

ANNO QUINQUAGESIMO SEPTIMO

GEORGII III. REGIS.

CAP. XXIV.

An Act to alter and enlarge the Powers of an Act, passed in the Fifty-fourth Year of His present Majesty, intituled *An Act for the further Improvement of the Land Revenue of the Crown.*

[23d *May* 1817.]

WHEREAS by an Act passed in the Fifty-third Year of the Reign of His present Majesty, intituled *An Act for making a more convenient Communication from* Mary-le-Bone Park *and the Northern Parts of the Metropolis, in the Parish of* Saint Mary-le-Bone, *to* Charing Cross *within the Liberty of* Westminster, *and for making a more convenient Sewage for the same*, it was enacted, that the Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues should be and they were thereby appointed Commissioners for carrying the Purposes of the said Act into Execution, and they were thereby empowered to borrow and take up at Interest from Time to Time such Sum or Sums of Money to enable them to carry the several Purposes of the said Act into Execution, as they should judge necessary, not exceeding the Two several Sums of Five hundred thousand Pounds and One hundred thousand Pounds: And whereas by an Act passed in the Fifty-fourth Year of the Reign of His present Majesty, intituled *An Act for the further Improvement of the Land Revenue of the Crown*, it was amongst other Things enacted, that it should and might be lawful to and for the Commissioners for executing the said recited Act passed in the Fifty-third Year of the Reign of His present Majesty, by and with the Approbation

53 G. 3. c. 121.

54 G. 3. c. 70.

of

of the Lord High Treaſurer or the Commiſſioners for executing the Office of Lord High Treaſurer for the Time being, or any Three or more of them, and notwithſtanding any Proviſion, Reſtriction, or Clauſe contained in any Act or Acts of Parliament relating to His Majeſty's Land Revenues, to borrow and take up at Intereſt ſuch Sum or Sums of Money as they the ſaid Commiſſioners for executing the ſaid recited Act of the Fifty-third Year aforeſaid, with ſuch Approbation as aforeſaid, ſhould judge neceſſary for the Purpoſes of the ſaid Act, not exceeding what ſhould then remain to be raiſed of the ſaid Two Sums of Five hundred thouſand Pounds and One hundred thouſand Pounds, by any Loan or Loans upon the Credit of the Land Revenues of the Crown; and it was thereby further declared and enacted, that it ſhould and might be lawful to and for any Perſon or Perſons, Bodies Politic or Corporate, or Companies, (other than and except the Governor and Company of the Bank of *England*, the Governor and Company of Merchants of *Great Britain* trading to the South Seas and other Parts of *America*, and the United Company of Merchants of *England* trading to the *Eaſt Indies*,) to advance or lend any Sum or Sums of Money, or any Part or Parts of the Capital or other Monies or Funds of or belonging to ſuch Perſon or Perſons, Bodies Politic or Corporate, or Companies, not exceeding what ſhould then remain to be raiſed of the ſaid Two Sums of Five hundred thouſand Pounds and One hundred thouſand Pounds, to the ſaid Commiſſioners for executing the ſaid laſt-mentioned Act, upon the Credit of the ſaid Land Revenues of the Crown, ſo as that all ſuch Loans ſhould be made by and with the Approbation of the ſaid Lord High Treaſurer or the Commiſſioners for executing the Office of Lord High Treaſurer for the Time being, or any Three or more of them, who was or were thereby authorized to iſſue his or their Warrant or Warrants for that Purpoſe: And whereas the ſaid Commiſſioners for carrying the ſaid recited Act of the Fifty-third Year of the Reign of His preſent Majeſty into Execution, have, ſince the paſſing of the ſaid laſt-recited Act, borrowed of the Corporation of the *Royal Exchange Aſſurance* the Sum of Three hundred thouſand Pounds in part of the ſaid ſeveral Sums of Five hundred thouſand Pounds and One hundred thouſand Pounds, upon the Credit of the ſaid Land Revenues: And whereas it would tend to facilitate the raiſing the Remainder of the ſaid Sums of Five hundred thouſand Pounds and One hundred thouſand Pounds, if the Powers of the ſaid recited Act of the Fifty-fourth Year of His preſent Majeſty's Reign were extended in manner herein-after mentioned; May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall be lawful for any Perſon or Perſons whomſoever, or any Bodies Politic or Corporate, or Companies whatſoever, to advance or lend any Sum or Sums of Money, or any Part or Parts of the Capital or other Monies or Funds of or belonging to ſuch Perſon or Perſons, Bodies Politic or Corporate, or Companies, not exceeding in Amount what now remains to be raiſed of the ſaid Two Sums of Five hundred thouſand Pounds and One hundred thouſand Pounds, to the Commiſſioners for the Time being for executing the ſaid recited Act of the Fifty-third Year of the Reign of His ſaid Majeſty, upon the Credit of the Land Revenues of the Crown, ſubject and without prejudice to the Sum ſo already advanced by the ſaid *Royal Exchange Aſſurance Company*, and to the Proviſions

