

ANNO SEXTO

GEORGII IV. REGIS.

CAP. CVI.

An Act for the Management of the Customs.

[5th *July* 1825.]

WHEREAS an Act was passed in the present Session of Parliament, intituled *An Act to repeal the several Laws relating to the Customs*, in which it is declared, that the Laws of the Customs have become intricate, by reason of the great Number of Acts relating thereto which have been passed through a long Series of Years, and that it is therefore highly expedient, for the Interests of Commerce and the Ends of Justice, and also for affording Convenience and Facility to all Persons who may be subject to the Operation of those Laws, or who may be authorized to act in the Execution thereof, that all the Statutes now in force relating to the Customs should be repealed, and that the Purposes for which they have from Time to Time been made, should be secured by new Enactments, exhibiting more perspicuously and compendiously the various Provisions contained in them: And whereas by the said Act all the Laws relating to the Customs will be repealed; and it is expedient to make Provisions for the Management of the Customs, and of all Matters connected therewith, by the Appointment of proper Persons to manage the same, after such Repeal shall have effect; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fifth Day of *January* One thousand eight hundred and twenty-six, this Act shall come into and 6 G. 4. c. 105. Commencement of Act.

and be and continue in full Force and Operation for the Management of the Customs.

Board of Customs, Thirteen Commissioners; and Four Assistant Commissioners for Scotland and Ireland.

II. And be it further enacted, That it shall be lawful for His Majesty from Time to Time to appoint, under the Great Seal of the United Kingdom, any Number of Persons, not exceeding Thirteen, to be Commissioners of His Majesty's Customs for the Collection and for the Management of the Customs in and throughout the whole of the United Kingdom, and of any of His Majesty's Possessions abroad; and also to appoint any Number of Persons, not exceeding Four, to be Assistant Commissioners of His Majesty's Customs, to sit and act in manner herein-after mentioned in and for *Scotland* and *Ireland*; and that each of such Commissioners and Assistant Commissioners, when so appointed, shall have and hold his Office during His Majesty's Pleasure.

Treasury may appoint Commissioners and Assistant Commissioners for Scotland or Ireland.

III. And be it further enacted, That it shall be lawful for the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, or for the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, from Time to Time to order and direct any One or more of such Commissioners, together with Two such Assistant Commissioners, to sit and act as Commissioners for executing and directing the Business of the Customs in *Scotland* and *Ireland* respectively, under the Controul and Direction of the Commissioners of His Majesty's Customs sitting and acting in *England*.

Commissioners and Assistant Commissioners subject to the Controul of the Treasury.

IV. And be it further enacted, That the said Commissioners and Assistant Commissioners so appointed or to be appointed by His Majesty shall, in all Matters and Things relating to the Execution of their Duties, be subject to the Authority, Directions, and Controul of the Commissioners of His Majesty's Treasury, and shall obey such Orders and Instructions as shall from Time to Time be issued to them by the said Commissioners of His Majesty's Treasury under the Hands of Three or more of them.

Orders under the Hands of Commissioners.

V. And be it further enacted, That every Order, Document, Instrument, or Writing, not being for the Payment of Money, required by any Law at any Time in force to be under the Hands of the Commissioners of His Majesty's Customs, being attested by the Signatures of Two or more of such Commissioners in *England*, and every such Order for the Payment of Money, being attested by the Signatures of Three or more of such Commissioners in *England*, and every Order, Document, Instrument, or Writing, being attested by the Signatures of Two or more of such Commissioners or Assistant Commissioners in *Scotland* and *Ireland* respectively, shall be deemed to be an Order, Document, Instrument, or Writing under the Hands of the Commissioners of His Majesty's Customs accordingly.

Previous Appointments to remain in force.

VI. And be it further enacted, That any Appointment of Commissioners, or of Assistant Commissioners of His Majesty's Customs, in force at the Time of the Commencement of this Act, shall continue in force as if the same had been afterwards made under and by virtue of the Authority of this Act.

VII. And

Appointment of necessary Officers of Customs.

VII. And be it further enacted, That it shall be lawful for the said Commissioners of His Majesty's Treasury, or for the Commissioners of His Majesty's Customs under the Authority of the said Commissioners of His Majesty's Treasury, to appoint proper Persons to execute the Duties of the several Offices necessary to the due Management and Collection of the Customs, and all Matters connected therewith, under the Controul and Direction of the Commissioners of His Majesty's Customs; granting or allowing to such Persons such Salaries or other Allowances, or permitting such Emoluments for the Labour and Responsibility in executing the Duties of their respective Offices or Employments, and requiring of such Persons such Securities for their good Conduct therein as the said Commissioners of His Majesty's Treasury shall deem to be reasonable and necessary; and such Persons shall hold their Offices during the Will and Pleasure of the said Commissioners of His Majesty's Treasury, or the Commissioners of His Majesty's Customs sitting and acting in *England*, in such Cases and in such Manner as the said Commissioners of His Majesty's Treasury shall direct.

Salaries and Allowances, and Securities.

Persons employed by Customs deemed Officers for such Service.

VIII. And be it further enacted, That every Person employed on any Duty or Service relating to the Customs, by the Orders or with the Concurrence of the Commissioners of His Majesty's Customs (whether previously or subsequently expressed), shall be deemed to be the Officer of the Customs for that Duty or Service.

Officers taking any Fee or Reward not allowed, shall be dismissed.

IX. And be it further enacted, That if any Officer, Clerk, or other Person acting in any Office or Employment in or belonging to the Customs, under the Controul and Direction of the Commissioners of the Customs in any Part of His Majesty's Dominions, shall take or receive any Fee, Perquisite, Gratuity, or Reward, whether pecuniary or of any other Sort or Description whatever, directly or indirectly, from any Person (not being a Person duly appointed to some Office in the Customs), on account of any thing done or to be done by him, in or in any Way relating to his said Office or Employment, except such as he shall receive under any Order or Permission of the said Commissioners of His Majesty's Treasury, every such Officer so offending shall, on Proof thereof to the Commissioners of His Majesty's Customs, be dismissed from his Office; and if any Person (not being a Person duly appointed to some Office in the Customs), shall give, offer, or promise to give any such Fee, Perquisite, Gratuity, or Reward, such Person shall, for every such Offence, forfeit the Sum of One hundred Pounds.

Penalty 100*l.* for offering Fee.

Previous Appointments and Securities to remain in force.

X. And be it further enacted, That all Commissions, Deputations, and Appointments granted to any Officers of the Customs, in force at the Time of the Commencement of this Act, shall continue in force, as if the same had been afterwards granted under and by virtue of the Authority of this Act; and that all Bonds which shall have been given by any such Officers and their respective Sureties for good Conduct or otherwise, shall remain in full Force and Effect.

Oath of Office.

