writing, under his or their Hand or Hands, *gratis*, to ſuch Commander, which Certificate ſhall be deemed a neceſſary Clearance, before ſuch Ship or Veſſel ſhall be permitted to ſail from that Port; and if the Commander of any Ship or Veſſel, for which any Commiſſion or Letter of Marque ſhall have been granted in purſuance of this Act, ſhall depart with ſuch Ship or Veſſel from ſuch Port of Clearance before he hath received ſuch Certificate, or ſhall depart from any ſuch Port, or proceed upon a Cruize with a Force inferior to the Force ſpecified in ſuch Commiſſion or Letter of Marque, every ſuch Commiſſion or Letter of Marque ſhall from thenceforth be abſolutely null and void, and the Commander ſo offending ſhall forfeit and pay the Sum of One thouſand Pounds, and ſhall alſo be impriſoned for ſuch Space of Time as the Court in which the ſame ſhall be ſued for as herein-after directed, ſhall order, not exceeding One Year for any One Offence.

Inſpection to be made of the Ship;

and Certificate granted.

Penalty on departing without a Certificate, or with inferior Force, &c.

Security to be taken before granting Letters of Marque.

XIX. And be it further enacted, That before the granting or iſſuing of any Commiſſion or Letter of Marque, in purſuance of this Act, ſuch Bail and Security ſhall be taken, as hath been uſual in ſuch Caſes, and that previous thereto the Perſons who propoſe to be bound and give ſuch Security, ſhall ſeverally make Oath before the Judge of the High Court of Admiralty of *England*, or Judge of any other Court of Admiralty, which ſhall be authorized as aforeſaid, in any other of His Majeſty's Dominions,

or his or their Surrogate, or other Perſon or Perſons lawfully commiſſioned by them, that they the ſaid Perſons who ſhall become Sureties are, at the Time of their being ſworn, reſpectively worth more than the Sum for which they are to be bound, over and above all their juſt Debts; and moreover, and the Marſhal for the Time being of the ſaid High Court of Admiralty, or of any of the ſaid other Courts, or his Deputy, or the Perſon or Perſons ſo commiſſioned as aforeſaid, ſhall make diligent Enquiry, and certify himſelf or themſelves of the Sufficiency of ſuch Bail and Security, and make thereupon a Report to ſuch Judge or his Surrogate, before any ſuch Commiſſion or Letter of Marque ſhall be granted.

Penalty on Officers of the Cuſtoms granting falſe Certificates.

XX. And be it further enacted, That if any Collector, Cuſtomer, or Searcher of His Majeſty's Cuſtoms, or his or their lawful Deputy or Deputies, ſhall grant a Certificate for any Ship or Veſſel which ſhall not be of the Burthen or Force ſpecified in the Commiſſion or Letter of Marque granted to the Commander or Commanders thereof, or ſhall certify to a greater Burthen or Force than really belongs to her, he ſhall for ſuch Offence forfeit his ſaid Office, and be for ever incapable of holding any Office under Government whatſoever, and ſhall alſo forfeit the Sum of One hundred Pounds: Provided always, that the Burthen of ſuch Ship or Veſſel ſo to be certified, ſhall be aſcertained by the Certificate of Regiſtry granted for ſuch Ship or Veſſel, according to Law, or an authenticated Copy thereof, in caſe the Ship ſhall be at Sea, which Certificate or authenticated Copy ſhall be produced to the ſaid Lord High Admiral, or Commiſſioners for executing the ſaid Office of Lord High Admiral of *Great Britain*, before the iſſuing of any Commiſſion or Letter of Marque for ſuch Ship or Veſſel: Provided nevertheleſs, that it ſhall not be neceſſary in the Caſe of Ships belonging to, or hired by, or in the Service of, His Majeſty's Commiſſioners of Cuſtom or Exciſe, to produce ſuch Certificates or authenticated Copies, in order to the obtaining a Commiſſion or Letter of Marque.

Veſſels for which Letters of Marque are granted, to be deemed licenſed according to 24 G. 3. c. 47.

XXI. Provided alſo, and be it further enacted, That all and every Ship and Veſſel, for which ſuch Commiſſion or Letter of Marque ſhall be granted as aforeſaid, and for and during the Time that ſuch Commiſſion or Letter of Marque ſhall remain in force under the Authority of this Act, and no longer, ſhall be deemed and taken to be a Ship or Veſſel licenſed purſuant to an Act of Parliament, made and paſſed in the Twenty-fourth Year of the Reign of His preſent Majeſty, intituled *An Act for the more effectual Prevention of Smuggling in this Kingdom*, although the Owner or Owners of ſuch Ship or Veſſel ſhall not have been furniſhed with the Licence required by the ſaid recited Act.

Letters of Marque to be forfeited for Offences againſt the Revenue Laws.

XXII. Provided alſo, and be it further enacted, That in caſe the Owner or Owners, Commander and Maſter, or other Perſon having or taking the Charge or Command of any Ship or Veſſel, for which ſuch Commiſſion or Letter of Marque ſhall be iſſued as aforeſaid, ſhall be guilty of any Offence contrary to any Act or Acts of Parliament now in force, or hereafter to be made, for the Protection of His Majeſty's Revenues of Cuſtoms or Exciſe, or for the Prevention of Smuggling in this Kingdom, ſuch Owner or Owners, Commander, Maſter, and other Perſons, ſhall forfeit the Commiſſion or Letter of Marque ſo iſſued for ſuch Ship or Veſſel over

and

and beſides any other Penalties and Forfeitures, which he or they ſhall have incurred by reaſon of ſuch Offence.

Admiralty may revoke Letters of Marque.

XXIII. And be it further enacted, That it ſhall be lawful for the Lord High Admiral of *Great Britain*, or the Commiſſioners for executing the Office of Lord High Admiral of *Great Britain*, for the Time being, or any Three or more of them, at any Time or Times hereafter, to revoke and make void, by any Order or Orders in Writing under his or their Hand or Hands, any Commiſſion or Commiſſions, or Letter or Letters of Marque, which hath or have been, or ſhall be iſſued forth to any Perſon or Perſons who hath, have been, or ſhall be nominated Commander or Commanders of any Ship or Veſſel, either in purſuance of His Majeſty's Orders in Council, or of this or any Act of Parliament: Provided nevertheleſs, that the Secretary of the Admiralty for the Time being ſhall, with all convenient Speed, after every and any ſuch Commiſſion or Letter of Marque ſhall be ſo revoked, cauſe Notice thereof in Writing to be forthwith ſent to the Owner or Owners of the Ship or Veſſel named or deſcribed in ſuch Order or Revocation, or to his, her, or their Agent or Agents, Surety or Sureties, or ſome or One of them; and in caſe ſuch Ship or Veſſel ſhall be in the Channel, the ſaid Order of Revocation ſhall be effectual to ſuperſede and annul the ſaid Commiſſion or Letter of Marque, at the Expiration of Twenty Days from and after ſuch Notice given as aforeſaid, or ſooner, if Notice ſhall be actually given in Writing by the Secretary of the Admiralty to the Captain or Commander thereof; and in caſe ſuch Ship or Veſſel ſhall be in the Northern Seas, at the Expiration of Thirty Days; and in caſe ſuch Ship or Veſſel ſhall be to the Southward of *Cape Finiſterre*, or in the *Mediterranean*, at the Expiration of Six Weeks; and in caſe ſuch Ship or Veſſel ſhall be in *North America* or the *Weſt Indies*, at the Expiration of Three Months; and in caſe ſuch Ship or Veſſel ſhall be in the *Eaſt Indies*, at the Expiration of Six Months from and after ſuch reſpective Notices ſhall be given as aforeſaid: Provided always, that any Commander or Commanders, Owner or Owners, Agent or Agents, Surety or Sureties, of any ſuch Ship or Veſſel whereof ſuch Commiſſion or Letter of Marque iſſued or to be iſſued forth as aforeſaid, ſhall be ſo revoked as aforeſaid, may complain thereof to His Majeſty in Council within Thirty Days next after the Secretary to the Admiralty for the Time being ſhall cauſe Notice thereof to be given as aforeſaid; and the Determination of His Majeſty in Council, touching every ſuch Complaint, ſhall be final: Provided always, that in caſe any ſuch Order of Revocation ſhall be ſuperſeded, ſuch Commiſſion and Letter of Marque ſhall be deemed and taken to have continued in force, and all Prizes taken by virtue thereof ſhall belong to and be the Property of ſuch Owners and Captors, in ſuch Manner as the ſame would have been in caſe ſuch Order of Revocation had not been made: Provided alſo, that no Perſon ſhall be liable (before he ſhall have received perſonal Notice of ſuch Order of Revocation) to be puniſhed for doing any Matter or Thing which he might have lawfully done under the Authority of ſuch Commiſſion or Letter of Marque, in caſe ſuch Order of Revocation had not been made.