Certain Capital Monies or Corporate Funds may be advanced on the Credit of the Land Revenues of the Crown.

Provisions made by the said recited Act of the Fifty-fourth Year of His Majesty's Reign for the Repayment thereof, and for the Payment of the Interest thereof (so as that all such Loans be made by and with the Approbation of the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being, or any Three or more of them, who is or are hereby authorized to issue his or their Warrant or Warrants for that Purpose), notwithstanding any Thing contained to the contrary in an Act of Parliament made and passed in the Fifth and Sixth Years of the Reign of their late Majesties King *William* and Queen *Mary*, intituled *An Act for granting to their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned to such Persons as shall voluntarily advance the Sum of Fifteen hundred thousand Pounds towards carrying on the War against* France; 5 & 6 W. & M. c. 20. or in an Act of Parliament made and passed in the Thirty-eighth Year of the Reign of His present Majesty, intituled *An Act to amend and continue, until One Month after the Conclusion of the present War, the Provisions contained in an Act passed in the Session of Parliament of the Thirty-sixth and Thirty-seventh Years of His present Majesty, Cap.* 91. (*videlicet*), *on the Twenty-second of* June *One thousand seven hundred and ninety-seven, for the Restriction on Payments of Cash by the Bank*; 38 G. 3. c. 1. or in any other Act or Acts of Parliament for further continuing the said last-mentioned Act of Parliament, or the Provisions thereof, or the said Restriction on Payments of Cash by the Bank; and notwithstanding any Thing contained in any other Act or Acts of Parliament, or Statute, or Charter, Bye Law, or Ordinance; and that every such Loan so to be made shall be deemed to be and the same is hereby declared to be, a Loan upon a Parliamentary Security; and the said Land Revenues of the Crown shall be deemed and taken to be, and are hereby declared to be, a Part or Parts, Branch or Branches of the Revenues of His Majesty, upon which a Credit of Loan to the Extent of the respective Sums so to be advanced or raised under the Provisions of this Act is granted by Parliament, and upon which any Part or Parts of the Capital or other Monies or Funds of any such Person or Persons, Bodies Politic or Corporate, or Companies whatsoever, may be advanced within the true Intent and Meaning of any Act or Acts of Parliament, Charter, Bye Law, Statute, or Ordinance whereby any Monies are authorized or permitted to be advanced upon Parliamentary Security, or any Part or Parts, Branch or Branches of the Revenue of His Majesty upon which a Credit of Loan is granted by Parliament; and every such Loan shall be good, valid, and effectual; any Exception contained in the said recited Act of the Fifty-fourth Year of the Reign of His said Majesty, or any Provision contained in the Statutes of Mortmain, or in any other Statute, Charter, Bye Law, or Ordinance, to the contrary in anywise notwithstanding; but subject and without prejudice to the said Loan so advanced by the said *Royal Exchange Assurance Company*, and the the Provisions so made for the Repayment thereof, and for the Payment of the Interest thereof as aforesaid.

Persons advancing Money to have Certificate thereof

II. And be it further enacted, That all and every Person and Persons, Bodies Politic or Corporate, or Companies whatsoever, who shall agree to lend any Money upon the Credit of the said Land Revenues, shall receive a Certificate under the Hands and Seals of Two or more of the Commissioners

signed by the Commissioners.

Commissioners for executing the said recited Act of the Fifty-third Year of His present Majesty, in the Form or to the Effect following:

Form of the Certificate.