XI. And be it further enacted, That every Person who shall be appointed to any Office or Employment in the Service of the Customs, under

under the Controul and Direction of the Commissioners of the Customs in any Part of His Majesty's Dominions shall, at their respective Admissions thereto, take the following Oath; (that is to say),

'I *A. B.* do swear to be true and faithful in the Execution, to the best of my Knowledge and Power, of the Trust committed to my Charge and Inspection in the Service of His Majesty's Customs; and that I will not require, take, or receive any Fee, Perquisite, Gratuity, or Reward, whether pecuniary or of any Sort or Description whatever, either directly or indirectly, for any Service, Act, Duty, Matter, or Thing done or performed, or to be done or performed in the Execution or Discharge of any of the Duties of my Office or Employment, on any Account whatever, other than my Salary, and what is or shall be allowed me by Law, or by any special Order of the Commissioners of His Majesty's Treasury, or the Commissioners of His Majesty's Customs for the Time being.

'So help me GOD.'

Hours of Attendance, and Division of Service in those Hours.

XII. And be it further enacted, That it shall be lawful for the said Commissioners of His Majesty's Treasury, by their Warrant from Time to Time, to appoint the Hours of general Attendance of the Commissioners and respective Officers of the Customs, and other Persons in the Service of the Customs, at their proper Offices and Places of Employment; and that it shall be lawful for the Commissioners of His Majesty's Customs to appoint the Times, during such Hours, at which any particular Parts of the Duties of such Officers, and other Persons respectively, shall be performed by them.

Holidays.

XIII. And be it further enacted, That no Day shall be kept as a Public Holiday by the Customs, except *Christmas Day* and *Good Friday* in every Year, and any Days appointed by His Majesty's Proclamation for the Purpose of a General Fast or of a General Thanksgiving, and also the Anniversaries of the Birth Day of His Majesty, and of His Successors.

Collector in London to pay Duties daily to Receiver General.

XIV. And be it further enacted, That the Collector of the Customs in the Port of *London* shall pay into the Hands of the Receiver General of the Customs the Whole of the Monies which he shall receive on account of the Duties of Customs, on the Day on which he shall receive the same, or as near the Whole as may be, save and except such Sum or Sums of Money as shall from Time to Time, by virtue of the Special Order of the Commissioners of His Majesty's Customs, be directed to be deducted, paid, or allowed therefrom.

In London, Debentures and Orders to be paid by Receiver General.

XV. And be it further enacted, That every Sum of Money which shall be due in the Port of *London*, upon any Debenture, Certificate, or other Instrument or Document whatever, for the Payment of any Money out of the Duties of Customs, shall be paid by the Receiver General of the Customs out of any Money in his Hands arising from the Duties of Customs, and every such Payment shall be allowed by the Commissioners for the better examining and auditing the Public Accounts of this Kingdom, in the settling or auditing of the Accounts of the Receiver General of the Customs; and when any such Payment

ment shall become due at any other Port in the United Kingdom, the same may be paid by the Collector at such Port, the Controller being duly apprized thereof, out of any of the Monies in his Hands arising from the Duties of Customs, and under such Directions and Instructions for the due Execution of their Offices, as shall from Time to Time be given to them by the Commissioners of the Customs. Payments at Outports by Collector.

XVI. And be it further enacted, That it shall be lawful for the Commissioners of His Majesty's Customs finally to settle and close the Accounts of any Collectors or Receivers of any Part of the Revenue of the Customs or other Duties under their Management, notwithstanding any erroneous Appropriation of any Duties of Customs received by such Collectors or Receivers; and the said Commissioners are hereby empowered to correct such Appropriation, in order to prevent the Accounts of any such Collectors or Receivers from being kept open; and all such Corrections shall be allowed by the Commissioners for auditing the Public Accounts, in the passing the General Accounts of Customs, Subsidies, or Impositions. Commissioners may close Accounts of Collectors.

XVII. And be it further enacted, That it shall be lawful for the Officers and Clerks in the Long Room of any Custom House, to assist Merchants and others, at their Desire, in framing and passing Entries inwards and outwards, and to receive such Fee, freely given, for the same, as the said Commissioners of His Majesty's Treasury shall permit; and that it shall be lawful for the Receiver of any Duties of Customs, to receive for his own Use, if freely given, so much as, added to any Fractions payable upon any Entry, shall amount to Sixpence; and that it shall be lawful for the Clerk of the Warrants in the Port of *London*, to receive from any Person, at whose Request any Warrant for Goods inwards may be dispatched before the usual Time, the Fee of One Shilling; and for the Receiver of the Duties on such Warrant to receive from such Person the Fee of Sixpence; and that it shall be lawful for any Cocket Writer in the Port of *London*, to receive from the Person who shall select him to write any Cocket for Goods outwards, any Fee which shall be agreed on between them, not exceeding Five Shillings, including the Parchment, to be provided at the Expence of the Cocket Writer. Fee for passing Entries. Odd Pence. Fee for dispatching Warrants. Fee for writing Cockets.

XVIII. And be it further enacted, That all Salaries, Allowances, or Compensations granted or allowed to any Officer, Clerk, or other Person in the Service of the Customs, shall be paid without any Abatement or Deduction on account of any Duties imposed by any Act of Parliament, unless expressly charged thereon. Salaries not subject to Duties.

XIX. And whereas it is expedient that Regulations should be established by Law in the Office of the Receiver General of the Customs in *England*, for depositing in the Bank of *England* all the Monies, Bills, Drafts, and Notes received by such Receiver General, on account of the Revenue under the Management of the Commissioners of Customs, except as herein-after mentioned, until the same shall be paid into the Exchequer; be it therefore enacted, That all Monies, Bills, Notes, and Drafts received by or coming to the Hands All Monies received by Receiver General of Customs in England shall be paid into the Bank of England.

of the Receiver General of the Customs in *England*, on account of the Revenue of Customs in *Great Britain*, shall be paid by him into the Hands of the Governor and Company of the Bank of *England*; (that is to say), such Monies and Notes, and such of the Bills and Drafts as shall be already accepted, or shall not require Acceptance (having been first duly endorsed), shall be paid as aforesaid on the Day on which the same shall have been received; and such of the Bills and Drafts as shall require Acceptance, and not be already accepted when received, (the same having been first duly endorsed where necessary), within Three Days after the same shall have been accepted; for which Monies, Bills, Notes, and Drafts, the Entry in the Book herein-after mentioned shall be a sufficient Discharge; and all such Monies, Bills, Notes, and Drafts, so to be paid to the Governor and Company of the Bank of *England*, shall be placed to an Account to be raised in the Books of the said Governor and Company, and to be intituled "The Account of the Public Monies of the Receiver General of Customs," inserting the Name of such Receiver General for the Time being.

Money for ordinary Payments may be retained.

XX. Provided nevertheless, and be it further enacted, That it shall be lawful for such Receiver General to retain and keep in his own Hands, for the Payment of casual and ordinary and daily Demands, out of the Monies so received by him as such Receiver General, a Sum not exceeding One thousand Pounds at the Close of each Day; and also any further Sum which he shall be directed to retain by the said Commissioners, not exceeding Four thousand Pounds; and also any further Sum, with the Permission in Writing of any Three or more of the said Commissioners of His Majesty's Treasury.