Notice to be given of ſuch Revocation.

Liberty to complain to His Majeſty in Council, in the way of Appeal.

Regulations reſpecting the Condemnation of Prizes.

XXIV. And, for the more ſpeedy proceeding to Condemnation or other Determination of any Prize Ship or Veſſel, Goods or Merchandize, already taken, or hereafter to be taken as aforeſaid, and for leſſening the

the Expences in ſuch Caſes; be it further enacted, That the Judge of the High Court of Admiralty of *England*, and of any other Court of Admiralty which ſhall be duly authorized thereto, or ſuch Perſon or Perſons who ſhall be then commiſſioned for that Purpoſe, within Five Days after Requeſt made to him or them for that Purpoſe, ſhall finiſh the uſual preparatory Examination of the Perſons commonly examined in ſuch Caſes, in order to prove the Capture to be lawful Prize, or to enquire whether the ſame be lawful Prize or not, and that the proper Monition uſual in ſuch Caſes ſhall be iſſued by the Perſon or Perſons proper to iſſue the ſame, and ſhall be executed by the Perſon or Perſons proper to execute the ſame, within the Space of Three Days after Requeſt in that Behalf made, and in caſe no Claim of ſuch captured Ship, Veſſel, or Goods, ſhall be duly entered in the uſual Form, and atteſted upon Oath, giving Twenty Days Notice after the Execution of ſuch Monition, or if there be ſuch Claim, and the Claimant or Claimants ſhall not within Five Days from the Time of entering ſuch Claim, give Security in the Sum of Sixty Pounds Sterling, to pay Coſts to the Captor or Captors, in caſe the Judge ſhall decree Coſts to be due, that then the Judge of ſuch Court of Admiralty ſhall, upon producing to him the ſaid Examination, or Copies thereof, and producing to him upon Oath all the Papers and Writings which ſhall have been found, taken in, or with ſuch Capture, or on board any other captured Ship or Veſſel regarding the ſame, or upon Oath made that no Papers or Writings were found, proceed with all convenient Speed or Sentence, either to diſcharge or acquit ſuch Capture, or to condemn the ſame to be good and lawful Prize, according as ſhall appear to him upon Peruſal of ſuch preparatory Examinations, and all the Papers and Writings found, taken in, or with ſuch Capture, or on board any other captured Veſſel regarding the ſame, if any ſuch ſhall be found, or to allow further Time for a Claim to be entered, or Security given; and in caſe any ſuch Claim ſhall be duly entered and Security given thereupon, according to the Tenor and true Meaning of this Act, and there ſhall appear no Occaſion to enter into any other Examination, that then the Judge ſhall within Ten Days, if poſſible, after ſuch Claim made and Security given, proceed to Sentence as aforeſaid touching ſuch Capture; but in caſe upon entering ſuch Claim, and the Atteſtation thereupon, or the producing of ſuch Papers and Writings as aforeſaid regarding ſuch captured Ship or Veſſel, or Goods, and upon the ſaid preparatory Examinations, it ſhall appear doubtful to the ſaid Judge whether ſuch Capture be lawful Prize or not, and it ſhall appear to him to be neceſſary, according to the Circumſtances of the Caſe, for the clearing and determining ſuch Doubts, to have an Examination of Witneſſes on Pleadings given in by the Parties and admitted by the Judge, or ſuch other lawful Mode of Enquiry as the ſaid Judge may think requiſite, that then the ſaid Judge ſhall forthwith cauſe ſuch Capture to be appraiſed by Perſons well ſkilled in the ſame, to be named by the Parties, and approved and appointed by the Court, and ſworn truly to appraiſe the ſame, according to the beſt of their Skill and Knowledge, for which Purpoſe the ſaid Judge ſhall cauſe, if he ſhall think fit, the Goods found on board to be unladen, and an Inventory thereof being firſt taken, if the Judge ſhall think neceſſary, by the Marſhal of the Admiralty or his Deputy, ſhall cauſe them to be put into proper Warehouſes, with ſeparate Locks, of the Collector and Comptroller of the Cuſtoms, and where there is no Comptroller, then of the Naval Officer,

and the Agents or Perſons employed by the Captors and Claimants, at the Charge of the Party deſiring the ſame, and ſhall after ſuch Appraiſement, and within the Space of Fourteen Days after the making of the ſaid Claims, proceed to take good and ſufficient Security from the Claimants to pay the Captors the full Value thereof, according to ſuch Appraiſement, in caſe the ſame ſhall be judged lawful Prize, and ſhall alſo proceed to take good and ſufficient Security from the Captors to pay ſuch Coſts, as the Court ſhall think proper, in caſe ſuch Ship, Veſſel, or Goods ſhall not be condemned as lawful Prize; and after ſuch Security duly given, the ſaid Judge ſhall make an Interlocutory Order for releaſing or delivering the ſame to ſuch Claimant or Claimants, or his or their Agents, and the ſame ſhall be actually releaſed and delivered accordingly.

Papers found on board Veſſels taken to be brought into the Regiſtry of the Court of Admiralty.

XXV. And be it further enacted, That all Books, Papers, and Writings found in any Ship or Veſſel taken as Prize, ſhall, without Delay, be brought into the Regiſtry of the Court of Admiralty, wherein ſuch Ship or Veſſel may be proceeded againſt in order to Condemnation upon Oath, as by Law required; but that only ſuch Books, Papers, and Writings ſhall be made uſe of and tranſlated, as ſhall be agreed or inſiſted upon by the Proctors of the ſeveral Parties, Captors, or Claimants, or in caſe of no Claim, ſhall be deemed by the Captor, his Proctor, or Agent, or by the Regiſtrar, to be neceſſary for aſcertaining the Property of ſuch Ship or Veſſel, and Cargo thereof.

Claims of Joint-Capture not to be admitted but on Security given for Contribution to all Expences, Coſts, and Damages.

XXVI. And be it further enacted, That no Claim on Behalf of any aſſerted Joint Captor ſhall be admitted before Condemnation, unleſs Security be given at the Time of entering the ſame, that the Party ſhall contribute to the actual Captor his Proportion of all Expence that ſhall attend the obtaining the Adjudication, as well in the firſt Inſtance as upon Appeal, and likewiſe his Proportion of all Coſts and Damages that may be awarded againſt the actual Captor on account of the Seizure and Detention; and after final Condemnation no Allegation ſetting forth ſuch aſſerted Intereſt ſhall be admitted, unleſs the Party ſhall have previouſly paid his Proportion of all ſuch Expences as ſhall have attended the obtaining ſuch final Condemnation, and unleſs he ſhall have ſhewn ſufficient Cauſe to the Court why ſuch Claim was not aſſerted at or before the Return of the Monition: Provided always, that nothing herein contained ſhall extend to the aſſerted Intereſt of any Admiral or Flag Officer claiming to ſhare in any Prize by virtue of his Flag.

Six Privateers, not exceeding 70 Tons, may be included in One Adjudication.

XXVII. And, for the Encouragement of the Capture of Armed Ships belonging to the Enemy, be it further enacted, That it ſhall be lawful for the Captors to include in One Adjudication any Number, not exceeding Six, of ſuch ſmall Armed Ships, having a Commiſſion or Letter of Marque from the Enemy, not exceeding Seventy Tons each, and which ſhall have been taken within the Space of Three Months preceding the Application to the Court of Admiralty for ſuch Adjudication.

