

ANNO TERTIO

GEORGII IV. REGIS.

***

sioners in the said first recited Act named, for the Execution of the said Act in *Great Britain*, and to be by the said Commissioners lent and advanced for the Purposes in the said several Acts respectively mentioned, upon the Terms and Conditions in the said Acts specified and set forth: And whereas the said Two Acts were amended, and the Powers of the said Commissioners extended by another Act made and passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act to amend and continue Two Acts passed in the Fifty-seventh Year of His late Majesty King* George *the Third, for authorizing the Issue of Exchequer Bills, and the Advance of Money for carrying on of Public Works and Fisheries, and Employment of the Poor, and to extend the Powers of the Commissioners for executing the said Acts in* Great Britain; and by another Act made and passed in the First and Second Years of His said present Majesty, intituled *An Act to empower the Commissioners in* Great Britain *for the Execution of several Acts for authorizing the Issue of Exchequer Bills for carrying on of Public Works and Fisheries, and Employment of the Poor, to extend the Time for the Payment of certain Advances under the said Acts:* And whereas sundry Advances have been made by the said Commissioners to divers Persons or Parties, Bodies Politic or Corporate or Companies, for the Purposes and under the Regulations in the said Acts contained; and Applications have been made to the said Commissioners for other Advances, which Applications remain depending, and exceed the unappropriated Part of the said Sum of One million five hundred thousand Pounds remaining to be issued as aforesaid: And whereas great Advantage may arise under present Circumstances, in affording Employment for the labouring Classes of the Community, by a further Advance of Exchequer Bills, to an Amount in the Whole not exceeding the Sum of Two Millions, to be lent by the Commissioners named in and appointed by this Act, under and subject to the like Terms and Conditions as are specified and prescribed by the said recited Acts, or any of them, with respect to the Advance of Exchequer Bills authorized by the said recited Acts, or any of them, except so far as such Terms and Conditions may be altered or extended by this Act, and upon due Security being given in all such Cases for the Repayment of the Sum so advanced, within a Time to be limited: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the King's most Excellent Majesty, by Warrant or Warrants under His Royal Sign Manual, to authorize and empower the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, now or for the Time being, or any Three or more of them, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland* for the Time being, to cause or direct any Number of Exchequer Bills to be made out at His Majesty's Exchequer in *Great Britain*, not exceeding in the Whole the Sum of Two Millions, in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions (except where other Directions for making out the same are contained and particularly expressed in this Act), as in and by an Act made in the Forty-eighth Year of the Reign of His late

1 G. 4. c. 60.

1 & 2 G. 4. c. 114.

His Majesty may authorize Commissioners of Treasury to issue Exchequer Bills not exceeding 2,000,000*l*.

late Majesty King *George* the Third, intituled *An Act for regulating the issuing and paying off of Exchequer Bills*, are enacted and prescribed. 48 G. 3. c. 1.

Powers of last recited Act to extend to this Act.

II. And be it further enacted, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said recited Act of the Forty-eighth Year of His said late Majesty's Reign, shall be applied and extended to the Exchequer Bills to be made in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the said several Clauses or Provisoes had been particularly repeated and re-enacted in the Body of this Act.

Bills to bear an Interest of 2*d.* per Cent. per Diem.

III. And be it further enacted, That the said Exchequer Bills to be made in pursuance of this Act shall and may bear an Interest not exceeding the Rate of Two-pence *per Centum per Diem* upon or in respect of the Whole of the Money contained therein, and shall be made payable at the Period herein-after mentioned.

Bills not to be received in Payment of Taxes before the Day appointed for their Payment.

IV. Provided always, and be it further enacted, That all and every the Exchequer Bills to be made out by virtue of this Act, or so many of them as shall from Time to Time remain undischarged and uncancelled after the respective Days on which they shall become due and payable, shall and may after that Time pass and be current to all and every the Receivers and Collectors in *Great Britain*, of the Customs, Excise, or any Revenue, Supply, Aid, or Tax whatsoever, due or payable to His Majesty, His Heirs or Successors, and also at the Receipt of Exchequer in *Great Britain*, from the said Receivers or Collectors; but no such Receiver or Collector shall exchange at any Time before the said Day of Payment thereof, for any Money of such Revenues, Aid, Taxes, or Supplies in his Hands, any Exchequer Bill which shall have been issued as aforesaid by virtue of this Act; nor shall any Action be maintained against any such Receiver or Collector for neglecting or refusing to exchange any such Exchequer Bill for ready Money before the said Day of Payment thereof; any thing in this Act to the contrary contained in anywise notwithstanding; and that such of the same Bills as shall be received at the said Receipt of Exchequer shall and may be locked up and secured as Cash, according to the Course of the said Exchequer settled and established by Law for locking up and securing Monies received in Specie there.

Exchequer Bills to be payable One Year from Date, with Interest.

V. And be it further enacted, That from and after the passing of this Act, all Exchequer Bills which, at any Time after the passing of this Act, shall be made out and issued in pursuance of either of the said first recited Acts or this Act, and which at any Time after the passing of this Act shall be advanced for any of the Purposes mentioned in the said recited Acts, or any of them, or in this Act, shall be made payable within One Year from the Date thereof respectively; and that the Principal Sum mentioned in every such Bill, together with Interest thereon at the Rate aforesaid, to be computed from the Day of the Date of such Bills respectively until the Time of Payment thereof, shall be chargeable on some Part of the Aids or Supplies for

for the Year next succeeding the Day of the Date of the said Bills respectively.

Commissioners appointed under recited Acts to be Commissioners under this Act, together with others.

VI. And be it further enacted, That the several Persons who in and by the said first recited Act are constituted Commissioners for the Execution of the said Act in *Great Britain*, or so many of them as shall be living at the Time of the passing of this Act, together with *William Heygate* Esquire, *William Wolryche Whitmore* Esquire, *John Innes* Esquire, *Robert Grant* Esquire, *Samuel Marsh Phillipps* Esquire, *Francis Ludlow Holt* Esquire, *George Dorrien* Esquire, *Andrew Colvile* Esquire, *Jeremiah Olive* Esquire, *George Hathorn* Esquire, *Joseph Reid* Esquire, *John Loch* Esquire, and *James Gibson* Esquire, shall be and they are hereby constituted Commissioners for the Execution of the said recited Acts and this Act; and that all and every the Clauses, Provisoes, Powers, Privileges, Advantages, and Penalties contained in the said recited Acts, shall be applied and extended to all Loans advanced, and Acts done by the said Commissioners, or otherwise, in pursuance and in the Execution of this Act, as fully and effectually to all Intents and Purposes as if the said several Clauses and Provisoes, Powers, Privileges, Advantages and Penalties, had been particularly repeated and re-enacted in the Body of this Act, except only so far as the same are altered or amended or enlarged by this present Act.

Commissioners to take the following Oath.

VII. And be it further enacted, That any Two of the said Commissioners named in and constituted by this Act, before they shall enter upon the Execution of this Act, shall take an Oath before the Chancellor of the Exchequer, or the Master of the Rolls for the Time being in *Great Britain*, which Oath the said Chancellor and Master of the Rolls are and is hereby respectively authorized and required to administer, the Tenor whereof shall be as followeth; that is to say,

'I *A. B.* do swear, That according to the best of my Judgment I will faithfully and impartially execute the several Powers and Trusts vested in me by an Act, intituled *An Act* [*here set forth the Title of this Act*], according to the Tenor and Purport of the said Act.'

And every other of such Commissioners respectively shall likewise take the same Oath before such Two Commissioners, who are hereby authorized and required to administer the said Oath, after they shall themselves have taken the same as aforesaid.

Three Commissioners may act.

VIII. And be it further enacted, That from and after the passing of this Act, all Acts, Matters, and Things which the said Commissioners for the Execution of the said recited Acts and this Act are by the said recited Acts or this Act authorized to do or execute, shall and may be done and executed by any Three or more of such Commissioners, except only in such Cases where it is otherwise specially provided by the said recited Acts or this Act.

Commissioners may advance Money

IX. And be it further enacted, That it shall and may be lawful for the said Commissioners, at any Time after the passing of this Act,

to lend and advance, and to apportion or distribute to and amongst any Body or Bodies Politic or Corporate, or any Company or Companies of Proprietors, or Person or Persons engaged in or desirous of carrying on or interested in any Works of a public Nature, carried on, or which may hereafter be carried on under the Authority of Parliament, in any Part of *Great Britain*, or for the Encouragement of the Fisheries, or the Support of any Collieries or Mines, or any Trustees or Trustee of Roads or Railways, or any other Person or Persons whomsoever, for any the Purposes in the said recited Acts mentioned, or for any the Purposes mentioned in this Act (whether any such Corporations, Companies, Trustees, or Persons respectively shall or shall not have received any Loan or Advance under the said recited Acts, or either of them, at any Time before the passing of this Act, all or any Part of the Sum or Sums of Exchequer Bills to be issued at any Time after the passing of this Act, under the Authority of the said recited Acts, or any of them, or this Act, upon, under, and subject to the like Terms and Conditions as are specified and prescribed by the said recited Acts, or any of them, with respect to the Advance of Exchequer Bills authorized by the said recited Acts, or any of them, except so far as such Terms and Conditions may be altered or extended by this Act; and that any Loans or Advances which shall be made by the said Commissioners in Exchequer Bills to be issued under the Authority of the said recited Acts, or any of them, or this Act, at any Time after the passing of this Act, and for the Repayment of which no adequate Fund shall be secured or assigned as after mentioned, to the Satisfaction of the said Commissioners, of an Amount sufficient to discharge the said Loan and Interest by Instalments within the Period of Twenty Years from the Date of the Advance, as herein-after mentioned, shall be repaid without Deduction or Abatement in the Manner following; that is to say, the Principal of such Loan within the Period of Eight Years from the Date of the Advance, with Interest at the Rate of Four Pounds *per Centum per Annum*, to be computed from the Date of the Advance, and to be paid annually during the said Period of Eight Years, until the Whole of the said Loan, with Interest as aforesaid, shall be fully paid and satisfied,

under this Act, subject to the Terms and Conditions of former Acts, except so far as the same may be altered by this Act.

Loans advanced without the Security of a fixed or expected Fund, to be repaid within Period of Eight Years afterwards.