Bank to keep an Account, to be returned to the Customs for Inspection.

XXI. And be it further enacted, That the Governor and Company of the Bank of *England*, or some Person duly authorized in that Behalf, shall daily, upon receiving any Money, Bills, Notes, or Drafts, from such Receiver General of the Customs, make an Entry of the Money, Bills, Notes, and Drafts so received, in a Book to be provided by the Governor and Company of the Bank of *England*, which Book shall be forthwith re-delivered to the Persons making the Payments for the Customs, and inspected daily after its Return by the Controller General of the Customs, or his Clerk, (such Clerk being first duly authorized by him, and for whose Conduct he shall be answerable), who shall compare the same with the Account of Monies, Bills, Notes, and Drafts received by the said Receiver General, for the Purpose of ascertaining that the Receiver General constantly pays into the Bank all the Money, Bills, Notes, and Drafts, which he ought to do under the Provisions of this Act; and any Default which such Controller General or his Clerk may discover in that Behalf, shall be immediately reported by him to the said Commissioners of His Majesty's Customs, who shall report the same, unless it shall appear to them to have happened by Mistake or Inadvertence, to the said Commissioners of His Majesty's Treasury.

Money carried to the Exchequer to be written off at the Bank.

XXII. And be it further enacted, That the Monies placed to the Account of the Receiver General as aforesaid in the Bank of *England*, shall be paid into the Exchequer from Time to Time as by Law is directed,

in manner following; (that is to say), the Receiver General, or his Clerk duly authorized by him for that Purpose, and for whose Conduct therein he shall be answerable, shall make an Order weekly upon the Governor and Company of the Bank of *England*, which Order shall be countersigned by the Controller General or his Clerk, to write off from his Account the Sum specified; and the said Governor and Company, or some Person duly authorized on their Behalf, shall thereupon write off such Sum, and deliver a Note drawn and cancelled in such Manner as shall be approved by the said Commissioners of His Majesty's Treasury, for the Amount, to the Receiver General or his Clerk, who shall pay the same into the Exchequer, and the Bank Clerks attending there shall receive it as so much Cash; and it shall not be lawful for the Governor and Company of the Bank of *England* to pay or transfer any Part of the Money so paid in and placed to the Account of such Receiver General, from such Account, otherwise than into the Exchequer in manner aforesaid, and except in the Manner herein-after directed, or to deliver any Note or Notes, Bill or Bills of Exchange, save and except to the Solicitor of the Customs or his Clerk, upon his Application for the same, together with the Receiver General or his Clerk, and the Controller General or his Clerk, for the sole Purpose of taking out an Extent for the Security of the Money for which such Bill of Exchange or Draft shall have been given, or to the said Receiver General or his Clerk, any Bills, Notes, or Drafts which may be protested for Non-payment, except as herein-after is mentioned, in which Case the Commissioners of His Majesty's Customs shall be immediately acquainted therewith, if sitting, by such Solicitor, Receiver General, or Controller General, or, if not sitting, at the Time of their assembling; and such Delivery shall be entered by the Bank in the Book to be kept as is herein-directed.

Receiver General may draw on the Bank to pay Drawbacks, &c.

XXIII. And be it further enacted, That in order that the several Payments directed by Order of the Commissioners of His Majesty's Customs in *England*, to be made by the said Receiver General to Merchants or any other Persons on account of Drawbacks or Bounties, or on any other Account whatever, may be made without Delay, and for the Payment of which the Money then in the Hands of the said Receiver General shall be insufficient, it shall be lawful for the said Receiver General, or his Clerk deputed and authorized by him for that Purpose, and for whose Conduct therein he shall be answerable, to draw out of the Bank of *England*, as Occasion may require, such Sum or Sums of Money as may be sufficient to answer the Purpose aforesaid; and that every Draft or Order on the Bank for Money for any of the said Purposes, shall be countersigned by the Controller General or his Clerk, to be deputed and authorized by him for that Purpose, and for whose Conduct therein he shall be answerable; and that the said Receiver General shall from Time to Time account for the Monies so to be drawn by him or his Clerk out of the Bank.

Drafts to be countersigned by Controller General.

Officers of the Exchequer to be furnished with Appropriation Paper.

XXIV. And in order that separate Accounts may be kept at the Exchequer of the Monies paid in on various Branches of the Customs pursuant to Law, be it further enacted, That the said Receiver General of

of the Customs shall, on every *Monday* Morning, furnish the proper Officers of the Exchequer with an Appropriation Paper, stating the Heads under which the Receipts of the preceding Week is to be applied.

On the Death or Removal of Receiver General, the Balance to vest in his Successor.

XXV. And be it further enacted, That upon the Death, Resignation, or Removal of the present and of every other Receiver General of the Customs hereafter to be appointed, the Balance of Cash for which he shall at that Time have Credit on his Account as such Receiver General with the Governor and Company of the Bank of *England*, shall, as soon as a Successor shall be appointed to the said Office, actually vest in such Successor, and until such Successor shall be appointed, in such Person or Persons as shall for the Time being be duly authorized to execute the Duties of the said Office, in trust for the Service of the Public, and be forthwith transferred, carried over, and placed to the Account of such Successor, or other Person or Persons as aforesaid, to be applied to the said Service in pursuance of the like Drafts and Orders as aforesaid.

Receiver General to keep Account.

XXVI. And be it further enacted, That the Receiver General of the Customs for the Time being shall keep the Account with the Bank of all Monies issued by and paid to the Bank on his Account for the Service of the Public; and the said Receiver General, observing the Rules and Regulations hereby prescribed, shall not be answerable for any Money, Bills, Notes, and Drafts, which he shall have so paid or caused to be paid into the Bank of *England;* and the Governor and Company of the Bank of *England* shall be answerable for all the Monies, Bills, Notes, and Drafts which shall be actually received by them from and on account of such Receiver General as aforesaid, except such Bills as may have been returned in manner aforesaid.

Punishing Forgery.

XXVII. And be it further enacted, That if any Person or Persons shall knowingly and wilfully forge or counterfeit, or cause or procure to be forged or counterfeited, or knowingly and wilfully act or assist in forging or counterfeiting, the Name or Hand-writing of any Receiver General of the Customs, or of any Controller General of the Customs, or of any Person acting for them respectively as aforesaid, to any Draft, Instrument, or Writing whatsoever, for or in order to the receiving or obtaining any of the Money in the Hands or Custody of the Governor and Company of the Bank of *England*, on account of the Receiver General of the Customs; or shall forge or counterfeit, or cause or procure to be forged or counterfeited, or knowingly and wilfully act or assist in the forging or counterfeiting any Draft, Instrument, or Writing in Form of a Draft made by such Receiver General or Person as aforesaid; or shall utter or publish any such, knowing the same to be forged or counterfeited, with an Intention to defraud any Person whomsoever; every such Person or Persons so offending, being thereof lawfully convicted, shall be and is and are hereby declared and adjudged to be guilty of Felony, and shall suffer Death as in Cases of Felony without Benefit of Clergy.