No Judge, Officer, or Practitioner, of any Court of Admiralty, to be con-

XXVIII. And be it further enacted, That no Judge, Regiſtrar or Deputy Regiſtrar, Marſhal or Deputy Marſhal, or any other Officer whatſoever, of or belonging to any Court of Admiralty or Vice Admiralty, nor any Perſon or Perſons practiſing as Advocate, Proctor, or otherwiſe, in any ſuch Court or Courts, ſhall be concerned or intereſted directly or in-

directly as Owner, Part Owner, Sharer, or Adventurer in any private Ship or Ships, or Veſſel or Veſſels of War whatſoever, having any Commiſſion or Commiſſions, or Letter of Marque as aforeſaid; and in caſe any ſuch Judge, Regiſtrar, Deputy Regiſtrar, Marſhal, Deputy Marſhal, or other Officer, Advocate, or Proctor, or other Perſons as aforeſaid, ſhall, notwithſtanding this Act, be directly or indirectly concerned or intereſted as aforeſaid, ſuch Judge, Regiſtrar, Deputy Regiſtrar, Marſhal, Deputy Marſhal, or other Officer reſpectively, ſhall, for every ſuch Offence (being thereof lawfully convicted in any of His Majeſty's Courts of Record in *Great Britain*, or at any General Seſſion of the Peace in any of His Majeſty's Colonies or Plantations) abſolutely forfeit his Office and Employment in and belonging to any ſuch Court of Admiralty or Vice Admiralty, of what Kind or Nature ſoever ſuch Office or Employment may be, and ſhall alſo forfeit and pay to the Uſe of His Majeſty, His Heirs and Succeſſors, the Sum of Five hundred Pounds; and every ſuch Advocate or Proctor, or other Perſon as aforeſaid, reſpectively, ſhall for ſuch laſt-mentioned Offence (being thereof lawfully convicted in Manner aforeſaid) be from thenceforth abſolutely diſqualified, and rendered incapable of practiſing either as an Advocate or Proctor, or otherwiſe, in any of His Majeſty's Courts of Admiralty or Vice Admiralty whereſoever.

cerned in any Veſſel having a Letter of Marque.

XXIX. And be it further enacted, That no Regiſtrar or Deputy Regiſtrar, nor any Marſhal or Deputy Marſhal, of or belonging to any of His Majeſty's Courts of Admiralty or Vice Admiralty whatſoever, ſhall, either directly or indirectly, by himſelf or themſelves, or by any Agent or Agents, or other Perſon or Perſons whomſoever, act or be concerned in any Manner, either as an Advocate or Proctor in any Cauſe, Matter, or Buſineſs whatſoever, that ſhall be depending in any ſuch Court or Courts of Admiralty or Vice Admiralty, to which ſuch Regiſtrar, Deputy Regiſtrar, Marſhal or Deputy Marſhal, ſhall then belong; and that every Regiſtrar, Deputy Regiſtrar, Marſhal or Deputy Marſhal, who ſhall be guilty of ſuch Offence, (being thereof lawfully convicted, either upon an Information or Indictment in Manner aforeſaid,) ſhall from thenceforth abſolutely forfeit his reſpective Office and Employment of Regiſtrar, Deputy Regiſtrar, Marſhal or Deputy Marſhal, in and belonging to the ſame Court.

No Regiſtrar or other Officer of any Court of Admiralty to act as Advocate or Proctor.

XXX. And be it further enacted, That no Proctor or other Perſon practiſing as Proctor in any Court of Admiralty or Vice Admiralty, or any Court of Appeal therefrom, being employed by any Captor or Captors, Claimant or Claimants, ſhall be concerned by himſelf or his Partner, or by any Perſon or Perſons, directly or indirectly, on Behalf of the adverſe Party or Parties, in the Suit or Matter wherein he may be employed, nor ſhall receive any Allowance from the Bills, nor in any Manner whatſoever participate in the Profits of the Proctor or other Perſon conducting or employed in the Cauſe of the adverſe Party or Parties; and in caſe any Proctor or other Perſon practiſing as Proctor in any ſuch Court ſhall, notwithſtanding this Act, be directly or indirectly concerned or intereſted as aforeſaid, he ſhall for every ſuch Offence (being thereof lawfully convicted, either upon Information or Indictment in Manner aforeſaid), abſolutely forfeit his Office or Employment in or belonging to any ſuch Court of what Kind or Nature ſoever, and ſhall forfeit and pay to the Uſe of His Majeſty, His Heirs and Succeſſors, for every ſuch Offence, the Sum of Five hundred Pounds; and

Proctors to be concerned only for One Party.

and ſuch Proctor or other Perſon reſpectively ſhall for ſuch laſt-mentioned Offence, being thereof lawfully convicted in Manner aforeſaid, be from thenceforth abſolutely diſqualified and rendered incapable of practiſing as a Proctor or otherwiſe in any of His Majeſty's ſaid Courts whereſoever.

Proctors allowing their Names to be uſed by Perſons not entitled to act as Proctors, to be ſtruck off the Roll.

XXXI. And be it further enacted, That from and after the paſſing of this Act, if any Proctor of the High Court of Admiralty ſhall act as ſuch, or permit or ſuffer his Name to be in any Manner uſed in any Suit, the Proſecution or Defence whereof ſhall appertain to the Office of a Proctor, to or for or on account, or for the Profit and Benefit of any Perſon or Perſons not entitled to act as a Proctor, or ſhall permit or ſuffer any ſuch Perſon or Perſons to demand or participate in ſuch Profit and Benefit, and Complaint thereof ſhall be made to the ſaid Court, and Proof given to the Satisfaction of the ſaid Court, that ſuch Proctor hath offended therein as aforeſaid, then and in ſuch Caſe every ſuch Proctor ſo offending ſhall be ſtruck off the Roll of Proctors, and be for ever after diſabled from practiſing as a Proctor, or be ſuſpended from the Office, Function, and Practice of a Proctor in the ſaid Court for ſo long a Period as the Judge of the ſaid Court may deem fit; ſave and except as to any Allowance or Allowances, Sum or Sums of Money, that are or ſhall be agreed to be made to the Widows or Children of any deceaſed Proctor or Proctors by any ſurviving Partner or Partners of ſuch deceaſed Proctor or Proctors; and alſo ſave and except as to any Agreement made, or underſtood to have been made between Proctors and articled Clerks, whoſe Articles have been executed prior to the paſſing of this Act.

Penalty on Perſons exerciſing the Functions of a Proctor, not being duly enrolled as ſuch.

XXXII. And be it further enacted, That from and after the paſſing of this Act, in caſe any Perſon or Perſons ſhall in his or in their own Name, or in the Name of any other Perſon or Perſons, make, do, act, exerciſe, or perform any Act, Matter, or Thing whatſoever, in any way appertaining or belonging to the Office, Function, or Practice of a Proctor of the High Court of Admiralty, for or in Conſideration of any Gain, Fee, or Reward, or with a view to participate in the Benefit to be derived from the Office, Functions, or Practice of a Proctor, without being admitted and enrolled, every ſuch Perſon for every ſuch Offence ſhall forfeit and pay the Sum of Fifty Pounds.

Not to extend to Salaries of Clerks of Seven Years ſtanding.

XXXIII. Provided always, and be it further enacted, That nothing herein contained ſhall extend or be conſtrued to extend to any Salary which ſhall be agreed to be paid by a Proctor, his Partner or Succeſſor, to a Clerk really and *bonâ fide* ſerving in his Office at the Time of the paſſing of this Act, and who ſhall have been *bonâ fide* ſerving in the Office of any Proctor or Proctors for Seven Years next before the paſſing of the ſame.

Table of Fees to be hung up in Courts of Vice Admiralty.

XXXIV. And be it further enacted, That a Table of Fees, authorized by His Majeſty, His Heirs or Succeſſors, with the Advice of His or Their Privy Council, ſhall be hung up in ſome conſpicuous Part of the Court in which the ſeveral Judges of the Vice Admiralty Courts ſhall hold their Courts, and that no Judge or Surrogate, Regiſtrar, or Deputy Regiſtrar, nor any Marſhal or Deputy Marſhal, of or belonging to any of His Majeſty's Courts of Vice Admiralty, ſhall, either directly or indirectly, by himſelf

himself or themselves, or by any Agent or Agents, or other Person or Persons whomsoever, receive or take any Fee beyond those specified in the Table aforesaid; and that every Judge or Surrogate, Registrar or Deputy Registrar, Marshal or Deputy Marshal, who shall be guilty of such Offence (being thereof lawfully convicted, either upon Information or Indictment, in Manner aforesaid), shall from thenceforth absolutely forfeit his respective Office and Employment of Judge or Surrogate, Registrar, Deputy Registrar, Marshal, or Deputy Marshal, in or belonging to the same Court.

Punishment for taking other Fees than those in the Table.

XXXV. And be it further enacted, That the demanding or receiving any Sum or Sums of Money, other than the Fees aforesaid, shall be deemed and taken to be Extortion and a Misdemeanor at Law, and shall be proceeded against and punished as such under and by virtue of this Act.

Act not to restrain His Majesty from giving Directions to Courts of Admiralty, and altering Tables of Fees.

XXXVI. Provided always, and be it enacted, That nothing in this Act contained shall be construed to restrain His Majesty, His Heirs and Successors, from giving such further Rules and Directions from Time to Time to his respective Courts of Admiralty and Vice Admiralty, for the Adjudication and Condemnation of Prizes, and for regulating the Fees of the said Courts, and amending and altering the Table of Fees therein, as by His Majesty, His Heirs and Successors, with the Advice of his or their Privy Council, shall be thought necessary or proper.