X. And be it further enacted, That any Loan or Loans which shall be granted by the said Commissioners from and after the passing of this Act, shall be subject to the same Powers, Limitations, Regulations, and Conditions for the Grant and the Recovery thereof, as the Loans already granted under the Powers and Authorities of the said recited Acts, except so far as such Limitations, Regulations, and Conditions shall or may be altered, varied, or extended by this present Act; and that the said Commissioners shall have all such Powers and Authorities for the Purpose of recovering or compelling Payment of any Loans already made, or which shall hereafter be made, as are given to the Commissioners appointed by the said first recited Act in respect of any such Loans, or of any Default in the Payment thereof; and that all and every the Clauses and Provisoes in the said recited Acts contained for the Regulation of the said Commissioners in the Grant of any Loan or Loans, and the Recovery and Receipt of the Loans when due and payable, or otherwise howsoever, shall

Loans granted under this Act to be subject to the same Provisions as under last Acts, unless otherwise altered by this Act.

be of the like Force and Effect, except as aforesaid, as if such Clauses and Provisions were particularly repeated and re-enacted in the Body of this Act.

Officers of the Exchequer not to receive Fees.

XI. And be it further enacted, That no Officer or other Person or Persons whatsoever, employed in and about the Execution of the said recited Acts and this Act, in the Receipt of His Majesty's Exchequer in *Great Britain*, shall demand, take, or accept any Fee or Gratuity whatsoever for their Care and Labour, other than such Salaries, Allowances, Rewards, or Emoluments as shall or may be granted to, or be allowed to be taken by them respectively under the Authority of the said Commissioners of His Majesty's Treasury, or any Three or more of them, or the Lord High Treasurer for the Time being, in *Great Britain*.

Treasury to issue Money to defray Expences of executing Act.

XII. And be it further enacted, That it shall and may be lawful for the said Commissioners of His Majesty's Treasury, or any Three or more of them, or the said Lord High Treasurer for the Time being, in *Great Britain*, and they are hereby respectively authorized and required to issue and advance, or cause to be issued and advanced, all such Sums of Money to such Person or Persons, in such Manner, and in such Proportions as the Commissioners for the Execution of the said recited Acts and this Act, or any Three or more of them, shall by Writing under their Hands from Time to Time desire, out of any Part of the Public Funds remaining in His Majesty's Exchequer at *Westminster*, to be replaced in the Manner in this Act mentioned; which Sums so to be issued and advanced shall be employed for the Payment of Allowances, and in defraying all other necessary Charges and Expences in or about the Execution of the said recited Acts and this Act, without other Account than before the said Commissioners of His Majesty's Treasury; and which Money so to be issued shall not be subject to any Tax, Duty, Rate, or Assessment whatsoever, imposed by Authority of Parliament, but that an Account of the said Charges and Expences shall be laid before both Houses of Parliament, within Two Months after the Expiration of the said Commission, if Parliament shall be then sitting, but if Parliament shall not be then sitting, then within Fourteen Days after the Commencement of the then next Session of Parliament.

Treasury to direct Exchequer Bills to be issued agreeably to Certificates of Commissioners.

XIII. And be it further enacted, That when and so soon as the said Commissioners for the Execution of the said recited Acts and this Act shall have determined upon any Amount of Exchequer Bills to be advanced under the Provisions of the said recited Acts, or any of them, or this Act, the said Commissioners, or any Three or more of them, shall forthwith certify such Amount to the Auditor of the Receipt of His Majesty's Exchequer at *Westminster* for the Time being, who on such Certificate or Certificates being deposited in his Office, shall cause and direct to be delivered to the Bearer or Bearers thereof, Exchequer Bills payable at the Period before mentioned, and to such Amount as the said Commissioners shall direct, provided the total Amount to be issued by virtue of such Certificates shall not at any Time exceed the Amount of Exchequer Bills directed to be issued under this Act; and every such Exchequer Bill shall bear

Date

Date on the Day on which the said Certificates shall appoint and direct, and shall and may be signed by the Auditor of the Receipt of His Majesty's Exchequer, or in his Name, by any Person duly authorized by the said Auditor to sign the same.

Lists of Exchequer Bills issued to be delivered to Commissioners.

XIV. And be it further enacted, That such Officers by whom such Exchequer Bills shall be delivered shall from Time to Time, upon Requisition of the said Commissioners for the Execution of the said recited Acts and this Act, deliver to them at their Office complete Lists of all the Exchequer Bills made out and delivered by them, specifying therein the respective Dates and Sums expressed therein, and the Periods appointed for the Payment of the same, and distinguishing therein the Persons to whom, and the Numbers of the Certificates by virtue whereof the same were issued respectively.

In all Cases where a fixed Fund cannot be provided, to take personal Security by Bond to the King.

XV. And be it further enacted, That in all Cases of Assistance afforded by the Loan or Advance of any Exchequer Bills under the Provisions of the said recited Acts, or any of them, or this Act, in which a Fund shall not be shown to the Satisfaction of the said Commissioners for the Execution thereof, either to exist or as likely to arise on the Security proposed for any Loan or Loans applied for under the Provisions of the said recited Acts, or any of them, or this Act, of sufficient Amount to discharge the said Loan by Instalments within a Period of Twenty Years from the Date of the Advance; and the First of which Instalments shall commence and be payable within Five Years at farthest from the Date of such Advance, with Interest at the Rate of Four Pounds *per Centum per Annum* on the Principal from Time to Time remaining due; that then and in every such Case the said Commissioners shall require and take personal Security, either collaterally or in chief, which Security shall be by Writing obligatory to our Sovereign Lord the King, in such Sum or Sums of Money as shall be directed by the said Commissioners, or any Three or more of them, to be paid to our said Lord the King, by such Form of Words as Obligations to the King's Majesty have been used to be made, and with such Conditions to be thereunder written, as by such Commissioners shall be deemed proper; and that all such Obligations to be so made shall be good and effectual in the Law, and shall be of the same Quality, Force, and Effect, to all Intents and Purposes, as any Obligation made to our Sovereign Lord the now King, or his Predecessors, or any of them, hath at any Time heretofore been, or now is adjudged, received, or taken to be, any Law, Usage, or Custom to the contrary notwithstanding.

Loans may be granted without personal Security in certain Cases.

XVI. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners to grant any Loan or Loans under the Provisions of the said recited Acts, or any of them, or this Act, without requiring personal Security, in every Case where it can be proved to their Satisfaction, on Oath, that the Security offered will be adequate to the Discharge of the Principal of the Loan applied for, by Instalments, payable as aforesaid, and of sufficient Amount in the whole to discharge the said Loan within a Period of Twenty Years from the Date of the Advance of the same, with Interest at the Rate of

of Four Pounds *per Centum per Annum* on the Principal Sum from Time to Time remaining due; any thing in the said recited Acts, or this Act, contained to the contrary in anywise notwithstanding.

Commissioners to take Mortgages of Public Works.

XVII. And be it further enacted, That in all Cases of Assistance afforded by the Loan or Advance of any Exchequer Bills, under the Provisions of the said recited Acts, or any of them, or this Act, for the carrying on, Completion, or Repair of any public Work, Road, Railway, or Drainage, it shall be lawful for the said Commissioners for the Execution of the said recited Acts and this Act, and they are hereby authorized and required, to take from the Body Politic or Corporate, or Company or Companies of Proprietors interested in such public Work, or the Trustees, Commissioners, or other Parties having the Care or Management of such Roads, Railways, or Drainage, and applying for such Assistance, Mortgages, Assignments, or other competent Security of such public Works and Undertakings respectively, and of all Property of what Nature or Kind soever belonging thereto, and of the Rates, Tolls, and Receipts of what Nature or Kind soever accruing, or which may at any Time thereafter accrue, arise, or be taken, collected, or received by or for the Use of the Body Politic or Corporate, or Company of Proprietors, Trustees, or Commissioners, or other Parties or Persons interested in the public Work, Road, Railway, or Drainage, in respect or in aid of which the Advance of Exchequer Bills under the said recited Acts, or any of them, or this Act, shall be made, for the securing the Repayment of the full Amount of the Exchequer Bills advanced by Instalments, to a sufficient Amount in the whole to repay the Principal Money advanced within the Period of Twenty Years from the Date of the said Advance; and the First of which Instalments shall commence and be payable within the Period of Five Years at farthest from the Date of such Advance, with Interest at the Rate of Four Pounds *per Centum per Annum* on the Principal from Time to Time remaining due; and it shall be lawful for any Body Politic or Corporate, or Company of Proprietors, to whom any such public Work shall belong, or the Trustees, Commissioners, or other Parties or Persons, by whatever Name or Names called, under whose Care, Management, or Controul any such public Work, Road, Railway, or Drainage shall be, and they are hereby severally and respectively authorized and required to mortgage, assign, and secure such public Works and Undertakings respectively, and all Property as aforesaid belonging thereto, and such Rates, Tolls, or Receipts, to the Secretary of the said Commissioners, in such Manner and Form as the said Commissioners shall direct and appoint; and all such Mortgages, Assignments, and other Securities, shall have Priority over, and shall precede all other Securities, and all Dividends and Division of Profit or Interest upon any Sums advanced or contributed, or which may thereafter be advanced or contributed for the carrying on or completing of any such public Work, Road, Railway, or Drainage, save and except such Sums as shall have been advanced by way of Loan before the Advance of such Bills or Money, and for securing of which said previous Advances, Mortgages, Assignments, or other Securities shall have been given and executed to any Person or Persons as *bonâ fide* Creditors, and entitled as such to the Repayment of the Principal Money advanced by them, as well as Interest thereon; any thing

contained in any Act or Acts of Parliament relating to any such public Work, Road, Railway, or Drainage, in aid or in respect of which any such Exchequer Bills have been or shall be advanced under the Provisions of the said recited Acts, or any of them, and this Act, to the contrary in anywise notwithstanding.

Four-fifths of Parties holding Securities consenting thereto, Commissioners Mortgage shall have Priority.

XVIII. Provided always, and be it further enacted, That in every Case in which Four-fifth Parts in Amount in Value of the Persons holding Mortgages, Assignments, or other Securities on such public Works, Roads, Railways, or Drainage, in respect of which Application shall be made for the Advance of any Exchequer Bills under the Provisions of the said recited Acts, or any of them, or this Act, shall agree and signify their Consent in Writing, that a Priority over the Securities held by them respectively shall be given to the Commissioners for the Purposes of this Act, then and in such Case the Mortgages, Assignments, or other Securities given by the Body Politic or Corporate, or Company of Proprietors, or Parties or Persons interested in any such public Work, Road, Railway, or Drainage, to the Secretary of the said Commissioners for the Time being, shall have Priority over the Claims of all Persons holding the like Securities, as well such as have not agreed or assented to such Priority, as to those who have so agreed as aforesaid; any thing contained in any Act or Acts of Parliament relating to any such public Work, Road, Railway, or Drainage as aforesaid, or any thing contained in any Mortgage, Assignment, or other Security given to any such Parties respectively, to the contrary notwithstanding.