XXVIII. And

Collectors, &c. authorized to administer Oaths.

XXVIII. And be it further enacted, That in all Cases wherein Proof on Oath shall be required by any Law, or shall be necessary for the Satisfaction or Consideration of the Commissioners of His Majesty's Customs, in any Matter relating to any Business under their Management, the same may be made before the Collector or Controller of the Customs, at the Port where such Proof shall be required to be made, or before the Persons acting for them respectively, and who are hereby authorized and empowered to administer the same.

Offer of Bribe to Officers.

Penalty 500*l.*

XXIX. And be it further enacted, That if any Person shall give or offer, or promise to give any Bribe, Recompence, or Reward to any Officer of the Customs, or any Person employed by or under the Direction of the Commissioners of His Majesty's Customs, to induce him in any way to neglect his Duty, or to do, conceal, or connive at any Act whereby any of the Provisions of any Act of Parliament may be evaded, every such Person shall, whether the Offer be accepted or not, forfeit the Sum of Five hundred Pounds.

Goods and Vessels forfeited, to be seized by Officers of Customs.

XXX. And be it further enacted, That all Goods, and all Ships, Vessels, and Boats, which by any Act at any Time in force shall be declared to be forfeited, may be seized by any Officer of the Customs.

Surveyors General, &c. may examine Witnesses on Oath.

False Oath deemed Perjury.

XXXI. And be it further enacted, That upon Examinations and Inquiries made by any Surveyor General of the Customs, or any Inspector General of the Customs, for ascertaining the Truth of Facts relative to the Customs, or the Conduct of Officers or Persons employed therein, and upon the like Examinations and Inquiries made by the Collector and Controller of any Outport in the United Kingdom, or of any Port in the *Isle of Man*, or made by any Person or Persons in any of the *British* Possessions abroad, appointed by the Commissioners of His Majesty's Customs to make such Examinations and Inquiries, any Person examined before him or them as a Witness shall deliver his Testimony on Oath, to be administered by such of the Surveyors General, or such of the Inspectors General, or such Collector and Controller, or such Person or Persons as shall examine him, and who are hereby authorized to administer such Oath; and if such Person shall be convicted of making a false Oath, touching any of the Facts so testified on Oath, or of giving false Evidence on his Examination on Oath, before any of the Surveyors General or Inspectors General of the Customs, or such Collector and Controller, or such Person or Persons, in conformity to the Directions of this Act, every such Person so convicted as aforesaid shall be deemed guilty of Perjury, and shall be liable to the Pains and Penalties to which Persons are liable for wilful and corrupt Perjury.

Jurisdiction over Offences by Board of Commissioners of Customs, within the District of Dublin.

XXXII. And be it further enacted, That the District comprehending the City, Suburbs, and Liberties of *Dublin*, and the Port of *Dublin*, and several Creeks and Members thereof, and all Parishes, Parts, and Places of the City and County of the City of *Dublin* and County of *Dublin*, and all and every the Baronies, Parts, and Places of the same, shall be subject to the Rule and Government of the Commissioners

sioners and Assistant Commissioners of Customs in *Ireland*, in all Matters relating to the collecting, managing, and levying all Revenues of Customs within the same; and that all Complaints and Informations for the Recovery of any Fine, Penalty, or Forfeiture, for any Offence against, or any Breach of any Act or Acts in force in *Ireland*, relating to the Revenues, Matters, and Things under the Management of the said Commissioners and Assistant Commissioners in *Ireland*, which shall be committed within the said District, shall (subject to such Appeal as is herein-after mentioned) be heard and determined by the said Commissioners and Assistant Commissioners, or any Two of them, who shall give Judgment and award Execution accordingly.

Board of Commissioners of Customs in Ireland may appoint Sub-Commissioners to try Offences out of Dublin District.

XXXIII. And be it further enacted, That it shall be lawful for the said Commissioners and Assistant Commissioners in *Ireland*, or any Two or more of them, and they are hereby authorized and empowered, from Time to Time to appoint so many and such subordinate Commissioners or Sub-Commissioners in and for any and every District in *Ireland* (except in the District of *Dublin*) as the said Commissioners and Assistant Commissioners or any Two or more of them shall from Time to Time find necessary, to be approved of by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, for the Purpose of hearing and determining all Complaints and Informations for the Recovery of any Fine, Penalty, or Forfeiture imposed by any Act or Acts in force in *Ireland* relating to the Revenue of Customs, for any Offence against, or any Breach of any such Act, and to give Judgment and award Execution accordingly; and such Sub-Commissioners shall be removable and shall and may be displaced by the said Commissioners and Assistant Commissioners as they shall think fit, and others placed in their Room, with the like Approbation of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*; and any Three or more of such Sub-Commissioners in their respective Districts, shall and lawfully may hear and determine any Complaint or Information for or relating to any Offence against any such Act or Acts as aforesaid; and any Judgment or Execution which shall be given or awarded by the Majority of such Sub-Commissioners sitting on the Trial of any such Complaint or Information, shall be valid and effectual to all Intents and Purposes whatsoever.

Commissioners of Appeal and their Powers.

XXXIV. And be it further enacted, That it shall and may be lawful for any Persons, whether Informer, Claimant, or Defendant, who shall think himself or herself aggrieved or injured by, or who shall be dissatisfied with any Judgment or Sentence of the said Commissioners and Assistant Commissioners, or any of their Sub-Commissioners, to make his or her Appeal to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or to Commissioners of Appeal to be appointed by such Lord Lieutenant or other Chief Governor or Governors, pursuant to an Act made in the Parliament of *Ireland* in the Fourteenth and Fifteenth Years of the Reign of King *Charles* the Second, for settling of the Excise or new Impost upon His Majesty, His Heirs and Successors: Provided always, that such Appeal shall be made within the Space of Two Calendar Months next after such Judgment or Sentence shall be given; and that in default thereof no such Appeal

Limitation of Appeals.

shall afterwards be received; and that the Party who shall make such Appeal shall serve the Injunction grounded on such Appeal within the Space of Twenty Days next after such Appeal shall be lodged, or in default thereof such Judgment or Sentence so appealed from shall be final and conclusive; and when any such Appeal shall be brought before any such Commissioners of Appeal, the Commissioners or Sub-Commissioners by whom such Judgment or Sentence shall have been had or given shall, within Twenty-one Days next after Service of the Injunction to stop their Proceedings, transmit under Cover, sealed up and directed to the Registrar of the said Commissioners of Appeals, a true Copy attested by One of such Commissioners or Sub-Commissioners, of all the Proceedings and Proofs in the Cause in which such Judgment or Sentence was given; and in default thereof, such Commissioners or Sub-Commissioners shall respectively forfeit the Sum of Ten Pounds each, unless the Delay be satisfactorily accounted for by Affidavit before the Commissioners of Appeals; and whenever it shall appear on any such Appeal that the Matter of any Case hath not been tried, it shall be lawful for such Commissioners of Appeals to remand the Proceedings to the Commissioners or Sub-Commissioners by and before whom the Judgment or Sentence appealed against was given.