Provisions for Appeal.

XXXVII. And be it hereby further enacted, That if any Captor or Captors, Claimant or Claimants, shall not rest satisfied with the Sentence, or Interlocutory Decree having the Force of a Definitive Sentence, given or pronounced in the High Court of Admiralty in *England*, or in any Court of Vice Admiralty, duly authorized to proceed in Prize Causes, it shall and may be lawful for the Party or Parties thereby aggrieved to appeal from the said High Court of Admiralty, or from any of the said Courts of Vice Admiralty, to the Commissioners appointed under the Great Seal of *Great Britain*, for receiving and determining Appeals in Causes of Prize, such Appeals to be interposed and received in the like Manner as Appeals to the Commissioners in Prize Causes have been usually interposed and received from the said High Court of Admiralty, and good Security to be likewise given by the Appellant or Appellants, that he or they will effectually prosecute such Appeal, and will pay such Costs as shall be awarded in case the Sentence, or Interlocutory Decree having the Force of a Definitive Sentence of such Court of Admiralty or Vice Admiralty, be affirmed, any Thing in this Act contained to the contrary thereof in anywise notwithstanding: Provided always, that the Execution of any Definitive Sentence or Interlocutory Decree having the Force of a Definitive Sentence, appealed from as aforesaid, shall not be suspended by Reason of such Appeal, save as is herein-after provided, in case the Party or Parties appellate shall give sufficient Security, to be approved of by the Court in which such Sentence or Interlocutory Decree shall be given, to render and deliver the Ship, Vessel, Goods, or Effects, concerning which such Sentence or Interlocutory Decree shall be pronounced, or the full Value thereof, to the Appellant or Appellants, in case the Sentence or Interlocutory Decree so appealed from shall be reversed.

Execution of Sentences not to be suspended (Security being given, &c.)

Persons intervening on Appeal must enter a Claim.

XXXVIII. And be it enacted, That in case any Person, who was not a Party in the first Instance of the Cause, shall intervene or interpose an Appeal from a Sentence, or Interlocutory Decree having the Force of a Definitive Sentence, given or pronounced in any Admiralty Court, such Person, or his or her Agent or Agents, shall at the same Time enter his or her Claim, otherwise such Appeal shall be null and void.

Appeals to be prosecuted within Twelve Months.

XXXIX. And whereas great Inconveniences have arisen by Appeals in Prize Causes not being prosecuted in a reasonable Time, and from secret Appeals, or Protocols of Appeal, being entered before a Notary Public, without any Notice given to the Court or Parties appellate, or their Proctors; for remedy thereof, be it enacted, That every Person being a Party or not a Party in a Prize Cause, in the High Court of Admiralty of *England*, or in any Vice Admiralty Court, and against whom a Sentence shall be thereafter given, or any Interlocutory Decree having the Force of a Definitive Sentence pronounced, and who shall appeal therefrom, shall prosecute such his Appeal by taking out the usual Inhibition within Twelve Months after the Time such Sentence or Interlocutory Decree shall be given; and that after the Expiration of the said Term of Twelve Months, without any Inhibition having been taken out, no Appeal shall be allowed to be prosecuted by any Person, being a Party or not a Party, in the said High Court of Admiralty or Vice Admiralty, nor shall any Inhibition be granted at the Prayer of such Person or his Proctor, but the said Sentence or Interlocutory Decree shall stand confirmed as to such Person: Provided nevertheless, that it shall be lawful for the Lords Commissioners of Appeals, in all Cases in which it shall appear that a Distribution has not taken place, to permit an Appeal to be prosecuted after the Term of Twelve Months elapsed, where, upon special Cause shewn, they shall deem such Permission fit and reasonable to be given.

Lords of Appeals may extend Time on special Cause shewn.

On Appeal, Prizes to be appraised and delivered to Parties giving Security, or to be sold.

XL. And be it enacted, That in case any Appeal shall be interposed from a Sentence, or Interlocutory Decree having the Force of a Definitive Sentence, given or pronounced in any Court of Admiralty, or Vice Admiralty, concerning any Ship or Vessel, or Goods or Effects, seized and taken as Prize, that then and in such Case, the Judge of such Court of Admiralty or Vice Admiralty shall and may, at the Request, Costs, and Charges, either of the Captor or Claimant (or of the Claimant only, in case where the Privilege is reserved in Favour of the Claimant by any Treaty or Treaties subsisting between His Majesty and Foreign Powers), make an Order to have such Ship or Vessel, Goods or Effects, appraised, unless the Parties shall otherwise agree upon the Value thereof, and an Inventory to be made, and then take Security for the full Value thereof accordingly, and thereupon cause such Ship or Vessel, Goods or Effects, to be delivered to the Party giving such Security in like Manner as is herein-before enacted, notwithstanding such Appeal; and if there shall be any Difficulty or sufficient Objection to the giving or taking Security, the Judge shall, at the Request of either of the Parties, order such Goods and Effects to be entered, landed, and sold by public Auction, under the Care and Custody of the proper Officers of the Customs, and under the Direction and Inspection of such Persons as shall be appointed by the Claimants and Captors; and the Monies arising from the Sale shall be brought into Court, and, by the Registrar, Deputy Registrar or Deputy Registrars, of the said Court, be deposited in the Bank of *England*, or in case the

Captors

Captors and Claimants shall agree thereto, in some public Securities at Interest, in the Names of such Registrar and of such Trustees as they the said Captors and Claimant shall appoint, and the Court shall approve; and if such Security shall be given by the Claimants, then the Judge shall give such captured Ship or Vessel a Pass under his Seal, to prevent its being again taken by His Majesty's Subjects in its destined Voyage.

On Reversal of Sentence, Net Proceeds of such Sale to be taken as full Value of the Prize.

XLI. Provided always, and be it further enacted, That in case the Sentence, or Interlocutory Decree having the force of a Definitive Sentence of such Court of Admiralty or Vice Admiralty, shall be finally reversed after Sale of any Ship or Goods, pursuant to the Directions in this Act contained, the Net Proceeds of such Sale (after Payment of all Expences attending the same) shall be deemed and taken to be the full Value of such Ship and Goods, and that the Party or Parties appellate, and their Securities, shall not be answerable for the Value beyond the Amount of such Net Proceeds, unless it shall appear that such Sale was made fraudulently or without due Care.

Distribution not compellable till Time of Appeal elapsed.

XLII. And be it further enacted, That no Agent shall be compellable to distribute any Proceeds of any Prize, except in the Cases in this Act directed, until after the Time of Appeal has elapsed.

Distribution before Time of Appeal elapsed as to Ships sailing under Flag and Pass of the Enemy.

XLIII. And be it further enacted, That if the Judge of the High Court of Admiralty, or of the Vice Admiralty Court, in which any Prize shall have been condemned, shall certify that the Ship or Vessel so condemned sailed under the Flag and Pass of the Enemy, or under any Commission of War granted by the Enemy, then and in such Case, on the Application or by the Direction of the Captain or other Commander of the Ship or Vessel making such Capture, the Proceeds shall be distributed, and an Order of the Court may be obtained, at his Prayer, on the Agent or Agents, to distribute the Proceeds of such Prize before the Time of Appeal is elapsed, subject nevertheless to the Liability of the Captor to answer any Appeal that may be instituted thereafter during the Time limited by Law for Appeals.

High Court of Admiralty may order Production of Accounts and Distribution when Time of Appeal elapsed, or Appeal determined.

XLIV. And be it further enacted, That it shall be lawful for the Judge of the High Court of Admiralty, in all Cases in which the regular Time of Appeal has elapsed, or in which the Appeal hath been determined, or for any Judge of any Court of Vice Admiralty Abroad in any such Case as aforesaid, to which any Certificate from the Judge of the High Court of Admiralty shall be transmitted of the Time of Appeal being elapsed, without further Prosecution, together with an Order of Distribution thereon, to make an Order for Production and Verification of Accounts, and for the Distribution of the Proceeds, and to enforce the same by the Process of the said Court, by Monition and Attachment upon the Agent or Agents in whose Hands the Proceeds may be lodged, or any other Person whomsoever to whom such Proceeds may have been committed, and likewise by further Process against the Sureties of the said Agent or Agents; and all Courts of Vice Admiralty are hereby empowered, directed, and required to enforce upon all Persons within their Jurisdiction all such Orders, and all other Orders of the High Court of Admiralty, whether relating to Prizes, or to any Matter or Thing relating thereto, within their respective Jurisdictions.

