and declared 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 in every Case in which by virtue or under the Authority of any Local Act now or hereafter to be made, for making, repairing, or improving any Turnpike Road in that Part of *Great Britain* called *England*, Double Toll as aforesaid shall be imposed on any Waggon, Cart, or other Carriage, or any Horse or Horses or other Beast or Beasts drawing the same, which at the Time of first passing through any Turnpike Gate or Toll Gate shall have been liable to and shall have paid Single Toll only, shall, on repassing through the same Turnpike Gate or Toll Gate on the same Day, before Twelve of the Clock at Night, so laden as to be subject to Double Toll, be liable to pay One other Single Toll only and no more, making, together with the Toll first paid, Two Single Tolls in the whole; any thing in any Local Act or Acts to the contrary in anywise notwithstanding.

Waggons, Carts, &c. having passed through a Turnpike Gate and paid Single Toll thereat, upon returning so laden as to be subject to Double Toll, shall be liable to pay only One more Single Toll.

II. Provided also, and be it further enacted, That henceforth, notwithstanding any Provision to the contrary, any Waggon on which a Penalty for Overweight has been levied shall, on Receipt of a Ticket to that Effect, be exempted from any further Penalty for Overwieght on that Day and on the same Trust, provided there be no Alteration of the Loading of such Waggon.

Provision respecting Penalty for Overweight.

CAP. CXXV.

An Act for enabling His Majesty to direct the Issue of Exchequer Bills to a limited Amount, for the Purposes and in the Manner therein mentioned; and for giving Relief to *Trinidad*, *British Guiana*, and *St. Lucie*.

[16th *August* 1832.]

'Most Gracious Majesty,

'WHEREAS in consideration of the heavy Losses which have 'been sustained in the Islands of *Jamaica*, *Barbadoes*, *Saint* '*Vincents*, and *Saint Lucie*, in consequence of the late Insurrections 'in the Island of *Jamaica*, and of Hurricanes in the other Islands, 'it is expedient that Your Majesty be enabled to direct Exchequer 'Bills to the Amount of One Million to be issued to Commissioners, to be by them advanced, under certain Regulations and 'Restrictions, for the Assistance and Accommodation of the said 'Islands, and of such Persons having Properties therein and connected therewith, or trading thereto, as shall be desirous of 'receiving the same, on due Security being given for the Repayment of the Sums so advanced within a Time to be limited: 'And whereas it is also expedient to grant Relief in certain Cases 'to His Majesty's Colonies of *Trinidad*, *British Guiana*, and *Saint* '*Lucie*:' 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 now or for the Time being, or any

His Majesty may empower the Treasury to direct Exchequer Bills to be made out,

agreeable to 48 G. 3. c. 1. except as hereby excepted.

any Three or more of them, or the Lord High Treasurer for the Time being, to cause or direct any Number of Exchequer Bills to be made out for the Purposes of this Act at His Majesty's Exchequer, containing different Sums of One hundred Pounds and Fifty Pounds, 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 passed in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for regulating the issuing and paying off of Exchequer Bills*, are enacted and prescribed; and such Exchequer Bills shall bear an Interest not exceeding the Rate of Two-pence *per Centum per Diem*.

The said Bills may be received in Payment of Taxes after the Day appointed for their Payment, but not before.

II. Provided always, and be it further enacted, That the said 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 after that Time pass and be current to all 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* for 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 Bills 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 notwithstanding; and that such of the same Bills as shall be received at the said Receipt of Exchequer shall 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.

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

III. And be it further enacted, That all Exchequer Bills made out and issued in pursuance and for the Purposes of 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 the 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 the Year next succeeding the Day of the Date of the said Bills respectively.

Officers of the Exchequer not to receive Fees.

IV. And be it further enacted, That no Officer or other Person employed in or about the Execution of 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 therein 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*.

Commissioners appointed.

V. And be it further enacted, That *Henry Berens*, *John L. Wodehouse*, *Thomas Jones Howell*, *John Labouchere*, and *James Morris*, Esquires,

Esquires, shall be and are hereby constituted Commissioners for advancing and lending Exchequer Bills, under the Provisions of this Act, upon the Securities, and under the Terms and Conditions, and subject to the Regulations in this Act mentioned: Provided always, that in case of the Death or Refusal or Incapacity to act of any of the Commissioners for the Execution of this Act, whereby the Number of such Commissioners shall be reduced below Five, it shall and may be lawful for the 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*, to appoint some other Person or Persons to be Commissioner or Commissioners to act in the Execution of this Act, so that the Number of the said Commissioners for the Time being may always amount to Five.

For Appointment of other Commissioners in case of Vacancy.

VI. And be it further enacted, That any Two of the said Commissioners named in and constituted by this Act, before that 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,)

Commissioners to take the following Oath.