Lands and Buildings already taken in the Name of any Person in Trust for His Majesty, to be vested in the Secretaries of the Customs for the Time being;

XXXV. And be it further enacted, That all Manors, Messuages, Buildings, Lands, Tenements, and Hereditaments in the United Kingdom, which have heretofore been purchased, or otherwise acquired or taken by or in the Name or Names of any Person or Persons in Trust for His Majesty or His Royal Predecessors, and His or Their Heirs and Successors, for the Use and Service of His Majesty's Customs, and are still holden in Trust as aforesaid, by whatsoever Mode of Conveyance the same may have been so purchased or acquired and taken, either in Fee or for Life or Lives, or any Term or Terms of Years determinable upon a Life or Lives, or any other or lesser Interest; and all Erections and Buildings which are or which shall or may be hereafter erected and built thereon, together with the Rights, Members, Easements, and Appurtenances to the same respectively belonging (other than and except such Messuages, Lands, Tenements, and Hereditaments as may be of Copyhold Tenure), shall be and become and remain and continue vested in the respective Secretaries for the Time being to the Commissioners of His Majesty's Customs in the said United Kingdom, and their respective Successors, as Secretaries in such Service, according to the respective Nature and Quality of the said Manors, Messuages, Lands, Tenements, and Hereditaments, and the several Estates and Interests of and in the same Hereditaments respectively, in Trust for His Majesty, His Heirs and Successors, for the Use and Service of His Majesty's Customs in the said United Kingdom.

and all Lands, &c. to be hereafter purchased for the Use of the Customs.

XXXVI. And be it further enacted, That from and after the Purchase and Conveyance, Grant or Demise thereof, all other Manors, Messuages, Lands, Tenements, and Hereditaments (other than and except as aforesaid), which shall at any Time or Times hereafter be purchased by the said Commissioners for the Time being, or by any Person or Persons by their Order, for the Use and Service of His Majesty's Customs,

Customs, and all Erections and Buildings which shall be then or which may hereafter be erected and built thereon, with the Rights, Members, Easements, and Appurtenances to the same respectively belonging, shall in like Manner be and become and remain and continue vested in the Secretaries for the Time being to the said Commissioners and their Successors, as Secretaries in such Service, according to the respective Nature and Quality of the said Manors, Messuages, Lands, Tenements, and Hereditaments, and the several Estates and Interests of and in the same respectively, in Trust as aforesaid.

Upon Death of present Secretaries, the Lands are to become vested in their Successors.

XXXVII. And be it further enacted, That upon the Death, Resignation, or Removal of the present Secretaries to the said Commissioners, or any of them, or of any future Secretaries, all such Manors, Messuages, Lands, Tenements, and Hereditaments respectively (other than and except as aforesaid), shall become vested in and be held by the respective Secretaries to the said Commissioners, and so in perpetual Succession, according to the respective Nature and Quality of the said Manors, Messuages, Lands, Tenements, and Hereditaments, and the several Estates and Interests of and in the same respectively, in Trust as aforesaid.

Secretaries, under Authority of Commissioners, may sell or let Lands vested in them.

XXXVIII. And be it further enacted, That it shall and may be lawful for the said several Secretaries for the Time being, or any of them, by and under the Authority and Direction of the said Commissioners, (testified by Writing under their Hands and Seals), to sell, exchange, or in any Manner dispose of, or to let, set, or demise, as well any of the Freehold and Leasehold Manors, Messuages, Lands, Tenements, and Hereditaments respectively which shall for the Time being be vested in them respectively under and by virtue of this present Act, with their respective Appurtenances, as also any of the Copyhold Messuages, Lands, Tenements, and Hereditaments which shall have been surrendered to and vested in any Person or Persons, and his, her, or their Heirs and Assigns, in Trust for His said Majesty or any of His Predecessors, His or Their Heirs or Successors, for the Use and Service of His Majesty's Customs in the said United Kingdom, or any of them, either by public Auction or private Contract; and as to the said Freehold and Leasehold Manors, Messuages, Lands, Tenements, and Hereditaments, that it shall and may be lawful to and for the said respective Secretaries for the Time being to the said Commissioners, and as to the said Copyhold Messuages, Lands, Tenements, and Hereditaments, that it shall and may be lawful to and for the said Person or Persons in whom the same shall be vested as aforesaid, in due Form of Law, to convey, surrender, assign, make over, or to grant or demise the same respectively, or any of them, as the Case may require, to any Person or Persons who shall be willing to purchase or take the same respectively; and also to carry into Execution any Contract or Contracts already entered into for the Sale of any such Freehold, Copyhold, or Leasehold Messuages, Lands, Tenements, or Hereditaments as aforesaid, with such Alterations or Variations as the said Commissioners for the Time being, or any Four or more of them, shall by Writing under their Hands direct, and for that Purpose to make and execute all such Conveyances, Assurances, and Agreements as may be thought proper; and also to do any other Act, Matter, or Thing, in

in relation to any such Manors, Messuages, Lands, Tenements, and Hereditaments, which shall by the said Commissioners be deemed beneficial for the Public Service in relation thereof, or for the better Management thereof, and which might be done by any Person or Persons having a like Interest in any such Manors, Messuages, Lands, Tenements, or Hereditaments.

Monies produced by Sale of such Lands, to be paid to the Receiver General.

XXXIX. And be it further enacted, That the Monies to arise and be produced by Sales or Exchange of any of the said Manors, Messuages, Lands, Tenements, or Hereditaments, which shall be sold or exchanged, or conveyed under the Provisions of this present Act, including the Monies already paid by way of Deposit for the Purchase of any Hereditaments already contracted to be sold, and the Residue of the Monies to be received in respect or on account of such Contract, shall be paid by the respective Purchaser or Purchasers thereof, or the Person or Persons making such Exchange, unto the Receiver General of His Majesty's Customs for the Time being, or to such Person or Persons as the said Commissioners for the Time being, or any Four or more of them, shall direct or appoint to receive the same, in Trust for His Majesty, His Heirs and Successors, for the Use and Service of the said Customs; and that the Receipt of the said Receiver General, or such other Person or Persons as aforesaid, for such Monies (such Receipt to be endorsed on every such Conveyance, Surrrender, or Assignment as aforesaid), shall effectually discharge the Purchaser or Purchasers, or Person or Persons, by whom or on whose Account the same shall be so paid.

After Payment, Purchasers to stand possessed of the Lands, &c.

XL. And be it further enacted, That immediately from and after the Payment of such Purchase Money, and the Execution of every such Conveyance, Surrender, and Assignment as aforesaid, the Purchaser or Purchasers therein named shall be deemed and adjudged to stand seised and possessed of the Manors, Messuages, Lands, Tenements and Hereditaments, which shall be so purchased by, and conveyed, surrendered, assigned, or made over to him, her, or them respectively, freed and absolutely discharged of and from all and all Manner of prior Estates, Leases, Rights, Titles, Interests, Charges, Incumbrances, and Demands whatsoever, which can or may be had, made, set up, in, to, out of, or upon or in respect of the same Manors, Messuages, Lands, Tenements, and Hereditaments, by any Person or Persons whomsoever, by, from, or under or in Trust for His Majesty, His Heirs and Successors, on any Account whatsoever; save and except such Estates, Leases, Rights, Titles, Interests, Charges, Incumbrances, Claims and Demands, if any, as in any such Conveyance, Surrender, or Assignment shall be excepted.