Orders to be enforced by Vice-Admiralty Courts.

XLV. And

Regulations as to Diſtribution and Accounts of Prize extended to Revenue Seizures, Grants, Bounties, &c.

XLV. And be it further enacted, That all the Proviſions, Rules, Regulations, Forfeitures, and Penalties reſpecting the Diſtribution of Prize Money, and the accounting for and paying over the Proceeds of Prize in this Act contained, ſhall be extended to all Seizures under the Revenue Laws, all Grants of His Majeſty, all Bounties granted by this or any other Act of Parliament, and all other Monies whatever coming to and being in the Hands of the Prize Agents of the Officers and Crews of any of His Majeſty's Ships of War, for their Uſe and Benefit, by reaſon of any Capture or Seizure made by the ſaid Ships.

High Court of Admiralty may direct Proceeds of Property condemned, when no Claimant or Appellant to be inveſted, &c.

Courts of Vice-Admiralty may direct ſuch Proceeds to be tranſmitted, &c.

XLVI. And be it further enacted, That in all Caſes of Condemnation in the High Court of Admiralty, where there is no Claimant or Appellant before the Court, it ſhall be lawful for the ſaid Court, at the Prayer of the Captors, to compel the Agents, by Proceſs of Monition and Attachment, to veſt the Proceeds of the Property condemned in ſuch public Securities as the Captors ſhall elect, there to remain and accumulate, for the Benefit of the Parties entitled, till the Time of Appeal ſhall be lapſed, ſubject nevertheleſs to the further Directions of the Court, upon the Application of the Captors; and in all Caſes of Condemnation in any Court of Vice Admiralty, where there is no Claimant or Appellant before the Court, it ſhall be lawful for the ſaid Court, at the Prayer of the Captors, to direct the Property captured, or the Proceeds thereof to be forthwith tranſmitted to *Great Britain*, there to be veſted in ſuch public Securities, after being ſold, (if not already converted by Sale), as the Captors ſhall elect, until the regular Time of Appeal ſhall have lapſed, ſubject nevertheleſs to the Directions of the High Court of Admiralty, upon the Application of the Captors.

On Condemnations without Claim Vice-Admiralty Courts may compel Agents to give Security.

XLVII. And be it further enacted, That in all Caſes of Condemnation in any Vice Admiralty Court where there is no Claimant or Appellant before the Court, it ſhall be lawful for the Judge to compel the Agent, at the Requiſition of the Captor, to give Security at the Time of Condemnation, for the faithful Diſtribution of the Proceeds, or for the remitting thereof to the Treaſurer of *Greenwich* Hoſpital, or to ſuch Perſons in *England* as the Captors ſhall appoint, under the Directions of the Court, for the Purpoſe of being diſtributed in *England*.

On Appeal, High Court of Admiralty may direct Proceeds to be brought in, &c.

Such Proceeds may be inveſted, &c.

XLVIII. And be it further enacted, That it ſhall be lawful for the Judge of the High Court of Admiralty, in all Caſes wherein any Sentence of Condemnation pronounced in the ſaid Court is appealed from, at the Time of ſerving the Inhibition thereof, or at any Time therafter during the Pendancy of the ſaid Appeal, and without Prejudice to ſuch Appeal, to aſſign the Agent or Agents, or other Perſons in whoſe Hands the Proceeds of the Prize may be, at the Prayer of either Party, or of the Treaſurer of the Navy, or of the Treaſurer of *Greenwich* Hoſpital, or his Deputy or Deputies, for ſuch Purpoſe to bring into and leave in the Regiſtry the Nett Proceeds of the Sales of ſuch Prize, deducting therefrom ſo much as in the Diſcretion of the Judge ſhall be requiſite to be left in the Hands of the Agent or Agents, for the Expences of defending the ſaid Appeal; and the Proceeds ſo brought in ſhall be depoſited, in caſe the Parties ſhall agree thereto, in ſome public Securities at Intereſt, in the Names of the Regiſtrar or Deputy Regiſtrars, and of ſuch Truſtees as the Parties ſhall appoint, and the Court ſhall approve; and in caſe either Party ſhall refuſe his Conſent thereto, the Party praying the ſame ſhall have

have such Proceeds laid out and vested in public Securities, in Manner aforesaid, he giving good and sufficient Security to the Court to answer to the other Party for any Loss or Deficiency that may be occasioned thereby, in case such other Party shall be ultimately pronounced to be entitled to the Property.

Lords of Appeal may order Proceeds to be brought in, &c.

XLIX. And be it further enacted and declared, That the Lords Commissioners of Appeals are authorized and empowered in any Case of Appeal before them, to order at their Discretion the Proceeds of any Prize, the Subject of such Appeal, or any Part or Parts thereof, to be paid by the Agent or Agents for such Prize, at the Requisition of the Captors or Claimants, into the Court, to be laid out or disposed of at the Discretion of the Court on any Application made for that Purpose either by the Captors or Claimants.

Judges to order Payment of unclaimed Money; which is to be distributed.

L. And be it further enacted, That in the Case of Proceeds of Captures remaining in the Hands of the Registrars of the High Court of Appeals, High Court of Admiralty, and of the several Courts of Vice Admiralty respectively arising from Prizes, which have been finally adjudged to the Captors, and which have not been claimed by them, or any Person on their Behalf, and which shall have remained in their Hands respectively for the Space of Twelve Calendar Months after the Prize or Prizes from which such Monies shall have proceeded shall have been finally so adjudged unclaimed by the said Captors, or by any Person on their Behalf, it shall be lawful for the Judge or Judges of the said Courts respectively, upon Application by the Treasurer of *Greenwich* Hospital, or his Deputy, to order Payment thereof to the said Treasurer or his Deputy; which several Sums, when so paid to the said Treasurer or his Deputy as aforesaid, shall be distributed among the Captors, or their legal Representatives, by the Treasurer and Clerk of the Cheque of the said Hospital, in like Manner, and subject to the same Regulations, so far as the same can be made applicable, as in Cases of Distribution by the Agents of the Captors.

High Court of Admiralty may compel Production of Accounts, and bringing in of Proceeds.

LI. And be it further enacted, That on the Application of any Party interested in the Proceeds of any Prize, or of any Person on Behalf of the Treasurer of the Navy or *Greenwich* Hospital, and an Affidavit of any such Party, or any other Person, of his or her Belief that there are Proceeds of any Prize, or Papers, or Books relating thereto, in the Possession of any Agent or Person or Persons, it shall be lawful for the Judge of the High Court of Admiralty to compel the Production of the same, and the bringing in of such Proceeds, and the answering to such Interrogatories touching the same, as the Court shall approve; and if it shall appear that the Party hath been cited without sufficient Cause, he shall be allowed his Costs against the Party making such Affidavit, or at whose Instance he hath been unduly summoned.

Penalty of 1*l.* per Cent. per Month on retaining Proceeds contrary to this Act.

LII. And be it further enacted, That any Captor, Agent, or other Person, who shall acquire or retain the Proceeds of any Prize contrary to the Provisions of this Act, except for reasonable Cause, to be allowed by the Court in which such Prize shall be adjudged, or by the High Court of Admiralty, shall pay Interest thereon at the Rate of One Pound *per Centum* per

per Month, for such Time as the same shall so be in their Custody or Possession, besides all other Penalties imposed by this Act.

Prize Vessels condemned, to be deemed British-built.

LIII. And be it further enacted, That all Prize Ships or Vessels which shall be legally condemned, or shall be sold under any Decree of the High Court of Admiralty, shall, to all Intents and Purposes whatsoever, be considered as *British*-built Ships or Vessels, being first duly registered according to Law, and shall be deemed and taken as such, and shall be entitled to have and enjoy all and every the same Rights, Liberties, Privileges, and Advantages, in all Respects whatsoever, as *British*-built Ships and Vessels, and shall be subject and liable to all and every the Rules and Regulations that *British*-built Ships or Vessels are subject and liable to; any Law, Custom, or Usage, to the contrary thereof in anywise notwithstanding.

Prize Ships and Goods to be liable to Duties.

LIV. Provided always, and be it declared and enacted, That nothing herein contained shall extend, or be construed to extend, to exempt any Ships, Goods, Wares, or Merchandize, which shall be taken as Prize, and brought or imported into this Kingdom, or any of His Majesty's Dominions, from the Payment of any Customs or Duties, or from being subject to the Restrictions and Regulations to which the same are now, or shall hereafter be liable by virtue of the Laws and Statutes of this Realm: Provided nevertheless, that it shall be lawful for the Lords Commissioners of His Majesty's Treasury, or for the Commissioners of the Customs, in such Cases wherein Goods unfit for the Market of this Kingdom have been brought as Prize into the Ports thereof, and have been sold from Necessity under an Order of the High Court of Admiralty, to remit the Whole or any Part of the said Duties, upon a Certificate from the Judge of the said Court, that the Goods, being unfit for the Markets of this Kingdom, have been so sold as aforesaid; and that the Proceeds of such Sale, after Payment of Duties, will be insufficient to satisfy just and reasonable Claims.