'IN pursuance of a Warrant from the Right Honourable the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, [*or* from the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, *as the Case shall be*] bearing Date the Day of we, *A.* and *B.* Two of the Commissioners for executing an Act passed in the Fifty-third Year of the Reign of His present Majesty, intituled *An Act for making a more convenient Communication from* Mary-le-Bone Park *and the Northern Parts of the Metropolis, in the Parish of* Saint Mary-le-Bone, *to* Charing Cross *within the Liberty of* Westminster, *and for making a more convenient Sewage for the same*; in exercise of the Powers vested in us by the said Act, and by another Act passed in the Fifty-fourth Year of the Reign of His said Majesty, intituled *An Act for the further Improvement of the Land Revenue of the Crown*, and of another Act passed in the Fifty-seventh Year of the Reign of His said Majesty, intituled *An Act* [*here insert the Title of this Act*] do hereby certify, that *C. D.* [*insert the Name, Title, or Description of the Person or Persons, Body or Bodies Politic or Corporate, or Company, by whom or on whose Behalf the Loan is to be advanced*] hath [*or* have] contracted and agreed to advance and lend to the said Commissioners for executing the said Acts, upon the Credit of the Land Revenues of the Crown, the Sum of to be applied by them for and towards the carrying the several Purposes of the said Acts into Execution; which Sum is to be paid by the said *C. D.* to One of the Cashiers of the Bank of *England*, and to be carried to the Account of the Commissioners of His Majesty's Woods, Forests, and Land Revenues, being 'The *New Street* Account;' and from and immediately after the Payment of the same in Manner aforesaid, the said Sum of shall, by virtue of the said Acts, become and be a Loan charged upon the Whole of the Land Revenues of the Crown, (but subject and without prejudice to the Sum of Three hundred thousand Pounds advanced by the Corporation of the *Royal Exchange Assurance*, and to the Provision made by the said Act of the Fifty-fourth Year of His Majesty's Reign for the Repayment thereof, and for the Payment of the Interest thereof); and such Revenues shall, subject as aforesaid, from thenceforth be charged with and liable to the Repayment of the said Capital Sums so to be advanced by the Instalments, in the Proportions, and at or upon the Days or Times hereinafter mentioned, that is to say, [*here insert the Terms agreed upon for the Repayment*], and to the Payment of Interest for the said Principal Sum, or so much thereof as shall from Time to Time remain unpaid, after the Rate of Five Pounds *per Centum per Annum*, [*or lesser Rate, as the Case may be*], such Interest to be computed from the Time the said Principal Sum shall be so advanced, and to be paid Half-yearly, until the Whole of the said Principal Sum, and Interest thereon, shall be fully paid and discharged. Given under our Hands and Seals, this Day of One thousand eight hundred and .'

Certificate to be witnessed by One of the Secretaries to

And every such Certificate shall be witnessed by One of the Secretaries or Clerks for the Time being to the said Commissioners for carrying the said recited Acts into Execution; and upon the Production of such Certificate

or Certificates, the Cashiers of the Bank, or one of them, shall and are or is hereby required to accept and receive the Sum or Sums therein specified, and at the Foot or Back of such Certificate to acknowledge the Receipt of the said Monies, without Fee or Reward; and the Receipt to be given by such Cashier of the Bank, at the Foot or on the Back of such Certificate as aforesaid, shall be in the Words and Figures following, or as near thereto as may be; (that is to say), the Commissioners.

Form of Receipt.

'RECEIVED the Day of One thousand eight hundred and of and from *A. B.* the Sum of of lawful Money of *Great Britain*, being the Sum to be paid into the Bank of *England* pursuant to the above Certificate, and which Sum is placed to the Account of the Commissioners of His Majesty's Woods, Forests, and Land Revenues, being 'The *New Street* Account.'

'Witness my Hand

'For the Governor and Company of the Bank of *England*.

(Signed) Cashier.'

Certificate and Receipt to be inrolled.

Which said Certificate and Receipt shall be enrolled in the Office of the Auditor of His Majesty's Land Revenues for the County of *Middlesex*, on Payment of the usual Fees for such Enrolment, and a Minute or Extract thereof shall be entered and preserved in the Office of the said Commissioners of His Majesty's Woods, Forests, and Land Revenues, and also in a Book to be kept for that Purpose by the Clerk to the said Commissioners for executing the said recited Act of the Fifty-third Year of the Reign of His said Majesty; and every such Certificate and Receipt, when so given, granted, and enrolled, shall be and they are hereby declared to be conclusive Evidence of the Advance of every such Loan, and of the Day or Time of the making such Advance.

Loans charged on Land Revenues.