Loans may be advanced to Public Works not at present in Receipt of Tolls, on certain Terms.

XIX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to make any Advance of Exchequer Bills under the said recited Acts, or any of them, or this Act, in aid of any public Work or Undertaking as aforesaid, upon the Credit of any Rate, Rents, Tolls, or Profits arising from such public Work or Undertaking, and of the said Work or Undertaking itself, and all Freehold and Leasehold Property of what Nature or Kind soever, belonging to such public Work or Undertaking respectively, although such public Work or Undertaking shall only be in Part completed, and shall not be in the Receipt of any Rate, Rents, Tolls, or Profits, or not in the Receipt of any Rate, Rent, Toll, or Profits of sufficient Amount for the Repayment of any Loan by Instalments in the Manner and within the Periods aforesaid; provided the actual and expected Receipt or Produce of the said Work or Undertaking shall be proved to the Satisfaction of the said Commissioners to be adequate to the Discharge of the said Loan, by Instalments payable as aforesaid, within the Period of Twenty Years from the Date of the said Advance, together with Interest at the Rate of Four Pounds *per Centum per Annum* on the Principal from Time to Time remaining due; and provided the said Commissioners shall be satisfied of the Practicability and Utility of the Work; and provided the Corporation or Company, or Person or Persons carrying the same into Execution, shall expend, subscribe for, or deposit, in such Manner as the said Commissioners shall direct, before any Advance shall be made under the Provisions of the said recited Acts, or any of them, and this Act, a Sum equal to not less than One Half Part of the estimated Costs for the Completion of such

Work or Undertaking as aforesaid: Provided always, that in the Estimate of the Sum so to be expended, subscribed for, or deposited, the said Commissioners may, if they shall see fit, take in Consideration Monies already expended upon such Work or Undertaking, but so as that in no Case the further Expenditure, Subscription, or Deposit, required as aforesaid, shall be less than One-third of the estimated Costs for the Completion of the whole of such Work or Undertaking as aforesaid; and in every such Case such Advance may be made upon Mortgage or Assignment of the said Work or Undertaking, and of all Property of what Nature or Kind soever belonging to the same respectively, and of the Rates, Rents, Tolls, or Profits receivable, or expected to be received, from such Works or Undertakings respectively, for securing Repayment of the Loan advanced within the Period of Twenty Years from the Date of the said Advance, by such Instalments, payable as aforesaid, as the said Commissioners shall direct and appoint, with Interest at the Rate of Four Pounds *per Centum per Annum* on the Principal from Time to Time remaining due, until the whole of the said Principal, and all Interest which shall accrue thereon, shall be fully paid and satisfied.

Proprietors or Shareholders of any unfinished Work may be called on to complete the same.

XX. Provided always, and be it further enacted, That in every Case in which any such Advance shall be made upon an incomplete public Work or Undertaking as aforesaid, not in the Receipt of any Rate, Rent, Tolls, or Profits, or in the Receipt of any Rate, Rent, Tolls, or Profits of insufficient Amount for the Repayment of such Advance in Manner aforesaid, the said Commissioners shall and they are hereby authorized and empowered to make Calls on the Proprietors or Shareholders of the said Work or Undertaking, in Proportion to the Amount of their respective Subscriptions as Proprietors or Shareholders therein, for such Sum or Sums of Money as may be necessary to complete the said Work or Undertaking, in case the Expence of completing the same shall exceed the Sum estimated for the Completion thereof at the Time of the Application for the said Loan; and in Default of Payment of the said Calls, within One Calendar Month from the Date of the same being applied for, (and which Application the said Commissioners are hereby authorized to make, by a Notice to be left at the usual Place of Abode of the Parties respectively liable to pay the same, by such Person or Persons as the said Commissioners may appoint), it shall be lawful for the said Commissioners, in the Name of their Secretary for the Time being, to sue for the same, or any Part thereof, in any Court of Law or Equity.

Trustees of Roads to whom Advances are made under this Act may increase Tolls for Repayment.

XXI. And be it further enacted, That it shall be lawful for the Trustees of any Road for which any Advance shall be made under the Provisions of the said recited Acts, or any of them, or this Act, or the major Part of the Trustees, not being less than Two-thirds of the Number of Trustees present at any Meeting, called together by Notice given in the usual Manner in which Notices are given for assembling such Trustees, Six Days at the least before the Day appointed for the Meeting, and in which Notice the Purpose for which the Meeting is assembled shall be stated, to make an Order for laying on of such additional Tolls, not exceeding in any Case One Half of the

the Amount of the Tolls which may be legally taken by virtue of any Act or Acts of Parliament then in force in relation to such Road, as may be necessary in the Judgment of the said Trustees for raising a sufficient Fund for or towards the Repayment of any such Advance, with all Interest due thereon, within the Period stipulated under the Provisions of this Act for such Repayment; and from and after the Period specified in any such Order, all such additional Tolls may be demanded, taken, collected, and recovered by the same Persons, and by and under all such and the like Powers, Authorities, Penalties, Forfeitures, Provisions, and Remedies, as Tolls are taken in relation to such Road under the Authority of any Act or Acts of Parliament, in like Manner in every respect as if such additional Tolls were inserted in and made Part of the Tolls allowed to be taken and collected under the Act or Acts of Parliament relating to any such Road; any thing contained in the said Acts to the contrary thereof notwithstanding: Provided always, that in every such Case, the said additional Toll shall be assigned to the Secretary of the said Commissioners, in such Form as the said Commissioners may direct and appoint; and that a separate and distinct Account shall be kept of the Produce of such increased and additional Tolls, and the Amount collected and arising from such increased and additional Tolls shall in every such Case be applied solely in or towards the Repayment of such Advance, with Interest thereon, according to the Provisions of the said recited Acts and this Act; and when and so soon as such Repayment shall be completed, all such additional Tolls shall cease and determine.

Commissioners of Drainage, to whom Advances made, may increase Rates for Repayment.

XXII. And be it further enacted, That it shall and may be lawful for the Commissioners or Trustees of any Drainage for which any Advance shall be made under the Provisions of the said recited Acts, or any of them, or this Act, or the major Part of such Commissioners or Trustees, not being less than Two-thirds of the Number present at any Meeting called together by Notice given in the usual Manner in which Notices are given for assembling such Commissioners or Trustees, Six Days at the least before the Day appointed for the Meeting, and in which Notice the Purpose for which the Meeting is assembled shall be stated, to make an Order for laying on such additional Rates or Assessments, not exceeding in any Case One Half of the Amount of the Rates or Assessments which may be legally taken by virtue of any Act or Acts of Parliament then in force in relation to such Drainage, as may be necessary, in the Judgment of the said Commissioners or Trustees, for raising a sufficient Fund for or towards the Repayment of any such Advance, with all Interest thereon, within the Period stipulated under the Provisions of this Act for such Repayment; and from and after the Period specified in any such Order, all such additional Rates or Assessments may be rated and assessed and demanded, taken, collected, levied, and recovered by the same Persons, and by and under all such and the like Powers, Authorities, Penalties, Forfeitures, Provisions, and Remedies, as Rates and Assessments are rated, assessed, demanded, taken, collected, levied, and recovered, in relation to such Drainage, under the Authority of any Act or Acts of Parliament, in like Manner in any respect as if such additional Rates and Assessments were inserted in and

and allowed to be assessed, taken, and collected under the Act or Acts of Parliament relating to any such Drainage; any thing contained in the said Acts to the contrary thereof notwithstanding: Provided always, that in every such Case all such additional Rates and Assessments shall be assigned to the Secretary of the said Commissioners, in such Form as the said Commissioners may direct and appoint, and that a separate and distinct Account shall be kept of the Produce of such increased and additional Rates and Assessments; and the Amount collected and arising from such increased and additional Rates and Assessments shall, in every such Case, be applied solely in or towards the Repayment of such Advance, with Interest thereon, according to the Provisions of this Act; and when and so soon as such Repayment shall be completed, all such additional Rates and Assessments shall cease and determine.

Advances may be made to Trustees of Roads, &c. not acting under Authority of Parliament, or to Persons for the Encouragement of Fisheries, Collieries, &c.

XXIII. And be it further enacted, That it shall be lawful for the said Commissioners to receive Applications in Writing from the Trustees of any Road or Roads, Railway or Railways, or the Trustees or Commissioners of any Harbour or Drainage, whether acting under the Authority of Parliament or otherwise, or from any Person or Persons for the Encouragement of the Fisheries, or the Support of any Collieries or Mines, or from any Person or Persons proposing to undertake any Embankment from the Sea, or any other beneficial Object or Work, for the Purpose of affording Employment to the labouring Classes in any Part or Parts of *Great Britain*, for any Loan and Advance of Exchequer Bills or Money under the Provisions of the said recited Acts or this Act; and the said Commissioners shall proceed to take such Applications into their Consideration, in such and the like Manner as any other Applications mentioned and referred to in the said recited Acts or this Act, and to grant such Loan or Loans in pursuance thereof as the said Commissioners may think fit, having regard, in considering all such Applications, to the Benefit which may arise in affording Employment to the labouring Classes of People, and the Numbers to be employed, and to the Validity of the Security proposed for the Repayment of the Exchequer Bills or Money so advanced.

Commissioners may take Possession of Tolls in certain Cases.