Naval Stores found on board Foreign Ships may be purchased by Navy or Victualling Boards;

LV. And whereas great Numbers of Ships of Foreign Nations may pass the Seas laden with Naval Stores, intended to be carried to the Ports of Countries at War with His Majesty, whereby His Majesty's Enemies may not only be enabled and encouraged to fit out and arm Privateers to destroy the Trade of His Majesty's Subjects, but may also be supplied with Materials to build and fit out Ships of War to annoy and invade His Majesty's Dominions: And whereas divers Ships of Foreign Nations laden as aforesaid, may be taken and brought into the Ports of *Great Britain*, and the Purchase of such Naval Stores laden on board such Ships of Foreign Nations for the Service of His Majesty, may in many Cases be expedient, without proceeding to the Condemnation thereof; be it therefore further enacted, That it shall and may be lawful to and for the principal Officers and Commissioners of His Majesty's Navy or Victualling for the Time being, or their Officers or Agents, during the Continuance of the present War, to purchase on the Account, or for the Service of His Majesty, His Heirs and Successors only, all or any such Naval Stores found on board any such Ships of Foreign Nations, which have been, or shall or may hereafter be brought into any of the Ports of this Kingdom by any of His Majesty's Ships or Vessels, or by any private Ships or Vessels of War, or other Ships or Vessels having a Commission or Letters of Marque; and that the Com-

and imported, not-

missioners and Officers of the Customs for the Time being shall and may permit and suffer such Naval Stores, so purchased as aforesaid, to be entered and landed within any of the Ports of this Kingdom; any Thing in an Act of Parliament, passed in the Twelfth Year of the Reign of His late Majesty King *Charles* the Second, intituled *An Act for the encouraging and increasing of Shipping and Navigation*, or in any other Statute made subsequent thereto, contained to the contrary thereof in anywise notwithstanding. withstanding Navigation Act. 12 C. 2.

LVI. And be it further enacted, That if any Commander or Commanders, Officer or Officers, Seamen, Marines, Soldiers, or others, shall break Bulk on board, (except in case of Necessity, to be allowed by the Court of Admiralty or Vice Admiralty in which the same shall be brought to Adjudication), or embezzle any of the Money, Jewels, Plate, Goods, Merchandize, Tackle, Furniture, or Apparel, of or belonging to any Prize or Prizes, such Commander, Officer, Seaman, Marine, Soldier, or other Person, shall, for every such Offence, forfeit his whole Share in such Prize to His Majesty, for the Use of the Royal Hospital at *Greenwich*, so to be adjudged on Proof thereof by the Court of Admiralty or Vice Admiralty as aforesaid, in which such Proof shall be made, and shall also forfeit Treble the Value of all such Money, Jewels, Plate, Goods, Merchandize, Tackle, Furniture, or Apparel, as he or they shall embezzle. Penalties for breaking Bulk and Embezzlement.

LVII. And be it further enacted, That all Captures as aforesaid, which shall be brought into any of His Majesty's Dominions Abroad, in order to be proceeded against to Condemnation in any of His Majesty's Courts of Vice Admiralty, being thereto duly authorized, shall, without breaking Bulk, stay there, and be under the joint Care and Custody of the Collector and Comptroller of the Customs, and where there is no Comptroller, then of the Naval Officer of the Port or Place where the same shall be brought, and the Captors or Claimants thereof, or their Agent or Agents, subject to the Direction of such Court of Vice Admiralty, until the same shall, by final Sentence, have been either cleared and discharged, or adjudged and condemned as lawful Prize, or that such Interlocutory Order as aforesaid shall have been made for the releasing or delivering the same; and upon the final Condemnation or Adjudication thereof as lawful Prize, shall be immediately delivered unto the Captors thereof or their Agents. Captures brought into His Majesty's Dominions Abroad to be under the Care of the Officers of the Customs.

LVIII. And be it further enacted and declared, That it shall be lawful for the Judge of the High Court of Admiralty, or the Judge of any other Court lawfully commissioned to take Cognizance of Prize, upon due Proof of the Breach of any of His Majesty's Instructions relating to Prizes, or of any Offence against the Law of Nations committed by the Captors in relation to any Prize, or to the Persons taken on board the same, to condemn the Prize to His Majesty's Use and Disposal, save as hereinabove is directed with respect to breaking of Bulk or Embezzlement; and where the Prize hath been taken by a Ship having a Commission or Letter of Marque, to revoke the same, and to pronounce the Bond to be forfeited, and to compel Payment of the Penalty secured thereby, subject nevertheless Penalty for Breach of His Majesty's Instructions relating to Prizes, or Offences by the Captors against the Laws of Nations.

nevertheleſs to an Appeal to the Lords Commiſſioners of Appeals in Prize Cauſes.

Commanders of Ships whilſt in His Majeſty's Colonies, to be ſubject to the Laws for preventing the carrying off Perſons without the requiſite Conſent.

LIX. And whereas good and neceſſary Laws are in force within ſeveral of His Majeſty's Colonies and Plantations, for preventing the carrying off from the ſaid Colonies or Plantations any Servant or Slave without the Conſent of the Owner, or the carrying off from thence any other Perſon or Perſons whomſoever, until ſuch Perſon ſhall have taken out his Ticket from the Secretary's Office within ſuch reſpective Colony or Plantation, in ſuch Manner, and under ſuch Penalties and Forfeitures, as in and by the ſaid ſeveral Laws is declared and provided; be it therefore enacted, That all Commanders of Private Ships of War, or Merchant Ships having Letters of Marque, ſhall, upon their going into any of the Ports or Harbours in the ſaid Colonies or Plantations, be ſubject, and they are hereby declared to be ſubject to the ſeveral Directions, Proviſions, Penalties, and Forfeitures in and by ſuch Laws made and provided; any Thing in this Act contained to the contrary thereof in anywiſe notwithſtanding.

Offences committed on board private Ships of War to be tried and puniſhed as Offences committed in His Majeſty's Fleet.

LX. And whereas in all private Ships or Veſſels of War, or Merchant Ships or Veſſels for which Commiſſions or Letters of Marque ſhall be taken out, and likewiſe hired armed Veſſels taken into His Majeſty's Service, it is expedient, for the better Diſcipline and Government of ſuch Ships and Veſſels, that all Perſons who enter themſelves on board the ſame ſhould be under proper Regulations, and pay Obedience to the lawful Commands of the Captains and Chief Commanders of the ſaid Ships and Veſſels; be it therefore enacted, That all Offences committed by any Officer or Seaman on board any Veſſel having a Commiſſion or Letter of Marque during the preſent Hoſtilities, or on board any hired armed Veſſel in His Majeſty's Service, ſhall be tried and puniſhed in ſuch Manner as the like Offences are tried and puniſhed when committed by any Perſon belonging to his Majeſty's Fleet: Provided always, that all Offenders who ſhall be accuſed of ſuch Crimes as are cognizable by a Court Martial, ſhall be confined on board ſuch Privateer, or Merchant Ship or Veſſel, carrying Letters of Marque, in which ſuch Offence ſhall be committed, until they ſhall arrive at ſome Port in *Great Britain* or *Ireland*, or can meet with ſuch a Number of His Majeſty's Ships of War abroad, as are ſufficient to make a Court Martial; and upon Application made by the Commander of ſuch Ship or Veſſel carrying Letters of Marque, or hired armed Veſſels in His Majeſty's Service, to the Lord High Admiral of *Great Britain*, or to the Commiſſioners for executing the Office of Lord High Admiral of *Great Britain*, for the Time being, or to the Commander in Chief or Senior Officer of His Majeſty's ſaid Ships of War abroad, the ſaid Lord High Admiral, or Commiſſioners for executing the Office of Lord Admiral of *Great Britain*, for the Time being, or any Three or more of them, or ſuch Commander in Chief or Senior Officer abroad, are hereby authorized and required, in the uſual Manner, to call a Court Martial for trying and puniſhing the ſaid Offences.

Offenders to be confined, &c.

Court Martial to be called.