'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.

VII. And be it further enacted, That the said Commissioners may meet and sit from Time to Time in such Place or Places as they shall find most convenient, with or without Adjournment, and, with the Consent and Approbation of the Commissioners of the Treasury for the Time being, or any Three or more of them, in Writing, employ a Secretary and Clerks, Brokers, Messengers, and Officers, and allow to such Secretary, Clerks, Brokers, Messengers, and Officers, with the like Consent and Approbation, reasonable Salaries; and may employ a Solicitor, and allow to such Solicitor a reasonable Salary or Reward; and shall and may give and administer to such Solicitor, Secretary, Clerks, Brokers, and Officers respectively an Oath for their faithful Demeanor in all Things relating to the due Performance of the Trusts reposed in them by the said Commissioners, and in all other Things touching the Premises, and from Time to Time, at their Discretion, dismiss and discharge such Solicitor, Secretary, Clerks, Brokers, Messengers, and other Officers, and appoint others in their Place; and the said Solicitor, Secretary, Clerks, Brokers, and other Officers are hereby required faithfully to execute and perform the said Trusts in them severally and respectively reposed, without taking any thing for such Service other than such Salaries or Rewards as the said Commissioners, with such Approbation as aforesaid, shall direct or appoint in manner aforesaid.

Commissioners may meet, and, under Sanction of the Treasury, appoint Officers, allow Salaries, and administer Oaths to them.

VIII. And

Three Commissioners may act.

VIII. And be it further enacted, That all Acts, Matters, and Things which the said Commissioners for the Execution of this Act are by this Act authorized to do or execute may be done and executed by any Three or more of such Commissioners.

Appointing Commissioners in the different Islands in aid of Commissioners herein appointed.

IX. 'And whereas it may be necessary that Commissioners should 'be appointed to act in aid of and under the Directions of the Com-'missioners appointed by this Act in the said Islands;' be it therefore enacted, That the Governors and Lieutenant Governors and Attorney Generals of the said Islands respectively shall, with any Two resident Inhabitants for each of such Islands, to be nominated by the Governor, or, in his Absence, the Lieutenant Governor or Person exercising the Functions of Governor respectively, be Commissioners for the Island to which they respectively belong, to act, in aid of the Commissioners under this Act, in all such Cases and in relation to all Matters and Things which shall be referred to them by the Commissioners named in this Act, and for all such Purposes shall have and use and exercise all the Powers and Authorities of Commissioners under this Act; and such Commissioners shall take an Oath, to be administered to the Governor or Lieutenant Governor, or Person exercising the Functions of Governor, by the Chief Justice or any Judge of the said Islands respectively, and to the other Commissioners by the Governor, Lieutenant Governor, or Person acting as such, that they will well and truly and impartially execute the Powers and Authorities given to them as such Commissioners in the several Matters and Things which shall be referred or submitted to them under the Provisions of this Act.

500,000*l.* of the Exchequer Bills to be appropriated to the Island of Jamaica;

X. And be it further enacted, That Five hundred thousand Pounds of the said Exchequer Bills shall be appropriated to the Island of *Jamaica*, and Two hundred thousand Pounds of the said Exchequer Bills (Part of the said Sum of Five hundred thousand Pounds) may, if required, be advanced to the Commissioners appointed by any Act of the Governor, Council, and Assembly of the said Island of *Jamaica*, passed or to be passed, to inspect the Books of the Receiver General of the said Island, and adjust the Public Accounts thereof, who may be authorized and empowered by that or any other Act passed or to be passed by the said Governor, Council, and Assembly to borrow Money for the Public Service of the said Island on the Credit of the said Island: Provided always, that the said Commissioners acting in the Execution of this Act shall be satisfied that the Repayment of the Principal and Interest of the said Sum of Two hundred thousand Pounds, or so much thereof as the said Commissioners may apply for and be authorized to borrow, is duly secured by some Act passed or to be passed by the Governor, Council, and Assembly of the said Island; and the Three hundred thousand Pounds, the Residue of the said Sum of Five hundred thousand Pounds, shall be advanced and lent, for the Purpose of enabling the Owners of and Persons interested in the Estates which have sustained Injury in *Jamaica* from Insurrection to resume the Cultivation of such Estates and the Manufacture of the Produce thereof, by restoring Works and Machinery destroyed or injured, and providing the requisite Contingencies and Supplies for such Estates and the Negroes belonging thereto, and restoring, as far as the same can be accomplished, such Estates to the Condition

tion in which the same were before the said Injuries were sustained.

and 500,000*l.* to the Islands of Barbadoes, St. Vincents, and St. Lucie, in such Proportions as the Commissioners shall allot to the several Islands.