XXIV. And be it further enacted, That in every Case in which the Trustees or Commissioners, or other Parties or Persons having the Care, Management, or Control of any Road, Railway, or Drainage, shall from and after the passing of this Act neglect or refuse to raise the Tolls collected thereon, or shall make Default in the Payments of the Instalments and Interest which may accrue due on any Mortgage, Assignment, or other Security to be given and executed to the Secretary of the said Commissioners in Manner aforesaid, it shall and may be lawful for the said Commissioners, and they are hereby authorized, in addition to all other Remedies provided by the said recited Acts, or any of them, and this Act, to make an Order under the Hands and Seals of any Three or more of them, to any Person or Persons, authorizing and requiring such Person or Persons to seize the Tolls then collected and taken by the Trustees or Commissioners, or other Parties or Persons so refusing or making Default; and the Person or Persons to whom such Order shall be directed,

directed, is and are hereby authorized, immediately on receiving such Order, by himself or themselves, or such other Person or Persons as he or they shall employ for the Purpose, forthwith to take Possession of the Toll Gates or Bars and Toll Houses of the Trustees or Commissioners, or other Parties or Persons so refusing or neglecting, or making Default as aforesaid, and to take, collect, and receive the Tolls which such Trustees, or other Parties or Persons would otherwise have taken, collected, and received; and the said Person or Persons so executing the said Order, shall continue in Possession of the said Toll Gates or Bars and Toll Houses, and continue to take, collect, and receive the said Tolls, and account for the same to the said Commissioners, until the Principal Sum advanced by the said Commissioners to the Trustees or Commissioners, or other Parties or Persons so refusing or neglecting, or making Default, together with the Interest thereon, and the Costs, Charges, and Expences of taking such Possession as aforesaid, shall be fully paid and discharged: Provided always, that nothing herein contained shall extend or be construed to extend to invalidate or affect any existing Lease or Leases of the said Tolls, or to render the said Commissioners liable for the Repairs of any Road, Railway, or Drainage on which they shall collect and receive the Tolls as aforesaid; but the said Commissioners shall and they are hereby authorized to apply the said Tolls towards such Repairs, to such Extent as they shall in their Judgment and Discretion consider necessary or expedient.

The Corporate Rights, &c. of Commissioners carrying on Public Works, giving Security, shall be vested in the Secretary of the Commissioners, from the Time they take Possession of the Property mortgaged.

XXV. And whereas the said Commissioners acting under the said recited Acts in *Great Britain* have advanced, and may hereafter advance sundry Loans to certain Companies of Proprietors interested in carrying on Canals and other Works of a public Nature, and also to Trustees of Roads and Railways acting under the Authority of Parliament: And whereas by the said recited Act of the First Year of His present Majesty King *George* the Fourth, it is amongst other things enacted, that if any Default should be made in the Repayment, but not otherwise, of all or any Part of any Loan or Advance which had been or should be secured to the said Commissioners in Part, or in the Whole, by any Mortgage or Assignment of any Interest, Property, or Effects whatsoever, Real or Personal, it should be lawful for the said Commissioners, or such Person or Persons as should be nominated and appointed by any Three or more of them, in Writing, to take Possession of all or any Parts or Part of such mortgaged or assigned Interest, Property, or Effects, and by Sale or Mortgage of the same, or a competent Part thereof, to raise and levy such Sum or Sums of Money as would be sufficient to repay all Monies due upon or in respect of such Loan or Advance, and the Interest thereof, and all Costs and Charges attending such Proceedings: And whereas Doubts have arisen whether under such Mortgages or Assignments, and upon such Sale or Sales so authorized to be made as aforesaid, the Corporate Rights of the said Companies of Proprietors interested in carrying on such Canals and other Works of a public Nature, or the Powers and Authorities vested in the Trustees of such Roads or Railways, became vested in the said Commissioners, or could be conveyed and made over by them

them to the Body or Bodies Politic or Corporate, or Company or Companies of Proprietors, or the Person or Persons who upon such Sale or Sales might become the Purchaser or Purchasers of such mortgaged or assigned Interest, Property, or Effects; be it further enacted and declared, That in all Cases whatsoever, in which Mortgages or Assignments have been or shall be made to the said Commissioners, or their Secretary for the Time being, by any Company or Companies of Proprietors interested in carrying on any Canal or other Work of a public Nature, or by the Trustees of any Road or Railway, acting under the Authority of Parliament, and which Mortgages or Assignments have been or shall be made as a Security for any Loan or Advance under the said recited Acts, or any of them, or this Act, that all the Estate, Right, Title, Interest, Privileges, Powers, and Authorities, of what Nature or Kind soever, which at the Time of making of such Mortgages or Assignments were or may hereafter be vested in and exercised by the said Company or Companies of Proprietors, or the said Trustees, shall, under and by virtue of the said Mortgages or Assignments, become vested in the Secretary to the said Commissioners from such Period as the said Commissioners shall, under the Authority aforesaid, or by virtue of the Powers and Authorities of this Act, take Possession of the Property which may be so mortgaged or assigned to them in manner aforesaid; and that upon any Sale or Sales by the said Commissioners under the Authority aforesaid, it shall be lawful for the said Commissioners to direct their said Secretary, or his Successor for the Time being, to convey, assign, and make over any Interest, Property, or Effects whatsoever, upon which all or any Part of any Loan or Advance has been or shall be secured under the Provisions of the said recited Acts, or any of them, or this Act, to any Body or Bodies Politic or Corporate, or Company or Companies of Proprietors, or other Person or Persons whomsoever, who shall become the Purchaser or Purchasers thereof, or of any Part thereof; and that upon such Conveyance and Assignment being so made in Manner aforesaid, the Body or Bodies Politic or Corporate, or Company or Companies of Proprietors, or other Person or Persons to whom the same shall be made, as the Purchaser or Purchasers thereof, or of any Part thereof, or as otherwise entitled to a Conveyance of the same, or any Part thereof, shall, from the Date of such Conveyance or Assignment, become vested with all the Estate, Right, Title, Interest, and Privileges, and entitled to exercise and put in force all Powers and Authorities whatsoever, which were vested in and might be exercised by the said Company or Companies of Proprietors interested in carrying on the said Canals or other Works of a public Nature, or by the said Trustees of the said Roads or Railways, at the Time of the Execution of such Mortgages or Assignments to the said Commissioners, or their Secretary for the Time being, for the Purpose aforesaid; any Law, Statute, or Usage to the contrary in anywise notwithstanding.

Parties may pay off Loans and take Assignments of Securities

XXVI. Provided always, and be it further enacted, That in all Cases of Loans, advanced under the Provisions of the said recited Acts, or any of them, or this Act, it shall be lawful for any Parties or Persons, Bodies Politic or Corporate, or Company or Companies of

Proprietors, who may be desirous of discharging and paying off the Amount of the principal Money, and the Interest due or hereafter to become due to the said Commissioners, or to their Secretary for the Time being, on any Loan or Loans advanced under the said recited Acts, or any of them, or which shall hereafter be advanced under the said recited Acts, or any of them, or this Act, and he or they are hereby empowered to borrow such Sum or Sums of Money as may be required for such Purpose, of any Person or Persons willing to advance the same on the Security of an Assignment of the Mortgage or other Security given to the said Commissioners, or their Secretary for the Time being, for the Loan or Loans which may be proposed to be paid off as aforesaid, and which Assignment the said Commissioners are hereby authorized and empowered to direct their said Secretary to make, upon such Terms and Conditions as the said Commissioners shall, under the Circumstances of any such Case, deem expedient; and the Parties or Persons, Bodies Politic or Corporate, or Company or Companies of Proprietors, to whom such Assignment shall be made, shall under and by virtue thereof, in all respects, be entitled to such and the like Priority, Powers, Privileges, and Advantages, as the said Commissioners were entitled to on the Security so assigned, until the Principal and Interest remaining due and secured thereby shall be fully paid and discharged; any Act, Law, or Usage to the contrary thereof in anywise notwithstanding.

held by Commissioners.

XXVII. And be it further enacted, That it shall be lawful for the said Commissioners, or any Three or more of them, in all Cases where they shall see occasion, in addition to the Security required by the said recited Acts and this Act, and as a further Security for any Loan under the said recited Acts, or any of them, or this Act, or for Part of such Loan, from any Principal or Surety in such Loan, to require and take Security by Mortgages, Assignments, Surrenders, or other competent Assurance, upon the Freehold, Copyhold, or Leasehold Estate or Estates of such Principal or Surety, or other Person or Persons by whom such Loan shall be required, or to or for whose Use such Loan shall be granted; such Mortgages, Assignments, Surrenders, or other Security to be respectively granted and made to and in the Name of the Secretary to the said Commissioners for the Time being, in Trust for the said Commissioners, and upon such Terms, Provisoes, and Conditions as the said Commissioners, or any Three or more of them, shall direct and appoint with respect to such Loan or any Part thereof.

Commissioners may take Mortgages or Assignments of Freehold, Copyhold, or Leasehold Property, as further Security for Advances made.

XXVIII. And be it further enacted, That it shall be lawful for the said Commissioners, or any Three or more of them, in all Cases where they shall see occasion, to accept and take, as a further and additional Security for any Loan to be made of any Exchequer Bills as aforesaid under the said recited Acts, or any of them, or this Act, or Part of such Loan, from any Principal or Surety in such Loan, or other Person or Persons having Lands, Heritages, or other Real Estates in *Scotland*, or any Heritable Security whatever which may affect, incumber, or charge the said Real Estates of such Principal or Sureties, or such other Persons as aforesaid, by the Laws of *Scotland*; and also to accept and take, as a like further and additional Security, from any such Principal

Commissioners may take Heritable Securities on Estates in Scotland.

Principal or Surety, or other Person or Persons possessed of any Heritable Security affecting, incumbering, or charging any Real Estates in *Scotland*, any Assignment of such Heritable Security proposed according to the Forms prescribed by the Laws of *Scotland*; and that every such Heritable Security which shall be so granted and constituted, and every Assignment of any Heritable Security which shall be so made, as any such further and additional Security for such Loan as aforesaid, shall respectively be granted, constituted, and made to and in the Name of the Secretary of the said Commissioners for the Time being, in Trust for the said Commissioners, in Terms of the Loan for which the same shall be a Security; and the said Secretary for the Time being shall, under the Directions of the said Commissioners, or any Three or more of them, have full Power and Authority to perform, execute, and carry into Effect, any Acts, Matters, and Things whatsoever, which shall be requisite for the further and better assuring and validating any such Heritable Security, or Assignment thereof as aforesaid, and for enforcing, prosecuting, and pursuing the same, for the Recovery of the Sums for which such Securities were respectively granted, constituted, and made, in all Courts of competent Jurisdiction in *Scotland*, as fully and effectually, to all Intents and Purposes, as if the same Securities respectively were granted, constituted, and made to the Secretary for the Time being, as a Security for his own proper Debt in *Scotland*; and that on Payment or Satisfaction of the principal Sums for which such Security shall be given, with Interest for the same, and all Costs incurred in recovering the same, the said Secretary for the Time being shall, and is hereby authorized, under the Direction of the said Commissioners, or any Three or more of them, to execute on Behalf of the said Commissioners a Discharge or Renunciation of the said Money so paid and satisfied, to be prepared at the Costs of the Party or Parties making such Payment or Satisfaction, according to the Forms prescribed by Law for discharging and renouncing any Heritable Debt or Incumbrance upon a Real Estate in *Scotland*; and that such Discharge shall be good and valid in Law, to all Intents and Purposes whatsoever.