Penalty on Maſters of Merchant

LXI. And be it further enacted, That if the Captain of any Merchant Ship under Convoy ſhall wilfully diſobey Signals or Inſtructions, or any other

other lawful Commands of the Commander of the Convoy, or ſhall deſert the Convoy, without Notice given, and Leave obtained for that Purpoſe, he ſhall be liable to be articled againſt in the High Court of Admiralty, at the Suit of the King in His Office of Admiralty, for the ſame; and upon Conviction thereof ſhall be fined, at the Diſcretion of the ſaid Court, in any Sum not exceeding Five hundred Pounds, and ſhall ſuffer ſuch Impriſonment, not exceeding One Year, as the ſaid Court ſhall adjudge.

Veſſels under Convoy for diſobeying Signals or Orders or deſerting Convoy.

LXII. And be it further enacted, That if any Perſon or Perſons ſhall falſely make Oath to any of the Matters herein-before required to be verified on Oath, or ſuborn any other Perſon ſo to do, ſuch Perſon or Perſons ſhall ſuffer the like Pains and Penalties as are incurred by Perſons committing wilful and corrupt Perjury; and that if any Perſon or Perſons ſhall counterfeit, eraſe, alter, or falſify any Commiſſion for War or Letter of Marque, or any Warrant for making out the ſame, or any Certificate required or directed by this Act to be given for obtaining the ſame, or ſhall publiſh or make uſe of any ſuch Commiſſion for War, or Warrant for making out the ſame, or any Certificate as aforeſaid, knowing the ſame to be counterfeited, eraſed, altered, or falſified, ſuch Perſon or Perſons ſhall, for every ſuch Offence, forfeit the Sum of Five hundred Pounds.

Puniſhment of Perſons guilty of Perjury, Forgery, &c.

LXIII. And for the more ſpeedy bringing of Offenders to Juſtice, and to prevent the Inconveniences occaſioned by the want of frequently holding a Seſſion of Admiralty for the Trial of Offences committed on the High Seas; be it further enacted, That from and after the paſſing of this Act, a Seſſion of Oyer and Terminer, and Gaol Delivery, for the Trial of Offences committed on the High Seas within the Juriſdiction of the Admiralty of *England*, ſhall be held Twice at the leaſt in every Year at Juſtice Hall in the *Old Bailey*, *London*, (except at ſuch Times as the Seſſions of Oyer and Terminer and Gaol Delivery for the City of *London*, and County of *Middleſex*, ſhall be appointed to be there held), or in ſuch other Place within that Part of *Great Britain* called *England*, and at ſuch Times in each Year, as the Lord High Admiral of *Great Britain*, or the Commiſſioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any Three or more of them, ſhall, by any Letter or Order in Writing under their Hands, directed to the Judge of the High Court of Admiralty of *England*, for the Time being, appoint.

Seſſions to be held for Trial of Offences committed on the High Seas.

LXIV. And be it further enacted, That from and after the paſſing of this Act, it ſhall and may be lawful not only to and for any One or more of the ſaid Commiſſioners for the Time being, named in the Commiſſion of Oyer and Terminer for trying of Offences committed within the Juriſdiction of the Admiralty of *England*, but alſo to and for any One or more of the Juſtices of the Peace for the Time being, of any County, Riding, Diviſion, or Place, within that Part of *Great Britain* called *England*, and they are hereby reſpectively authorized and empowered from Time to Time to take any Information or Informations of any Witneſs or Witneſſes in Writing upon Oath, touching any Murder,

Commiſſioners, &c. and Juſtices may take Informations, &c. of Offences.

Piracy, Felony, Robbery, or other Offence done or committed, or charged to have been done or committed in or upon the Sea, or in any Haven, River, Creek, or Place where the Admiral or Admirals hath or have Power, Authority, or Juriſdiction; and thereupon (if ſuch Commiſſioner or Commiſſioners, or Juſtice or Juſtices of the Peace reſpectively ſhall ſee Cauſe), by any Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cauſe the Perſon or Perſons accuſed in ſuch Information or Informations, to be apprehended and committed to the Gaol of the County or Place, wherein the ſame Information or Informations ſhall be taken, there to remain until diſcharged by due Courſe of Law.

Perſons neceſſary to give Evidence to enter into Recogniſzance.

LXV. And it is hereby further enacted, That ſuch of the Commiſſioners or Juſtices of the Peace, who ſhall cauſe any ſuch Perſon or Perſons to be committed as is laſt-mentioned, ſhall and he or they is and are hereby reſpectively required, at the ſame Time, to oblige all and every ſuch other Perſon or Perſons, whom ſuch Commiſſioner or Commiſſioners, or Juſtice or Juſtices of the Peace ſhall judge neceſſary, to proſecute and give Evidence againſt the Perſon or Perſons who ſhall be ſo committed as aforeſaid, to enter into One or more Recognizance or Recognizances to His Majeſty, in a ſufficient Penalty for his, her, or their appearing at the then next Seſſion of Oyer and Terminer and Gaol Delivery to be held for the Juriſdiction of the Admiralty of *England*, there to proſecute and give Evidence againſt the Perſon or Perſons who ſhall be committed as aforeſaid; and if any Perſon ſhall refuſe to enter into ſuch Recognizance to proſecute or give Evidence as ſhall be required, he, ſhe, or they ſo refuſing, ſhall be committed by any ſuch Commiſſioner or Commiſſioners, Juſtice or Juſtices, to the Gaol of the County or Place in which the Perſon ſo refuſing ſhall be, until the next Seſſions of Admiralty ſhall be held, or ſuch Perſons ſhall enter into ſuch Recognizance as ſhall be required as aforeſaid, which Recognizance or Recognizances together with the Information or Informations taken touching the Offence or Offences wherewith the Perſon or Perſons to be committed as aforeſaid ſhall be charged, the ſaid Commiſſioner or Commiſſioners, or Juſtice or Juſtices of the Peace before whom the ſame ſhall be taken, ſhall and they are hereby reſpectively required to tranſmit with all convenient Speed, to the Regiſtrar for the Time being of the High Court of Admiralty of *England*, to be by him forthwith laid before the Judge for the Time being of the ſame Court, and afterwards to be kept among the Records of that Court.

Marſhal of the Admiralty, &c. to execute Warrants, &c.

LXVI. And be it further enacted, That the Marſhal of the Admiralty for the Time being, and his Deputy or Deputies, and all Sheriffs, Bailiffs, Stewards, Conſtables, Headboroughs, Tythingmen, Keepers of Gaols and Priſons, and all other Officers whatſoever for keeping of the Peace (as well within Liberties as without), ſhall and they and every of them are hereby reſpectively authorized and required, from Time to Time diligently to execute, perform, and obey all ſuch Precept and Precepts, Warrant and Warrants, and other Order and Orders, as ſhall at any Time or Times hereafter be made, directed, iſſued, or given to them, or any of them reſpectively, by One or more of the ſaid Commiſſioners named

named in the Commiſſion of Oyer and Terminer, or Juſtices of the Peace, by virtue or in purſuance of this Act, touching any of the Matters or Things herein contained.

Offences committed out of the Realm may be alledged to be committed in any County in England.

LXVII. And be it further enacted, That where the Offence of taking a falſe Oath, or ſuborning any Perſon ſo to do, or any of the Offences by this Act made cognizable in any of His Majeſty's Courts of Record in *Great Britain*, ſhall be committed out of this Realm, the ſame may be alledged to be committed, and may be laid, enquired of, tried, and determined, in any County in *England*, in the ſame Manner, to all Intents and Purpoſes, as if the ſame had been actually done or committed within the Body of ſuch County.

Recovery of Penalties and Forfeitures.

LXVIII. And be it further enacted, That all Penalties and Forfeitures impoſed by this Act, whereſoever the ſame ſhall ariſe or become forfeited, may be recovered by Action of Debt, Bill, Plaint, or Information in any of His Majeſty's Courts of Record in *Great Britain*, or Monition and Attachment thereon, in His Majeſty's High Court of Admiralty, unleſs in Caſes where any other Mode is by this Act particularly directed; and all Penalties and Forfeitures impoſed by this Act, which ſhall ariſe or become forfeited in any Part of His Majeſty's Dominions Abroad, may be recovered in any Court of Record of His Majeſty in the Colony, Territory, or Place where the ſame ſhall ariſe or have become forfeited, or in any of His Majeſty's Vice Admiralty Courts having Juriſdiction there.

Application of Penalties and Forfeitures.