III. And be it further enacted, That when any such Certificate and Receipt shall be so signed, enrolled, and entered as aforesaid, every such Loan or Loans, the Receipt whereof shall be so acknowledged as aforesaid, shall be and the same is and are hereby charged upon the whole of the said Land Revenues of the Crown (subject and without prejudice to the Loan so advanced by the said Corporation of the *Royal Exchange Assurance*, and the Provisions made by the said recited Act of the Fifty-fourth Year of His Majesty's Reign for the Repayment thereof, and for the Payment of the Interest thereof as aforesaid,) and such Revenues shall from thenceforth be subject and liable to such new Loan or Loans, and the Repayment thereof and the Interest thereof, at such Rate, in such Manner and by such Proportions, and at such Time or Times, as shall be stipulated and agreed upon by and between the said Commissioners for the Time being for executing the said recited Act of the Fifty-third Year of His Majesty's Reign; and the Person or Persons, Body or Bodies Politic or Corporate, or Companies, making such Advance, and as shall be mentioned, specified, or expressed in the said Certificate, and the Lord High Treasurer or the Commissioners for executing the Office of Lord High Treasurer for the Time being, is and are hereby authorized, empowered, and required to make such Payments accordingly, when and as the same shall become due and payable, out of the said Land Revenues of the Crown, after Payment of the necessary Charges of the Management thereof, prior to any other Application of such Land Revenues (save and except

ſo far as ſuch Revenues are or ought to be applied in the Repayment of the ſaid Sum of Three hundred thouſand Pounds ſo advanced by the ſaid Corporation of the *Royal Exchange Aſſurance*, and in the Payment of the Intereſt thereof in the mean Time as aforeſaid).

In caſe any Part of the Principal Loan, or of the Intereſt thereof, be unpaid, the ſame ſhall be advanced by the Treaſury.

IV. And be it further enacted, That in caſe it ſhall happen that any Payment of Intereſt accruing upon any Loan or Loans to be made in purſuance of this Act ſhall not be ſatisfied out of the ſaid Land Revenues within the Space of Three Calendar Months after the ſame ſhall have become due, or in caſe any Portion or Part of the Principal of any ſuch Loan or Loans ſhall not be paid or diſcharged out of the ſaid Land Revenues within the like Space of Three Calendar Months after the ſame ſhall have become due, that then the Lord High Treaſurer of the United Kingdom of *Great Britain* and *Ireland*, or the Commiſſioners of His Majeſty's Treaſury of the United Kingdom of *Great Britain* and *Ireland* for the Time being, or any Three or more of them, is and are hereby authorized, empowered, and required, upon the Demand or Requiſition of the Perſon or Perſons, Body or Bodies Politic or Corporate, or Company, who ſhall have made ſuch Loan or Loans, or be entitled to ſuch Intereſt or ſuch Portion of Principal as ſhall be ſo in Arrear, due, or unpaid, to make Payment of ſuch Intereſt or Principal (as the Caſe may be) which ſhall be ſo in Arrear, due, or unpaid, out of any Monies at his or their Diſpoſal, granted by Parliament for the Supplies of the then current Year.

Monies advanced to be replaced out of the firſt Monies to ariſe from the Land Revenue.

V. Provided always, and be it further enacted, That in caſe any ſuch Payment ſhall be advanced or made from or out of ſuch Supplies for the Purpoſes aforeſaid in purſuance of this Act, that then the Amount thereof ſhall be made good and replaced to the Credit of ſuch Supplies out of the firſt Monies which ſhall ariſe from the Receipt of the Land Revenues of the Crown, after Payment of the neceſſary Charges of Management thereof, and of any Sum or Sums which ſhall be then due or payable for or in reſpect of the Loan ſo advanced by the ſaid Corporation of the *Royal Exchange Aſſurance*, and in Preference to any Charge whatſoever upon the ſame.

Loans and Deeds exempted from Stamp Duties.

VI. And be it further enacted, That no Loan which ſhall be advanced, nor any Certificate or Receipt which ſhall be made or given for the ſame, by virtue of this Act, nor any Agreement, Deed, or Inſtrument in relation thereto, ſhall be ſubject or liable to any *ad valorem* Duty, or other Stamp Duty whatſoever impoſed by any Act or Acts of Parliament now in force, nor to any Stamp Duty to be impoſed by any future Act or Acts of Parliament, unleſs ſuch Loan or Certificate, Receipt, Agreement, Deed, or Inſtrument, ſhall be ſpecially ſubjected and ſpecifically charged in and by ſuch future Act or Acts of Parliament.

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