Commissioners may take Deposits of Exchequer Bills, India Bonds, &c. in Security.

XXIX. And be it further enacted, That it shall be lawful for the said Commissioners, in all Cases where they shall see occasion, to accept and take, as a further and additional Security for any Loan to be advanced under the said recited Acts, or any of them, or this Act, or any Part of such Loan, over and above the Security required by the said recited Acts or this Act, any Exchequer Bills, India Bonds, or any transferrable Share or Shares in any Corporation, Company, or public Work carried on under the Authority of Parliament, Bills of Exchange, or other negotiable Securities for Money whatever, which shall be assigned, transferred, or deposited for that Purpose, as the said Commissioners, or any Three or more of them, shall direct; and all such Exchequer Bills, India Bonds, Share or Shares in any such Corporation, Company, or public Works, Bills of Exchange, or other negotiable Securities for Money, so assigned, transferred, or deposited, shall, in Default of Payment of such Loan in the Manner directed and appointed by the said Commissioners under and by virtue of the said recited Acts or this Act, or any Three or more of them, become and be vested in the said Commissioners; and shall and may be sold and

and disposed of, or the Monies due or payable by virtue thereof, shall and may be sued for in due Course of Law, in the Name of their Secretary for the Time being, for the Use of the said Commissioners.

Commissioners may change Securities in certain Cases.

XXX. Provided also, and be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered to accept and receive from any Body or Bodies Politic or Corporate, or Company or Companies of Proprietors, or Trustees or Trustee of any Roads or Railways, or any other Person or Persons, Party or Parties whomsoever, to whom any Loan or Loans has or have been or shall be advanced under the Authority of the said recited Acts, or any of them, or this Act, and also of and from his, her, or their Surety or Sureties, such other Security or Securities, Real or Personal, for the Whole or any Part of any Loan or Loans advanced, or which shall be advanced under the said recited Acts, or any of them, or this Act, and in lieu and instead of any existing Security or Securities, Real or Personal, which may have been taken for such Loan or Loans, or any Part or Parts thereof, as they the said Commissioners shall in their Discretion think fit, having Regard to the particular Circumstances of the Case in which Application for such Change of Security shall be made, and subject to such Terms, Conditions, and Regulations as the said Commissioners shall from Time to Time direct and appoint, and so as in no Case to extend the Period for the Repayment of such Loan or Loans beyond the Period for which the same was originally granted under and by virtue of the said recited Acts, or any of them, or this Act, or beyond the Period of Twenty Years from the Date of the Advance of such Loan; any thing in the said Acts contained to the contrary thereof in anywise notwithstanding.

Securities given to Secretary to vest in his Successor.

XXXI. And be it further enacted, That in all Cases in which, by virtue of the said recited Acts, or any of them, or this Act, or of any Act of Parliament, Conveyance, Assignment, Transfer, Obligation, or Security, any Interest in Real or Personal Estate, Effects or Property, have been or shall be vested in, conveyed, assigned, transferred, made payable, or secured to the Secretary of the Commissioners for the Time being, for the Execution of the said recited Acts or this Act, as such Secretary, and in respect of his Office, all such Real and Personal Estate, Effects and Property whatsoever, upon the Death, Removal, or Resignation of any such Secretary from Time to Time, and as often as the same shall happen, and the Appointment of a Successor shall take place, shall (subject to the same Trusts, if any, as the same were before respectively subject to) vest in such succeeding Secretary, by force of this Act, and without any Act or Deed whatever to be done by the Secretary dying, resigning, or removed, or by the Heirs, Executors, or Administrators of such Secretary, or by any Person or Persons claiming under him, them, or any of them, and notwithstanding any such Interest may have been expressed to be vested in, conveyed, assigned, transferred, made payable to, or secured to such Secretary, his Heirs, Executors, Administrators, and Assigns, or any of them; and shall and may be proceeded upon in the Name of any succeeding Secretary, by any Action or Suit in Law or Equity, or in any other Manner as the same might have been proceeded upon by

or in the Name or Names of such Secretary dying, resigning, or removed, his Executors or Administrators.

After Payment of Loans, Obligation to be cancelled.

XXXII. And be it further enacted, That after the due Payment of any Loan or Loans advanced with Interest as aforesaid, at the Times and in the Manner specified in every Security or Obligation given or entered into in pursuance of the said recited Acts, or any of them, or this Act, according to the true Intent and Meaning of the said Acts respectively, or any of them, every such Security or Obligation shall be forthwith delivered up to be cancelled; and in case any such Security or Obligation shall have been prosecuted according to the Directions of the said recited Acts, or any of them, or this Act, the said Commissioners, or any Two or more of them, shall, by their Warrant or Warrants, direct the proper Officer or Officers of the Courts of Exchequer in *England* or *Scotland* respectively, to enter up Satisfaction on such Security or Obligation so being satisfied as aforesaid upon the Record, or otherwise to deliver up the same to be cancelled, as the Case may require.

Exchequer Bills not used to be cancelled.

XXXIII. And whereas the Parties to whom Exchequer Bills may be issued by virtue of this Act, may not have occasion to make use of all the said Bills; be it further enacted, That such Exchequer Bills as may be tendered in Payment or Part of Payment of any of the Sums advanced by virtue of this Act, shall be returned to the Office at the Exchequer in *Great Britain* from which they were issued, and forthwith cancelled by the proper Officer or Officers by whom the said Bills were issued, he or they giving a Certificate to the Person returning such Exchequer Bills, for the Information of the said Commissioners, and in order that the Amount thereof and of all Interest due thereon, may be credited to the Parties so returning the same to be cancelled.

Bank to continue to keep open an Account with the Commissioners.

XXXIV. And be it further enacted, That the Governors and Directors of the Bank of *England* shall and they are hereby required to continue the Account now open in their Books with the Commissioners, for the Execution of the said recited Acts, under the Title of "Commissioners for the Issue of certain Exchequer Bills," and shall carry to the Credit of such Account the several Monies by this Act directed to be paid to the Cashiers of the said Bank; and whenever the said Commissioners for the Execution of the said recited Acts and this Act shall have advanced or lent any of the Exchequer Bills, to be made out in pursuance of this Act, to any Person or Persons, the said Commissioners shall, at some Time before the Sums contained therein shall be to be repaid, deliver to such Person or Persons, Body Politic or Corporate, at his or their Request, One or more Certificate or Certificates, under the Hands of any Three or more of them, specifying the Amount of the Exchequer Bills lent and advanced to such Person or Persons, Bodies Politic or Corporate, and the Amount of the Money to be received on account thereof; and the said Cashiers of the Bank, or One of them, shall, upon the Production of such Certificate or Certificates, accept and receive from the Person or Persons producing the same, the Amount of the Money therein mentioned to be receivable, and at the Foot of such Certificate or Cer-

tificates shall ackowledge the Receipt of the said Money without Fee or Reward, and every Receipt so given as aforesaid shall be afterwards brought to the Office of the said Commissioners, and by them entered in proper Books to be provided and kept for that Purpose; and the said Commissioners, or any Three or more of them, shall attest the same under their Hands, and return the same to the Person or Persons producing the same at the said Office, and every such Receipt so attested, and every such Entry in any of the said Books, shall respectively from thenceforth be a valid and effectual Acquittance and Discharge for the Sum or Sums expressed therein to have been received, as well against the said Commissioners, and every of them, their and every of their Executors and Administrators, as also to the Person or Persons to whom such Receipts shall be given, and to all and every the Person and Persons who shall have entered into any Security in respect of the Exchequer Bills mentioned in such Certificate to which such Receipt shall be subscribed, their and every of their Heirs, Executors, and Administrators respectively, to all Intents and Purposes whatsoever; and all Money which may be recovered by any legal or other Proceedings directed by the said Commissioners under the Authority of the said recited Acts, or any of them, or this Act, shall be paid by the Secretary of the said Commissioners, or such other Person as may be appointed by them for that Purpose, into the same Account, upon a Certificate to be signed by any Three or more of the said Commissioners, specifying on what or on whose Account the said Money may have been recovered; and the said Cashiers of the Bank, or any One of them, shall, upon the Production of such last-mentioned Certificate, accept and receive from such Secretary or other Person the Monies mentioned in such last-mentioned Certificate, and at the Foot of such Certificate shall acknowledge the Receipt of the said Monies, without Fee or Reward.

Money paid into the Bank to be from Time to Time paid into the Exchequer, and kept apart from other Monies, and to be subject to the Uses herein specified.

XXXV. And be it further enacted, That all and every Sum and Sums of Money which shall be paid into the Bank of *England*, under or by virtue of the said recited Acts, or any of them, and this Act, shall from Time to Time be paid into the Receipt of His Majesty's Exchequer at *Westminster* in the Manner provided by the said recited Acts, or some or one of them, and there shall in like Manner be provided and kept in the Office of the Auditor of the Receipt of the said Exchequer, a Book or Books in which all the Monies paid into the said Receipt by virtue of the said recited Acts, or any of them, and this Act, shall be entered separate and apart from all other Monies paid into the said Receipt upon any other Account whatever; and that all the Monies so paid into the said Receipt by virtue of the said recited Acts, or any of them, and this Act, shall be subject and liable to the Uses and Purposes herein-after mentioned; (that is to say), in the first Place, for paying off and discharging all the Exchequer Bills to be made out by virtue of the said recited Acts or any of them, and this Act, with such Interest as shall be payable thereon, at the respective Days and Times, and in the Order and Course in which the same are hereby directed to be discharged; and all such Exchequer Bills, and Interest thereon as aforesaid, shall be and are hereby charged and chargeable upon, and shall be repaid and borne by

by and out of the first Monies that shall arise in the Receipt of His Majesty's Exchequer accordingly; and after paying off and discharging the same, in the next Place, to pay off all the Charges and Expences which shall be incurred by the said Commissioners, and to make good all such Sums as have been issued to the said Commissioners out of the Public Monies, towards the said Charges and Expences, in pursuance of the Orders of the said Commissioners of His Majesty's Treasury, or any Three of them, or the said Lord High Treasurer for the Time being, according to the Directions of the said recited Acts and this Act, and also to pay and satisfy all Charges and Expences incident to or attending the making out such Exchequer Bills; and if any Surplus shall remain of the Monies paid into the said Receipt by virtue of the said recited Acts and this Act, upon satisfying the several Sums hereby charged thereon as aforesaid, such Surplus shall be reserved for the Disposition of Parliament.