Treasury may authorize Persons to survey and mark out Lands for Watch Houses, &c.

XLI. And be it further enacted, That it shall be lawful for the said Lord High Treasurer, or for the said Commissioners of the Treasury for the Time being, from Time to Time, by any Writing under their Hands, to authorize any Person or Persons to survey and mark out any Lands, not exceeding One Half Acre at any One Station, which are or may be wanted for the Purposes of erecting and maintaining Watch Houses, Dwelling Houses, and other Buildings requisite and necessary for the Security and Protection of the

Revenues of Customs and Excise, with all necessary Ways unto and from the same, or any or either of them, such Lands being situated within Half a Mile of the Sea Shore, or of the Tideway of any navigable River; and to authorize any Person or Persons, by Warrant as aforesaid, to treat and agree with the Owner or Owners, or any Person or Persons interested therein, of any such Lands, or of any Messuages, Tenements, Hereditaments, or Premises which may be requisite and necessary as aforesaid for the Possession thereof, for such Time or Term of Years as the Public Service shall require.

Bodies Politic, &c. may contract for the Sale.

XLII. And be it further enacted, That it shall be lawful for all Bodies Politic or Corporate, Ecclesiastical or Civil, and all Feoffees or Trustees for charitable or other public Purposes, and for all Tenants for Life and Tenants in Tail, and for the Husbands, Guardians, Trustees, Committees, Curators, or Attornies of such of the Owners or Proprietors of or Persons interested in any such Lands, Messuages, Tenements, Hereditaments, or Premises required for such Public Service, as shall be Femes Covert, Infants, Lunatics, Idiots, or Persons beyond the Seas, or otherwise incapable of acting for themselves, to contract and agree with such Person or Persons authorized as aforesaid, for the Grant of any Lease of such Lands, Messuages, Tenements, Hereditaments, or Premises, either for any Term of Years certain therein, or for such Periods as the Public Service shall require, and to demise or grant the same unto the said Lord High Treasurer, or Commissioners of His Majesty's Treasury, in Trust for His Majesty, His Heirs and Successors accordingly; and all such Leases and Agreements shall be valid and effectual in Law, to all Intents and Purposes whatsoever.

Persons refusing to sell or to accept the Consideration offered, Two Justices, &c. may put His Majesty's Officers into Possession, and a Jury shall be summoned, who shall find the Compensation to be made.

XLIII. And be it further enacted, That in case any such Bodies or other Persons hereby authorized to contract on behalf of themselves or others as aforesaid, or any other Person or Persons interested in any such Lands so marked out, or in any Messuages, Tenements, Hereditaments, or Premises required as aforesaid, shall, for the Space of Fourteen Days next after Notice in Writing subscribed by such Person or Persons authorized as aforesaid shall have been given to the principal Officer or Officers of any such Body, or to such other Persons hereby authorized to contract on behalf of others, or interested themselves as aforesaid, or left at his, her, or their usual Place of Abode, refuse or decline to treat or agree, or by reason of Absence shall be prevented from treating or agreeing with such Person or Persons authorized as aforesaid, or shall refuse to accept such annual Rent or Sum as shall be offered for the Hire thereof, either for a Time certain or for such Period as the Public Service may require; and in case also it shall not be practicable to procure, by voluntary Bargain or Sale, any other Land situate as aforesaid, or of any Messuages, Tenements, Hereditaments, or Premises required as aforesaid, and suited to the Purpose for which such Lands, Messuages, Tenements, Hereditaments, or Premises are required, then and in such Case it shall be lawful for Two or more Justices, or Three or more Deputy Lieutenants (One of whom shall be a Justice of the Peace) or Two or more Deputy Governors for the County, Riding, Stewartry, City, or Place wherein such Lands, Tenements, Messuages,

suages, Hereditaments, or Premises shall be, to put His Majesty's Officers in Possession of such Lands, Messuages, Tenements, Hereditaments, or Premises; and for that Purpose to issue a Warrant, under their Hands and Seals, requiring Possession to be delivered to such of His Majesty's Officers as shall be named in the said Warrant; and it shall also be lawful for such Person or Persons so authorized as aforesaid, to require the said Justices, Deputy Lieutenants, or Deputy Governors of such County, Riding, Stewartry, City, Liberty, or Place, to issue their Warrant to the Sheriff or Sheriffs of the County, Riding, Stewartry, City, or Place wherein such Lands, Messuages, Tenements, Hereditaments, or Premises shall be situate, to summon a Jury; and every such Sheriff or Sheriffs is and are hereby authorized and required to summon and return a Jury, properly qualified, of the Number of Twenty-four, and in the Manner required by the Laws of *England*, *Ireland*, and *Scotland* respectively, who shall meet at some convenient Time and Place to be mentioned in such Summons, out of whom a Jury of Twelve shall be drawn, in such Manner as Juries for the Trial of Issues joined in His Majesty's Courts at *Westminster* and *Dublin* are drawn by Law in *England* or *Ireland* respectively, and in such Manner as Juries are drawn by Law for the Trial of Offences in *Scotland*; and in case a sufficient Number shall not appear, the Sheriff or Sheriffs shall choose others, of the Bye-standers, or that can speedily be procured, being qualified as aforesaid, and the said Jurymen may be challenged by the Parties on either Side, but not the Array; and the said Justices, Deputy Lieutenants, or Deputy Governors respectively, on the Application of the said Persons so authorized, or of any Parties concerned, may and shall summon Witnesses and adjourn any such Meeting, if Jurymen or Witnesses do not attend; and the Jury on hearing any Witnesses and Evidence that may be produced, shall on their Oaths, (which Oaths, as also the Oaths of such Witnesses, the said Justices, Deputy Lieutenants, or Deputy Governors respectively, are hereby empowered and required to administer), find the Compensation to be paid for the Possession or Use of such Lands, as the Case may be.

Lands that are suitable may be taken in lieu of such as have been marked out.