LXIX. And be it further enacted, That in all Caſes in which any Agent or Perſon is by this Act made ſubject to the Forfeiture of any Sum of Money equal to any Money remaining in his Hands, or to the Amount of any Balances or Shares, ſuch Sum or Sums of Money ſhall, on Recovery thereof, go and be applied to the Uſe of the Perſon or Perſons who ſhall have been aggrieved by the Miſconduct of ſuch Agent or Perſon; and all pecuniary Penalties and Forfeitures by this Act impoſed, other than as aforeſaid, and other than ſuch as are by this Act directed to be otherwiſe applied and diſpoſed of, ſhall go and be applied to the Uſe of the Royal Hoſpital for Seamen at *Greenwich*, and ſhall be ſued for in the Name of the Commiſſioners and Governors thereof.

Limitation of Actions.

LXX. Provided always, and be it further enacted, That no Action ſhall be brought againſt any Perſon or Perſons whomſoever, for any Matter or Thing whatſoever, done or committed under or by virtue or in the Execution of this Act, unleſs ſuch Action ſhall be brought within Three Years next after doing or committing of ſuch Matter or Thing: Provided alſo, that if any Action or Suit ſhall be hereafter commenced or proſecuted againſt any Perſon or Perſons for any Matter or Thing done under, by virtue, or in the Execution of this Act, ſuch Perſon or Perſons may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence; and if the Plaintiff or Plaintiffs ſhall become nonſuited, or ſuffer Diſcontinuance, or forbear further Proſecution, or if Judgment ſhall be given for the Defendant or Defendants, ſuch Defendant or Defendants ſhall recover Treble Coſts, for which he, ſhe, or they ſhall have the like Remedy as where Coſts by Law are given to Defendants.

LXXI. And

The King may grant Salaries to Judges of Vice Admiralty Courts in the Bahama and Bermuda Islands, and Malta.

LXXI. And be it further enacted, That it shall be lawful for His Majesty, His Heirs and Successors, by any Order in Council, from Time to Time, to fix and ascertain proper and adequate Salaries for the Judges of Vice Admiralty Courts established or to be established in the *Bahama* and *Bermuda* Islands, or in *Jamaica* or *Barbadoes*, and likewise at the Island of *Malta* in the *Mediterranean*, not exceeding the Sum of Two thousand Pounds *per Annum* for any of such Judges; and such Salaries shall be issued, payable, and paid out of the Consolidated Fund of *Great Britain*; and further, that such Salaries shall be charged and chargeable, and paid and payable, in like Manner in every Respect, and under and subject to such Rules, Regulations, Provisions, Penalties, and Forfeitures, as are contained in an Act, passed in the Thirty-ninth Year of His present Majesty's Reign, intituled *An Act for the Augmentation of the Salaries of the Judges of the Courts in* Westminster Hall, *and also the Lords of the Sessions, Lords Commissioners of Justiciary and Barons of the Exchequer in* Scotland; *and for enabling His Majesty to grant Annuities to Persons in certain Offices in the said Courts of* Westminster Hall, *on their Resignation of their respective Offices.*

39 G. 3. c. 110.

The King may allow such Judges on their Resignation 1,000l. per Annum.

LXXII. And be it further enacted, That it shall be lawful for His Majesty, by any Letters Patent under the Great Seal of *Great Britain*, give and grant to any such Judge, upon his Resignation of any such Office, an Annuity for the Term of his Life, not exceeding One thousand Pounds, to be issued and payable, and paid out of the Consolidated Fund of *Great Britain*; and such Annuity shall be charged and chargeable, and paid and payable in like Manner in every respect, as the Salaries of the said Judges: Provided always, that no such Annuity granted to any such Judge shall be valid, unless such Judge shall have continued in One or more of the said Offices for the Period of Six Years, or shall be afflicted with some permanent Infirmity disabling him from the Execution of his said Office, which shall be distinctly recited in the said Grant.

Profits of said Judges not to exceed 2,000l. per Annum.

LXXIII. And be it further enacted, That the Profits and Emoluments of the said Judges shall in no Case exceed the Sum of Two thousand Pounds to each, or any, or either of the said Judges in any One Year, and so in Proportion for any Part of a Year, over and above the Salary of such Judge by this Act granted; and every such Judge shall keep a just and true Account of the Fees and pecuniary Profits and Emoluments received by him as such Judge in each Year, ending on the First Day of *January* in each Year, and shall as soon after the said First Day of *January* as the same can be done, in every Year, transmit an Account thereof to the Commissioners of the Navy, and shall pay all Sums of Money exceeding the Sum of Two thousand Pounds as aforesaid, or any Part thereof, to such Person or Persons, and in such Manner, as the said Commissioners of the Navy shall deem fit, and they shall for that Purpose direct.

41 G. 3. c. 96. continued.

LXXIV. And be it further enacted, That the Regulations and Enactments contained in an Act passed in the Forty-first Year of His Majesty's Reign, intituled *An Act for the better Regulation of His Majesty's Prize Courts in the* West Indies *and* America, *and for giving a more speedy and effectual Execution to the Decrees of the Lords Commissioners of Appeals*, shall extend and be applied to all like Cases during the present War, and be considered

conſidered as Part of this Act, except ſo far as the ſame or any of them are by this or any other Act now in force altered or varied.

LXXV. And be it further enacted, That the ſeveral Regulations and Enactments, Penalties and Forfeitures, enacted by an Act paſſed in the Fifty-fourth Year of His Majeſty's Reign, intituled *An Act for regulating the Payment of Navy Prize Money, and the Tranſmiſſion of Accounts and Payment of Balances to* Greenwich *Hoſpital*, and alſo the ſeveral Regulations and Enactments reſpecting Captures made by His Majeſty's Army and other Forces in conjunct Expeditions with His Majeſty's Navy, and reſpecting Prize or Bounty Money ariſing therefrom, and the Rights and Intereſts of the Royal Hoſpital at *Chelſea* relative thereto, and all Penalties and Forfeitures reſpecting the ſame, enacted by an Act paſſed in the ſame Year, intituled *An Act for regulating the Payment of Army Prize Money, and to provide for the Payment of unclaimed and forfeited Shares to* Chelſea *Hoſpital*, ſhall extend and be applied to all like Caſes during the preſent War, and be conſidered as Parts of this Act, except ſo far as the ſame or any of them are by this or any other Act now in force altered or varied. 54 G. 3. c. 93. and, 54 G. 3. c. 86. continued.

LXXVI. Provided always, and be it further enacted, That this Act ſhall continue in force during the preſent War, and no longer, ſave and except as to all ſuch Matters and Things as ſhall be depending in Judgment in the High Court of Admiralty, or Courts of Vice Admiralty in His Majeſty's Dominions abroad, or Court of Appeal, or in any Court of Record in *Great Britain*, at the Time when the preſent War ſhall ceaſe; and alſo ſave and except as to all ſuch other Matters and Things which ſhall be brought into Judgement before the ſaid High Court of Admiralty, or Courts of Vice Admiralty in His Majeſty's Dominions abroad, or Court of Appeal, or in any Court of Record in *Great Britain*, in conſequence of any Capture or Captures made during the preſent War, or of any Offence or Offences committed contrary to this Act; in reſpect whereof this Act ſhall continue in full force until ſuch Matters, and every Thing dependant thereon, ſhall be finally adjudged and determined; and alſo ſave and except as to the Power by this Act, or the Acts hereby continued, given to His Majeſty, to grant to any Judge of any Court of Vice Admiralty any ſuch Salary and Annuity as therein mentioned, and in ſuch Caſes and on ſuch Conditions as therein mentioned; and alſo ſave and except the Regulations contained in this Act, or of the Acts hereby continued and applied, regarding Letters of Attorney and Orders of Petty Officers and Seamen, Non-commiſſioned Officers of Marines, and Marines; and alſo ſave and except as to the Clauſes and Proviſions in this or in the ſaid Acts contained, by which the Puniſhment attached to the Crimes of perſonating Seamen, and of Forgery when committed with Intent to defraud any Perſon or Perſons, is extended and made applicable to ſuch Offences, when committed with Intent to defraud any Corporation or Corporations; and alſo ſave and except all Regulations in this or in the ſaid Acts contained regarding all Powers and Intereſts given to the Treaſurer of the Navy, and the Commiſſioners and Governors and other Officers of *Greenwich* Hoſpital; and alſo ſave and except the Clauſes and Proviſions herein or in the ſaid Acts contained regarding the Diſtribution and accounting for all Monies ariſing from Seizures, for Breach of the Revenue and other Acts; and alſo ſave and Continuance of Act.

and except the Clauſes herein contained reſpecting Proctors acting for the Benefit of others, and Perſons illegally exerciſing the Functions of Proctors; all which ſhall continue in force until repealed by any ſubſequent Act of Parliament.

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