Money issued out of Consolidated Fund, to be replaced out of the First Supplies.

XXXVI. Provided always, and be it further enacted, That whatever Monies shall be so issued out of the Consolidated Fund, shall from Time to Time be replaced by and out of the First Supplies to be thereafter granted in Parliament; any thing herein contained to the contrary notwithstanding: Provided also, that whatever Monies shall be afterwards paid by the Bank of *England* into the said Receipt, in pursuance of the said recited Acts and this Act, shall be applied towards replacing the Monies before issued of the said Aids or Supplies, or out of the said Consolidated Fund, as the Case may be; any thing herein contained to the contrary notwithstanding.

Bank may advance Money on the Credit of this Act.

XXXVII. And be it further enacted, That it shall be lawful for the Governor and Company of the Bank of *England* to advance or lend to His Majesty, at the Receipt of the Exchequer of *Great Britain*, upon the Credit of the Exchequer Bills issued under the said recited Acts, or any of them, or this Act, any Sum or Sums of Money not exceeding in the Whole the Sum of Two Millions; any thing in an Act made in the Fifth and Sixth Years of the Reign of 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, and for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of One million five hundred thousand Pounds towards carrying on the War against* France, to the contrary thereof in anywise notwithstanding.

5 & 6 W. & M. c. 20.

Commissioners to lay an Account of their Proceedings before Parliament.

XXXVIII. And be it further enacted, That the said Commissioners for the Execution of this Act, from Time to Time, at their Discretion, and as soon as possible after the Determination of all Proceedings under the said recited Acts, and this Act, shall lay an Account or Accounts of their Proceedings in Writing before both Houses of Parliament.

Mode of appointing new Commissioners in

XXXIX. And be it further enacted, That if any of the said Commissioners for the Execution of the said recited Acts, and this Act, shall decline to act in the Execution of the Powers and Trusts of the said

said recited Acts and this Act, or having begun to act shall decline to act further therein, or shall depart this Life during the Continuance of this Act, it shall be lawful for the remaining Commissioners, or the major Part of them, by any Writing under their Hands and Seals, to constitute and appoint such Person or Persons to be a Commissioner or Commissioners in the Place of the Commissioner or Commissioners so refusing to act, or declining further to act, or so dying as aforesaid, as the said remaining Commissioners or the major Part of them shall think fit, and so often as such Case shall happen; and the Person or Persons so constituted and appointed by the said remaining Commissioners, or the major Part of them, having first qualified to act by taking the Oath herein-before provided, (and which Oath any Two of the remaining Commissioners are hereby authorized and required to administer) shall be invested with the same Powers and Authorities as are given or delegated by the said recited Acts and this Act to the Commissioners named and constituted by this Act.

the Place of those dying or declining to act.

XL. And whereas in all Cases in which Loans have been advanced by the said Commissioners under the said recited Acts, or any of them, the Repayment thereof has been stipulated for, with Interest at the Rate of Five Pounds *per Centum per Annum*: And whereas it may be expedient to reduce that Rate of Interest to the Rate of Four Pounds *per Centum per Annum*, (being the Rate directed to be taken on all Loans advanced from and after the passing and under the Authority of this Act) upon the Terms and subject to the Conditions hereafter mentioned; be it therefore further enacted, That any Parties or Persons, Bodies Politic or Corporate, or Company or Companies of Proprietors to whom any Loan or Loans have been advanecd under the Provisions of the said recited Acts, or any of them, repayable with Interest at the Rate of Five Pounds *per Centum per Annum*, and who shall pay or cause to be paid all Arrears of Principal and Interest which may have accrued due on the Loan or Loans advanced to them respectively, according to the Provisions of the several Securities or Conditions of Extension entered into by them respectively on the Day of Payment named in their respective Securities or Conditions of Extension, and which may follow next after the passing of this Act, or on any subsequent Day of Payment named in such Securities or Conditions of Extension respectively, shall, from and after the Payment of such Arrears of Principal and Interest, be entitled to receive a Certificate under the Hands of any Three or more of the said Commissioners, and which the said Commissioners are hereby authorized and empowered to grant, certifying such Payment, and which Certificate shall bear Date on the Day of such Payment, and shall be in such Form as the said Commissioners may direct; and from and after the Date of such Certificate, and by virtue thereof, the Parties or Persons receiving the same shall be chargeable only, except as hereinafter mentioned, with Interest at the Rate of Four Pounds *per Centum per Annum* on the Loan or Loans advanced to them respectively, or such Part thereof as may remain unpaid; and shall on the future Payment of Interest at the Rate of Four Pounds *per Centum per Annum*, except as aforesaid, on such Loan or Loans, or the Part thereof remaining unpaid as aforesaid, be

Interest on former Loans reduced from 5 to 4 per Cent. per Annum on certain Conditions.

be entitled to receive such and the like Acquittances and Discharges in all respects as if such Parties or Persons respectively had continued to pay Interest at the Rate of Five Pounds *per Centum per Annum*, according to the Provisions of their several Securities and the said recited Acts; any thing contained in the Securities given by the said Parties or Persons respectively to the said Commissioners under the said recited Acts, or any of them, or any thing in the said recited Acts, or any of them, or this Act contained, except as aforesaid, to the contrary in anywise notwithstanding.

In case of Default in repaying any Loan, the same may be recovered with 5*l.* per Cent. Interest.

XLI. Provided nevertheless, and be it further enacted, That in all Cases in which any Parties or Persons who may obtain a Reduction of the Rate of Interest now payable by them respectively in Manner aforesaid shall, after such Reduction made, and such Certificate granted as last aforesaid, make Default in all or any of the Instalments which may thenceforth become due on their respective Loans, so as to render it necessary for the said Commissioners to put in force any of the Provisions made by the said recited Acts, or any of them, or this Act, for the Recovery and Receipt of any Loans or Advances made in pursuance thereof, that then and in every such Case it shall be lawful for the said Commissioners for the Execution of the said recited Acts and this Act, and they are hereby required, to proceed against the Parties or Persons respectively so making such Default, in the Manner provided by the said recited Acts and this Act, for the Whole or any Part of the Loan due from them respectively, together with Interest at the Rate of Five Pounds *per Centum per Annum* from the happening of such Default, in such and the like Manner, in all respects, as if no such Certificate had been granted as last aforesaid, and this Act had not been made; any thing herein contained to the contrary thereof in anywise notwithstanding.

Loans may be repaid either in Whole or in Part, or by larger Instalments, and in shorter Periods, than before mentioned.

XLII. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent the said Commissioners from requiring any Loan or Loans, or any Sum or Sums of Money remaining due thereon, to be paid by any such Instalments, and in any such Proportions, and at any such Time or Times as to such Commissioners shall seem fitting and convenient, such Instalments or Payments not being in less Proportions than will be sufficient to repay the Loan or Loans advanced within the Period of Twenty Years from the Date of the Advance; and that nothing in this Act contained shall extend or be construed to extend to prevent Payment of the Whole or any Part of the Principal and Interest due on any such Loan at any Time whatever, by any Party or Person to whom such Loan shall have been lent and advanced, or his or their Surety or Sureties; but that it shall and may be lawful for the said Commissioners to require any such Loan to be paid by any such Instalments as aforesaid, and for any Party or Parties, or his or their Surety or Sureties, to make Payment of the Whole or any Part of the Principal and Interest of any such Loan previous to the Time when the same, or any Instalment thereof, shall become due and payable under the Provisions of the said recited Acts and this Act; any thing in the said recited Acts or this Act to the contrary thereof in anywise notwithstanding.

XLIII. And

In certain Cases Commissioners may enlarge the Time of Repayment of Loans under the recited Acts, on Application of the Parties; and may continue old Securities, or require new, as they think necessary.

XLIII. And whereas under the Provisions of the said recited Acts divers Loans and Advances in Exchequer Bills have been made by the said Commissioners to sundry Persons, upon Personal Security, and which Loans or Advances became payable before or on the Twenty-fifth Day of *September* One thousand eight hundred and twenty, according to the Provisions and Directions in the said recited Acts contained: And whereas by the said recited Act of the First Year of His present Majesty King *George* the Fourth, the said Commissioners for the Execution of the said Two first recited Acts were empowered to extend the Time for Repayment of any such Loans or Advances in certain Cases in the Manner therein mentioned: And whereas in pursuance of such Powers the said Commissioners have extended the Time of Payment in sundry Cases, upon the Terms and subject to the Regulations specified in the said Act of the First Year of His said present Majesty, whereby the Parties to whom such Extension of Time has been granted are now bound and obliged to repay their respective Loans, with Interest, by Eight Half-yearly Instalments, the First of which became due on the Twenty-fifth Day of *March*, in this present Year One thousand eight hundred and twenty-two: And whereas it may be expedient that the Commissioners for the Execution of the said recited Acts and this Act should have Authority to grant a further Extension of Time for the Repayment of the said Loans, in the Manner and upon the Conditions hereinafter mentioned; be it therefore further enacted, That it shall be lawful for the said Commissioners for the Execution of the said recited Acts and this Act, on the Application of any Person or Persons to whom an Extension of Time has been granted, or who may be entitled to such Extension as aforesaid, to grant to such Person or Persons a further Extension of Time as hereinafter specified, but subject nevertheless to the Payment of Interest at the Rate of Five Pounds *per Centum per Annum*, being the Rate of Interest now payable by the said Parties respectively, according to the Obligations respectively entered into by them upon the Consent of the Surety or Sureties of the said Parties respectively, to be given as after mentioned, and upon the existing Securities granted or given by them respectively, or such other and new Security or Securities, or other and new Surety or Sureties, either for the Whole of any such Loan or for any Part thereof remaining due, or for any separate and distinct Part or Parts of any such Loan, or of the Part thereof remaining due upon new and separate and distinct Security or Securities, either with the former Sureties or separate and new Sureties for each separate and distinct Part of any such Loan in lieu of any former Security or Securities, or Surety or Sureties, as to them the said Commissioners shall seem proper and necessary; and it shall and may be lawful for the said Commissioners, and they are hereby authorized to require any new Security or Securities, or Surety or Sureties, whenever they shall think the same necessary, and to cancel, annul, or continue any former Obligation or Obligations, or Security or Securities, and to separate and divide any such Loan or Loans, or any Part thereof remaining due, and to grant such Enlargement and Extension of Time for each Part separately of any Loan or Part thereof so divided under this Act, and to require and take separate and distinct Securities for any such divided Part of such Loan; and it shall be lawful for the said Commissioners, and they are hereby

authorized and empowered, if they shall think necessary so to do, to require the Appearance of any Party or Parties in any such Loan, and to proceed to examine into and determine the Sufficiency of any such old or new Security or Securities, or Surety or Sureties, in like Manner in every respect as the Commissioners for the Execution of the said recited Acts are empowered by the said recited Acts, or any of them, to do with respect to any Security or Securities, or Surety or Sureties, to be proposed and given previous to the Advance or Issue of any Exchequer Bills under the said recited Acts, or any of them.