XLIV. Provided always, and be it further enacted, That if the Owner or Owners of any Lands, Messuages, Tenements, Hereditaments, or Premises so required, or any Person or Persons interested therein, shall at any Time before the summoning of such Jury as aforesaid, give Notice in Writing of any other Lands situate as aforesaid, and of any other Messuages, Tenements, Hereditaments, or Premises so required as aforesaid, and suited to the Purpose for which such Lands are required, and which the Owner or Owners thereof, or Persons interested therein, are willing to treat and agree for, then and in such Case the Jury so to be summoned shall previously find the Facts, whether the Lands so indicated in such Notice are situate within the Distance aforesaid, and are suited to the Purpose for which such Lands, Tenements, Messuages, Hereditaments, or Premises may be required, and whether the Owner or Owners thereof or Persons interested therein, are willing to treat and agree for the same; and if they shall so find, the Owner or Owners of or Persons interested in the Lands so surveyed or marked out as aforesaid, or of the

Messuages, Tenements, Hereditaments, or Premises so required, shall not be compellable by virtue of this Act to sell or dispose of the same: Provided always, that where the Owner or Owners of or Persons interested in any Lands, Messuages, Tenements, Hereditaments, or Premises required by virtue of this Act to be given up for the Purposes aforesaid, shall prefer to sell the same outright, and shall be able to make a good Title to the Fee Simple thereof, it shall be lawful for them to insist on so doing; and in such Case the Jury so summoned as aforesaid shall find the Value of the Fee Simple of such Lands, Tenements, Messuages, Hereditaments, or Premises, and the same shall be paid to the Owner or Owners thereof, or Persons interested therein, in the Manner directed by this Act.

If any Person be dissatisfied with Verdict, Appeal may be made to the Court of Exchequer in England or Ireland, or to the Court of Session, &c. in Scotland.

XLV. Provided always, and be it further enacted, That if the said Lord High Treasurer, or the said Commissioners of His Majesty's Treasury, or any Person interested therein, shall be dissatisfied with the Verdict of any such Jury, it shall be lawful for them, or their Attornies in *England* and *Ireland*, to apply to the Court of Exchequer at *Westminster* or *Dublin* respectively, in the next Term, and in *Scotland* to apply within Fourteen Days after the finding any such Verdict, to the Court of Session in *Scotland* in Time of Session, or Lord Ordinary on the Bills in Time of Vacation, and to suggest to the said Courts or Lord Ordinary respectively, that they have reason to be dissatisfied with such Verdict, and forthwith to give Notice thereof to the said Lord High Treasurer or Commissioners, or Party (as the Case may be), and thereupon in *England* and *Ireland* the Proceedings that shall have been had, and the Verdict of such Jury, shall be returned into the said Courts of Exchequer respectively; and if it shall appear to the said Courts to be proper, a Suggestion shall be entered on such Proceedings as aforesaid, and a Writ shall thereupon, by Rule of such Court, or Order of any Judge of such Court, be directed to the Sheriff of such County where the Lands shall lie, or the Messuages, Tenements, Hereditaments, or Premises shall be, or if the same shall lie or be in Two Counties, to the Sheriff of either of such Counties, to summon either a Common or Special Jury according to the Application that shall have been made on that Behalf, and as the Court or such Judge shall allow, and who shall respectively be qualified according to Law to appear before the said Justice of Assize or Nisi Prius of that County, at the next Assizes or Sittings of Nisi Prius, if the same shall not happen sooner than Twenty-one Days after such Suggestion, otherwise at the next succeeding Assizes or Sittings, and the Compensation to be paid for the Possession or Use of such Lands, Messuages, Tenements, Hereditaments, or Premises, shall at such Assizes or Sittings be ascertained by such Jury, in like Manner as any Damages may be inquired of upon any Inquisition or Inquiry of Damages by any Jury before any Judge of Assize or Nisi Prius, and the Verdict of such Jury shall be returned to the said Courts of Exchequer, and shall be final and conclusive; and in *Scotland*, if it shall appear proper to the said Court of Session or Lord Ordinary, upon such Application so to do, the said Court or Ordinary shall order and direct the Sheriff of the County where such Lands, Messuages, Tenements, Hereditaments, or Premises shall lie and be, or if the same shall lie or be in Two Counties, the Sheriff of either of such Counties,

to

to summon another Jury in the Manner in which Juries are summoned in *Scotland*, properly qualified according to Law, to appear before the Lords or Lord of Justiciary at the next Circuit, if the same shall not happen sooner than Twenty-one Days after such Application, otherwise at the next succeeding Circuit; and the Compensation as aforesaid for the Land, Messuages, Tenements, Hereditaments, and Premises shall, at such Circuit, be ascertained by a Jury drawn from the Jury summoned as aforesaid, in such Manner as Juries are drawn in *Scotland* under the Direction of the said Lords or Lord of Justiciary as aforesaid; and the Verdict of such last-mentioned Juries shall be final and conclusive, without being subject to Review or Challenge of any kind, unless the Court that shall have allowed such Inquiry shall think fit, on any Application made within Four Days after the Commencement of the succeeding Term or Session, if in *Scotland*, to order any new Trial in relation thereto.

Jury, in ascertaining Compensation for Premises, to settle Proportion to be paid Lessees, &c.

XLVI. Provided always, and be it further enacted, That it shall be lawful for any Jury impannelled before any Justice of the Peace, Magistrate, Deputy Lieutenant, or Deputy Governor, or before any Judge of Assize or Nisi Prius, to ascertain the Compensation to be paid for any Lands under this Act, and they are hereby required to ascertain and settle the Proportion to be paid out of such Compensation to any Person or Persons having any Interest as Lessees or Tenants at Will or otherwise, in any such Lands, and the Proportion to be paid out of such Compensation shall be returned on the Verdicts. Provided also, that where any such Inquiry before any Judge of Assize or Nisi Prius, or Lords or Lord of Justiciary, shall be had on the Application of any such Lessee or Tenant at Will, or other Person having any inferior Interest in any such Lands, Messuages, Tenements, Hereditaments, or Premises, who may have been dissatisfied with the Proportion of Compensation settled by the Jury to be paid in respect of such Interest, it shall not be lawful for the Jury in any such Case to alter the Amount of the entire Compensation awarded by any former Verdict to be paid for such Lands, Messuages, Tenements, Hereditaments, or Premises, but only the Proportion thereof to be paid to the Person or Persons having separate Interests therein; and it shall not be lawful for any Jury, on any Inquiry had before any Judge of Assize or Nisi Prius, or Lords or Lord of Justiciary, as to any Compensation on the Application of the said Lord High Treasurer or Commissioners of His Majesty's Treasury, in any Case in which the whole Compensation awarded by the former Jury is confirmed by the Jury on such Inquiry, to alter the Proportion that shall have been settled by any such former Jury, as to any separate Interest in any such Lands, Tenements, Messuages, Hereditaments, or Premises.

Security to be given for Costs.

XLVII. Provided also, and be it further enacted, That it shall be lawful for the Court or Judge, or Lord Ordinary, making any such Rule or Order, to require that the Party, on whose Application the same shall be made, shall give such Security as shall to such Court, Judge, or Lord Ordinary seem proper, for Payment of Costs, under such Circumstances as shall be specified in any Rule or Order made for that Purpose.

Upon delivering up Lands to the Owners, all Erections for the Public Service to be removed, making Compensation to the Owners.