Sureties for the Repayment of Loans to give their Consent to the Extension of Time, according to such Form as Commissioners may appoint.

XLIV. And be it further enacted, That all and every Persons and Person remaining liable as Sureties or Surety for the Repayment of any Loan or Advance, or any Part thereof, granted under the Provisions of the said recited Acts or any of them, and who shall be willing to remain Sureties or Surety for the Repayment of such Loan or Advance, or of any Part or Proportion thereof, if separated and divided under this Act as aforesaid, at such enlarged or extended Time as shall be granted under this Act, shall signify their or his Consent to remain such Sureties or Surety, by subscribing their or his Names or Name to a Writing, to be left with the Secretary of the said Commissioners, in such Form as the said Commissioners may from Time to Time direct or approve; and every such Consent so subscribed and delivered, shall be binding upon the respective Sureties or Surety so signifying the same, their, his, or her Heirs, Executors, or Administrators, in like Manner as such respective Sureties or Surety were or was by the original Bonds or Bond, entered into by them or him, bound for the Repayment of such Loan or Advance, at the Times thereby limited for the Repayment thereof.

Extended Loans to be repaid by Instalments within the Periods herein mentioned.

XLV. And be it further enacted, That from and after the signing of such Consent by such Sureties, and the Deposit of such new or further Security or Securities, Surety or Sureties (where any such shall be required by the said Commissioners), it shall be lawful for the said Commissioners, and they are hereby authorized and empowered to grant and allow, in Manner herein-after mentioned, to such Parties respectively, such Enlargement or Extension of Time for the Repayment of their respective Loans as after mentioned, Regard being had by the said Commissioners as well to the Merits of the Case of the Party applying for such Extension as to the Sufficiency of the Security or Securities, Surety or Sureties, tendered by him or them, and so that the said Loan be made payable by yearly Instalments, in Proportions not less and at Periods not longer than herein-after particularly mentioned; that is to say, that an Instalment of not less than One-eighth Part of every such Loan, or of the Sum remaining due thereon at the Time of such Extension, with Interest on the whole Amount of such Loan or Sum so remaining due, at the Rate of Five Pounds *per Centum per Annum*, from the Twenty-fifth Day of *September* One thousand eight hundred and twenty-two, up to and until the Day of Payment of such Instalment, shall be made payable on or before the Twenty-fifth Day of *September* One thousand eight hundred and twenty-three; One other Instalment of not less than One-eighth Part of every such Loan or Sum, with the like Interest on the Sum remaining due from the said Twenty-fifth Day of *September* One thousand eight

eight hundred and twenty-three, up to and until the Day of Payment of such Instalment, shall be made payable on or before the Twenty-fifth Day of *September* One thousand eight hundred and twenty-four; One other Instalment of not less than One-eighth Part of any such Loan or Sum, with like Interest on the Sum remaining due from the said Twenty-fifth Day of *September* One thousand eight hundred and twenty-four, up to and until the Day of Payment of such Instalment, shall be made payable on or before the Twenty-fifth Day of *September* One thousand eight hundred and twenty-five; One other Instalment of not less than One-eighth Part of every such Loan or Sum, with like Interest on the Sum remaining due from the said Twenty-fifth Day of *September* One thousand eight hundred and twenty-five, up to and until the Day of Payment of such Instalment, shall be made payable on or before the Twenty-fifth Day of *September* One thousand eight hundred and twenty-six; One other Instalment of not less than One-eighth Part of every such Loan or Sum, with the like Interest on the Sum remaining due from the said Twenty-fifth Day of *September* One thousand eight hundred and twenty-six, up to and until the Day of Payment of such Instalment, shall be made payable on or before the Twenty-fifth Day of *September* One thousand eight hundred and twenty-seven; One other Instalment of not less than One-eighth Part of every such Loan or Sum, with the like Interest on the Sum remaining due from the said Twenty-fifth Day of *September* One thousand eight hundred and twenty-seven, up to and until the Day of Payment of such Instalment, shall be payable on or before the Twenty-fifth Day of *September* One thousand eight hundred and twenty-eight; One other Instalment of not less than One-eighth Part of every such Loan or Sum, with the like Interest on the Sum remaining due from the said Twenty-fifth Day of *September* One thousand eight hundred and twenty-eight, up to and until the Day of Payment of such Instalment, shall be payable on or before the Twenty-fifth Day of *September* One thousand eight hundred and twenty-nine; and the last or remaining Instalment of every such Loan or Sum, with the like Interest on the Sum remaining due from the said Twenty-fifth Day of *September* One thousand eight hundred and twenty-nine, up to and until the Day of Payment of such last Instalment, shall be made payable on or before the Twenty-fifth Day of *September* One thousand eight hundred and thirty: Provided nevertheless, that before any Person or Persons shall be entitled to apply for such further Extension of Time as aforesaid, he or they shall, before or on the Twenty-fifth Day of *September* One thousand eight hundred and twenty-two, pay or cause to be paid all Arrears of Principal and Interest due on his or their said Loan or Loans, up to and until the said Twenty-fifth Day of *September* One thousand eight hundred and twenty-two, and in Default thereof shall be absolutely precluded from the Benefit of such last-mentioned Extension.

Extension of Time not deemed a Default in Payment.

XLVI. And be it further enacted, That the several Parties to whom respectively the said Commissioners shall allow such further Enlargement or Extension of the Time of Payment of any such Loan as aforesaid, shall not be deemed or taken to have made Default in Payment of any such Loan, at the Time required by the said recited Acts

or any of them, nor shall any Process, Suit, or other Proceeding be issued, commenced, or had, nor shall any Warrant for the same be granted against the said Parties respectively, or their Sureties or Surety, their or any of their Heirs, Executors, or Administrators, or upon or in respect of any Securities or Security made, assigned, or deposited for the Purposes in the said Acts or any of them mentioned, or otherwise, in order to recover or compel the Repayment of any such Loan, or any Part thereof, until Default shall be made in the Payment of any of the several Instalments aforesaid, at the respective Days and Times when the same shall be made payable pursuant to this Act, in manner aforesaid.

Notice when the Powers of the Commissioners shall cease shall be given in the London Gazette, &c.

XLVII. And be it further enacted, That so soon as the whole Sum of Two Millions, authorized to be issued and applied under the said recited Acts and this Act, shall have been advanced and lent by the said Commissioners for the Execution of the said recited Acts and this Act, or whenever the Sums so lent and advanced by the said Commissioners shall amount to any Sum within Five thousand Pounds of the full Amount of the said Sum of Two Millions, or whenever the said Commissioners of His Majesty's Treasury shall think fit that the Powers of the said Commissioners for the Execution of the said recited Acts and this Act should cease and determine, it shall and may be lawful for the said Commissioners of His Majesty's Treasury, or any Three or more of them, and they are hereby authorized and empowered, to direct the said Commissioners for the Execution of the said recited Acts and this Act, or any Three or more of them, of whom the Chairman or Deputy Chairman for the Time being shall be One, and the said Commissioners for the Execution of the said recited Acts and this Act are hereby authorized and empowered, and required, to publish and declare, by Advertisements to be inserted in the *London Gazette*, and such of the Daily Papers as the said Commissioners of His Majesty's Treasury may appoint, that at the Expiration of Six Calendar Months from the Date of the said Advertisements respectively, the said Commissioners for the Execution of the said recited Acts and this Act will cease to execute and perform the Powers and Authorities vested in them by the said recited Acts and this Act, and all the Powers and Authorities of the said Commissioners for the Execution of the said recited Acts and this Act shall cease and determine accordingly; and thereupon the said Commissioners shall, with all convenient Speed, lay an Account in Writing of all their Proceedings under the said recited Acts and this Act before both Houses of Parliament, and also shall and will deliver, or cause to be delivered up to the said Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, or to such Person or Persons as the said Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, in Writing under their Hands, shall nominate and appoint, all and every the Bonds, Mortgages, Deeds, Books of Account, Papers, and Writings, of what Nature or Kind soever, in the Possession or under the Controul of the said Commissioners for the Execution of the said recited Acts and this Act, or any of their Officers, touching or relating to any Security or Securities whatsoever taken by them the said Commissioners for any Loan or Loans advanced

vanced by them under the Powers and Authorities of the said recited Acts, or any of them, and this Act, together with the Minutes of the Proceedings of them the said Commissioners, and all Books, Papers, and Writings in any manner relating thereto.

Powers vested in the Secretary shall then vest in such Person as the Treasury shall appoint; and all Loans remaining unpaid shall be recovered by him.

XLVIII. And be it further enacted, That on the Termination of the said Commission in manner aforesaid, any Interest which may then be vested in the Secretary of the said Commissioners for the Time being, for the Execution of the said recited Acts and this Act, shall from thenceforth, by force of this Act, and without any Act or Deed whatsoever to be done by such Secretary, vest in the Person or Persons to be appointed as aforesaid by the said Commissioners of His Majesty's Treasury, or any Three or more of them, in such Manner and to such Extent as the said Commissioners of His Majesty's Treasury, or any Three or more of them, shall in Writing direct and appoint, whether such Person or Persons so to be appointed shall be or include the then Secretary of the said Commissioners for the Time being or otherwise; and the Person or Persons so to be appointed shall and may and is and are hereby authorized to proceed for the Recovery of such Interest as may become vested in him or them as last aforesaid, by any Action or Suit in Law or Equity, or in any other Manner as the same might have been proceeded upon by or in the Name of such last-mentioned Secretary of the said Commissioners; and that the Person or Persons so to be appointed shall have and possess such and the like Powers and Authorities for the Recovery and Receipt of all and every the Loans advanced under the said recited Acts and this Act, or such Parts thereof as shall then remain due and unpaid, as under the said recited Acts and this Act are vested in the said Commissioners and their Secretary for the Time being; but subject, nevertheless, to such Orders and Instructions in Writing as the said Commissioners of His Majesty's Treasury, or any Three or more of them, shall from Time to Time think fit to give and direct.

Acquittance of such Person for Receipt of Loans to be valid.

XLIX. And be it further enacted, That from and after the Termination of the Powers of the said Commissioners for the Execution of the said recited Acts and this Act in manner aforesaid, it shall and may be lawful for the said Commissioners of His Majesty's Treasury, or for the Person or Persons to be appointed by them as aforesaid, to grant such Certificate in respect to the Receipt of any Loans and Interest remaining due and unpaid, or any Part thereof, or to use and give such other Form of Acquittance and Discharge as the Commissioners of His Majesty's Treasury, or any Three or more of them, shall in Writing direct or appoint; and such Certificate or other Form of Acquittance so to be given under the Direction of the said Commissioners of His Majesty's Treasury, shall be valid and effectual Acquittance and Discharge to all Intents and Purposes whatsoever.

Commissioners may receive and send Letters free of Postage.

L. And be it further enacted, That the said Commissioners for the Execution of the said recited Acts and this Act, shall and may receive and send all their Letters and Packets free from the Duty of Postage, in such and the like Manner in all respects as the Commissioners for the Execution of the said recited Acts are authorized and empowered to receive and send their Letters and Packets free of the Duty of Postage,

Postage under the Provisions of the said recited Acts, or any of them.

Commissioners may sue and be sued in the Name of their Secretary.

LI. And be it further enacted, That it shall and may be lawful for the said Commissioners, under and by virtue of the said recited Acts and this Act, in every Case in which it may become necessary, to sue and be sued in the Name of their Secretary for the Time being; and that no Action or Suit in Law or Equity, to be brought or commenced by or against the said Commissioners on account of the said recited Acts or this Act, in the Name of the Secretary for the Time being, shall abate or be discontinued by the Death or Removal of such Secretary, or by the Act of such Secretary without the Consent of the said Commissioners, but the Secretary to the said Commissioners for the Time being shall always be deemed the Plaintiff or Defendant in such Action or Suit, as the Case may be; and no Action or Suit shall be brought against the said Commissioners collectively or individually, or against their Secretary, except in His Majesty's Court of Exchequer in *England* or *Scotland* respectively, and with the Leave of such Courts respectively first had and obtained, and upon such Terms and Conditions as the said Courts shall direct.

No Bond, Receipt, or other Instrument under this Act liable to Stamp Duty.

LII. And be it further enacted, That no Bond to His Majesty, or any Heritable Security or Securities, nor any Assignment of any Heritable Security or Securities, nor any Mortgage, Surrender, Assignment, or other Instrument or Assurance whatsoever, taken or to be taken under the said recited Acts or this Act, nor any Certificate, Deed of Extension, Examination, Affidavit, Deposition, or Receipt, nor any Consent by any Surety or Sureties to any Extension of Time granted, or which may be granted by the said Commissioners for the Payment of any Loan under the Authority of the said recited Acts or this Act, nor any Receipt or other written Document whatsoever used for the Purpose of carrying the Provisions of the said recited Acts and this Act into Execution, shall be liable to any Stamp Duty whatsoever; any thing in the said recited Acts or this Act, or the Acts for the enforcing or regulating Stamp Duties in *Great Britain*, to the contrary in anywise notwithstanding.

Limitation of Actions.

LIII. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done by virtue or in pursuance of the said recited Acts and this Act, until Fourteen Days Notice thereof in Writing shall have been given to the Secretary for the Time being of the said Commissioners, nor after a sufficient Satisfaction, or a Tender thereof, hath been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed; and such Action shall be brought in the said Courts of Exchequer in *England* or *Scotland*, and shall be laid in the County of *Middlesex* or City of *Edinburgh* respectively, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of the said recited Acts or this Act, or some or one of them; and if the same shall appear to be so done, if such Action or Suit shall be brought after the Time herein-

before

before limited for bringing the same, or shall be brought without Fourteen Days Notice thereof, or shall be brought in any other County or Place, or after a sufficient Satisfaction made or tendered as aforesaid, that then the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of his her, or their Action or Actions, or if a Verdict shall pass against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants hath or have for the Costs of Suit in any other Cases by Law.

Persons counterfeiting Certificates, &c. guilty of Felony.

LIV. And be it further enacted, That if any Person or Persons shall forge, counterfeit, or alter, or cause or procure to be forged, counterfeited, or altered, or knowingly or wilfully act or assist in the forging, counterfeiting, or altering any Certificate or Certificates of the Commissioners for the Execution of the said recited Acts and this Act, or any of them, or any Receipt or Receipts to be given by the Cashier or Cashiers of the Bank of *England*, in pursuance of the said recited Acts or this Act, or shall wilfully deliver any such forged, counterfeited, or altered Certificate or Receipt to the Auditor of the Receipt of His Majesty's Exchequer in *Great Britain*, or to any Officer appointed by him, or to the Commissioners for the Execution of this Act, or any of them, or to any Officer or Officers appointed by them, or any of them, in the Execution of the Powers of the said recited Acts or of this Act, or shall utter any such forged, counterfeited, or altered Certificate or Certificates, Receipt or Receipts, knowing the same to be forged, counterfeited, or altered, with Intent to defraud His Majesty, His Heirs or Successors, or any Body or Bodies Politic or Corporate, or any Person whomsoever, then and in every such Case, all and every Person or Persons so offending, and being thereof lawfully convicted, shall be adjudged guilty of Felony, and shall suffer Death as in Cases of Felony without Benefit of Clergy.

Commissioners authorized to advance to the Commissioners acting under 53 G. 3. c. 121. any Sum not exceeding 300,000*l*.

LV. And whereas by an Act passed in the Fifty-third Year of the Reign of His late 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 said late Majesty, intituled *An Act for the further Improvement of the Land Revenue of the Crown*, it was enacted, that it should be lawful to and for the Commissioners for executing the said Act of the Fifty-third Year of the Reign of His said late Majesty, by and with the Approbation of the Lord High Treasurer, or the Commissioners for executing

54 G. 3. c. 70.

executing the Office of Lord High Treasurer for the Time being, or any Three or more of them, 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 enacted, that it should be lawful 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 after the passing of the said last-recited Act, the said Commissioners for carrying the said recited Act of the Fifty-third Year of the Reign of His said late Majesty into Execution did borrow of the Corporation of the *Royal Exchange* Assurance the Sum of Three hundred thousand Pounds, re-payable with Interest at and after the Rate of Five Pounds *per Centum per Annum*, in part of the said several Sums of Five hundred thousand Pounds and One hundred thousand Pounds, and upon the Credit of the said Land Revenues: And whereas the said Sum of Three hundred thousand Pounds, with Interest as aforesaid, still remains due on the Credit of the said Land Revenues: And whereas it is expedient that the Commissioners for the Execution of the first-recited Acts and this Act should be authorized to advance unto the Commissioners of the said recited Act of the Fifty-third Year of the Reign of His late Majesty, any Sum or Sums of Money in Exchequer Bills, not exceeding in the Whole the Sum of Three hundred thousand Pounds, repayable with Interest at and after the Rate of Four Pounds *per Centum per Annum*, for the Purpose of being applied in the Repayment of the said Sum of Three hundred thousand Pounds so borrowed from the Corporation of the *Royal Exchange* Assurance as aforesaid; be it therefore enacted, That it shall and may be lawful to and for the said Commissioners for the Execution of the said first-recited Acts and this Act, and they are hereby authorized and required, on Application being made to them by the said Commissioners for executing the said recited Act of the Fifty-third Year of the Reign of His late Majesty King *George* the Third, to advance to them the said last-mentioned Commissioners, or as they may direct

or appoint, any Sum or Sums of Money in Exchequer Bills, not exceeding in the Whole the Sum of Three hundred thousand Pounds, upon the Terms and Conditions herein-after mentioned.

On Advance made, Commissioners under 53 G. 3. to make an Instrument in Writing acknowledging their Receipt, and charging same on Land Revenues.

LVI. And be it further enacted, That upon the said Commissioners for the Execution of the said first recited Acts and this Act making such Advance to the said Commissioners for executing the said recited Act of the Fifty-third Year of the Reign of His late Majesty King *George* the Third, the said last-mentioned Commissioners, or a Quorum of them, shall execute and deliver to the said Commissioners for the Execution of the said first recited Acts and this Act, an Instrument in Writing, in such Form as the said Commissioners for the Execution of the said first recited Acts and this Act shall direct, acknowledging the Receipt of the said Exchequer Bills, and charging the Land Revenues of the Crown (which they are hereby authorized and empowered to do) with the Repayment of the Amount of such Exchequer Bills, with Interest at and after the Rate of Four Pounds *per Centum per Annum*, by an Appropriation out of such Revenues of the annual Sum of Twenty-five thousand Pounds, to be applied, in the first Place, in discharge of the Interest, at the Rate last aforesaid, on the Amount of the Exchequer Bills so to be advanced as aforesaid, or of so much thereof as shall for the Time being remain due and unpaid, and in the next Place, in discharge of the Principal Sums of the said Exchequer Bills, until the whole Amount of such Exchequer Bills, with Interest at the Rate last aforesaid, shall be fully paid and discharged; any thing contained in the Acts herein recited, or any of them, or this Act, to the contrary thereof notwithstanding; and the Expence of such Instruments so to be executed as aforesaid, and of the Enrolment thereof in the Office of the Auditor of His Majesty's Land Revenues for the County of *Middlesex*, shall be a Charge on the said Commissioners for the Execution of the said recited Act of the Fifty-third Year of the Reign of His said late Majesty King *George* the Third, and shall be allowed to them in Account accordingly; and a Minute or Extract thereof shall be entered and preserved in the Office of the said last-mentioned Commissioners, and also in a Book to be kept for that Purpose by the Clerk to the said Commissioners; and every such Instrument in Writing, when so given, executed, and enrolled as aforesaid, shall be and the same is hereby declared to be conclusive Evidence of the Advance of such Loan in Exchequer Bills, and of the Day or Time of the making such Advance.

Act may be altered or repealed this Session.

LVII. And be it further enacted, That this Act, or any of the Provisions thereof, may be amended, altered, or repealed by any Act or Acts to be passed in this Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1822.