XLVIII. And be it further enacted, That in all Cases where any Lands shall be taken under the Provisions of this Act, for any Term of Years or for such Period only as the Public Service shall require, it shall be lawful for the Lord High Treasurer or Commissioners of His Majesty's Treasury, or any other Person or Persons so authorized as aforesaid, at any Time before the Possession of any Lands which shall have been taken for the Purposes aforesaid shall be delivered up to the Owner or Owners thereof, or other Person or Persons acting on his, her, or their Behalf, to take down and remove all such Buildings or other Erections which shall or may have been built or erected thereon for the Public Service, and to carry away the Materials thereof; making such Compensation to the Owner or Owners of such Lands, or other Person or Persons acting on his, her, or their Behalf, for the Damage or Injury which may have been done thereto, or to the Soil thereof, by the Erection of any such Buildings, or removing and carrying away the same, or otherwise, in consequence of the same having been occupied for the Public Service, as the said Lord High Treasurer, or the Commissioners of His Majesty's Treasury, or such other Person or Persons authorized as aforesaid, shall think reasonable, and as shall be agreed upon in that Behalf; and if such Owner or Owners or other Person or Persons acting on his, her, or their Behalf, shall not be willing to accept the Compensation so offered, it shall be lawful for the said Lord High Treasurer, or the Commissioners of His Majesty's Treasury, or other Person or Persons so authorized as aforesaid, to apply to and require Two Justices of the Peace of the County, Riding, Stewartry, City, or Place, to settle and ascertain the Compensation which ought to be made for such Damage or Injury as aforesaid; and such Justice shall settle and ascertain the same accordingly, and shall grant a Certificate thereof; and the Amount of such Compensation, so settled and ascertained and certified, shall forthwith be paid by Warrant of the Commissioners of His Majesty's Treasury, or any Three or more of them, to the Person or Persons entitled thereto: Provided always, that nothing in this Act contained shall extend, or be construed to extend, to alter, prejudice, or affect any Agreement which hath been or shall or may be entered into, by any such Person or Persons authorized as aforesaid, with any Owner or Owners of any such Lands, or other Person or Persons acting on his, her, or their Behalf, in relation to any such Buildings or Erections, but every such Agreement shall remain valid and effectual in like Manner as if this Act had not passed.

Purchase Money belonging to incapacitated Persons, &c. to be paid to the proper Officer of the Exchequer for their Use.

XLIX. And be it further enacted, That in all Cases where any Money shall have been or shall be agreed, or shall have been or shall be found by the Verdict of any Jury, to be paid or given for the Use or Possession of any Lands, Messuages, Tenements, Hereditaments, or Premises taken by virtue of this Act, belonging to any Person or Persons under any Disability or Incapacity, or not having the absolute Interest therein, the same shall be paid by Warrant of the Commissioners of His Majesty's Treasury, or any Three of them, into the Hands of the proper Officer of His Majesty's Court of Exchequer at *Westminster*, *Edinburgh*, or *Dublin* respectively for the Time being, for receiving the Monies belonging to the Suitors of the said Court respectively, for the Use and Benefit of such Person or Persons; and such

such Officer is hereby authorized and required to receive or accept and to give a Discharge for such Money; and upon the Acceptation or Receipt thereof to sign a Certificate to the Barons or Judges of the said Courts of Exchequer respectively, under his Hand, purporting and signifying that such Money or other Consideration was received or accepted by and paid to him in pursuance of this Act, for the Use and Benefit of such Person or Persons who shall be named and described in such Certificate, and the said Certificate shall be filed or deposited in the said Court of Exchequer at *Westminster*, *Edinburgh*, or *Dublin* respectively; and a true Copy thereof, signed by such Officer of such Court, shall and may be read and allowed as Evidence for the Purposes herein-after mentioned; and such Officer of such Court is hereby required, upon Receipt of any such Sum or Sums of Money as aforesaid, to pay the same into the Bank of *England*, or Bank of *Scotland*, or Royal Bank of *Scotland*, or Bank of *Ireland*, as the Case may require; and immediately upon the filing or depositing of such Certificate the said Lands, Messuages, Tenements, Hereditaments, or Premises, shall be vested in or to the Use of His Majesty, His Heirs and Successors.

Money to be paid into the Bank.

L. And be it further enacted, That the Barons or Judges of His Majesty's Court of Exchequer at *Westminster*, and the Barons or Judges of His Majesty's Court of Exchequer at *Edinburgh* or *Dublin*, of the Degree of the Coif, for the Time being respectively, or any Two or more of them, shall be and they are hereby authorized and empowered, in a summary Way, upon Motion or by Petition from and on behalf of any Person or Persons interested in or entitled to the Benefit of the Money so paid to and received by the proper Officer of the said Courts respectively, or the Interest or Produce thereof, and upon reading the Certificate directed to be signed by the said Officer concerning the same as aforesaid, and receiving such further Satisfaction as they shall think necessary, to make and pronounce such Orders and Directions for paying the said Money, or any Part of the same, or for placing out such Part thereof as shall be Principal in the Public Funds, or upon Government or Real Securities, and for Payment of the Dividends or Interest thereof, or any Part thereof, to the respective Persons entitled to receive the same, or for laying out the Principal, or any Part thereof, in the Purchase of other Lands to be conveyed and settled to, for, and upon the same Uses, Trusts, Intents, and Purposes as the said Lands so taken stood settled at the Time of the Payment of such Money as aforesaid, as near as the same can be done, or otherwise concerning the disposing of the said Money, or any Part thereof, and the Interest of the same, or any Part thereof, for the Benefit of the Person or Persons respectively, or for appointing any Person or Persons to be Trustee or Trustees for all or any of such Purposes, as the said Courts respectively shall think just and reasonable.

Barons of the Exchequer, &c. on Petition of Parties interested, to order the Application of Money.

LI. And be it further enacted, That upon the Death, Removal, or Resignation of any such Officer of the said Courts of Exchequer, all Stocks and Securities vested in him by virtue of this Act shall vest in the succeeding Officer of the Exchequer, for the Purposes hereinbefore mentioned, without any Assignment or Transfer; and all Monies

On the Death, Removal, or Resignation of Officer of Exchequer, Stocks and Securities shall vest in Successor.

Monies paid in the said Banks respectively in pursuance of this Act, or remaining in the Hands of any such Officer, at his Death, Resignation, or Removal, and not vested in the Funds, or placed out on Securities as aforesaid, shall be paid over to the succeeding Officer, for the like Purpose for the Time being.

Gardens not to be affected.

LII. Provided always, and be it further enacted, That nothing in this Act contained shall be construed to extend to any Garden or Pleasure Ground, or to any Land immediately contiguous to and used as the Curtilage or Homestead of any Dwelling House.

Documents signed by Three Commissioners of the Treasury to be deemed the Act of the whole Commissioners.

LIII. And be it further enacted, That every Order, Document, Instrument, or Writing, relating to the Customs or to the Law of Navigation, required by any Law at any Time in force to be under the Hands of the Commissioners of His Majesty's Treasury, being signed by Three or more of such Commissioners, shall be deemed to be an Order, Document, Instrument, or Writing under the Hands of the Commissioners of His Majesty's Treasury accordingly.

Act may be altered this Session.

LIV. And be it further enacted, That this Act may be amended, varied, altered, or repealed by any Act to be passed in the present Session of Parliament.

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