XI. Provided always, and be it further enacted, That the remaining Five hundred thousand Pounds of the said Exchequer Bills shall be appropriated to the Islands of *Barbadoes*, *Saint Vincents*, and *Saint Lucie* in such Shares and Proportions as the said Commissioners acting in the Execution of this Act shall direct; and that of the said Shares and Proportions allotted to the said Islands of *Barbadoes* and *Saint Vincents* it shall and may be lawful for the said Commissioners to advance such Part thereof as they may deem right to such Persons as may be duly authorized and appointed, by any Acts passed or to be passed by the Legislatures of the said Islands of *Barbadoes* and *Saint Vincents* respectively, to borrow the same for the Public Service and on the Credit of the same Islands respectively, on the said Commissioners acting in the Execution of this Act being satisfied that the same Sums are duly secured by some Acts passed or to be passed by the Legislatures of the same Islands respectively, and that the Residue of the said Shares and Proportions so allotted to the said Islands of *Barbadoes* and *Saint Vincents*, and also the Share or Proportion allotted to the said Island of *Saint Lucie*, shall be advanced and lent, for the Purpose of enabling the Owners of and Persons interested in the Estates which have sustained Injury in the said Islands from Hurricanes to resume the Cultivation of such Estates and the Manufacture of the Produce thereof, by restoring Works and Machinery destroyed or injured, and providing the requisite Contingencies and Supplies for such Estates and the Negroes belonging thereto, and restoring, as far as the same can be accomplished, such Estates to the Condition in which the same were before the said Injuries were sustained.

Commissioners may take into consideration Money temporarily advanced.

XII. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners, in regulating the Amount of any Advance which may be applied for under the Provisions of this Act, to take into their Consideration, with a view to the Repayment of the same out of such Advance, the Amount of any Money which shall have been before the making of any such Advance by the said Commissioners temporarily advanced for any of the Purposes for which any such Advance shall be applied for and may be granted under this Act.

Treasury to issue Money for defraying the Charges of executing this Act, of which an Account shall be laid before Parliament.

XIII. And be it further enacted, That the Lords Commissioners of the Treasury, or any Three or more of them, or the Lord High Treasurer for the Time being, are hereby respectively authorized and required to issue and cause to be advanced all such Sums of Money to such Person or Persons, in such Manner and in such Proportions as the said Commissioners appointed by this Act shall by Writing under their Hands from Time to Time desire, out of the Consolidated Fund, to be replaced in the Manner hereinafter 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 this Act, without other Account than that before the Lords 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

Houses of Parliament within Two Months after the Expiration of the Commission if Parliament shall be then sitting, and if Parliament shall not be sitting, then within Fourteen Days after the Commencement of the then next Session of Parliament.

Commissioners to meet to receive and consider Applications for the Loan of Exchequer Bills, and ascertain the Amount immediately wanted.

XIV. And be it further enacted, That after this Act shall have received the Royal Assent the said Commissioners who shall have taken the said Oath as aforesaid shall meet to receive or to appoint a proper Person for receiving all such Applications in Writing as shall be made to them from Persons desirous of obtaining Loans and Advances of Money by Exchequer Bills as aforesaid, and shall also then fix and appoint a Day for taking into their Consideration all such Applications, and shall meet together for that Purpose, and shall proceed with all convenient Dispatch to ascertain the Amount of the Sums in Exchequer Bills which in their Judgment will be immediately requisite to be advanced under this Act in pursuance of Applications then delivered.

Commissioners may examine upon Oath or Affirmation Parties willing to be examined, and receive Depositions made before Magistrates.

XV. And be it further enacted, That the said Commissioners may examine upon Oath or Affirmation (which Oath or Affirmation they or any One or more of them are and is hereby authorized to administer) all Persons who shall be willing to be examined touching all such Matters and Things as shall be necessary for the Execution of the Powers vested in the said Commissioners by this Act, and may also receive any Affidavits or Depositions in Writing upon Oath or Affirmation, touching such Matters or Things as aforesaid, which shall be made before any Justice of the Peace of any County or Shire or any Magistrate of any Borough or Town Corporate in *Great Britain* or *Ireland* where or near to which the Person making such Affidavit or Deposition shall reside, or before any Chief Justice or any other Judge of any of the Courts of Record in any of the said Islands respectively, and certified and transmitted to the said Commissioners appointed by this Act under the Hand and Seal of such Justice or Magistrate, (which Oath or Affirmation every such Justice or Magistrate shall be and is hereby authorized and empowered to administer,) Chief Justice or Judge; provided that in every such Affidavit or Deposition there shall be expressed the Addition of the Party making such Affidavit or Deposition, and the particular Place of his or her Abode.

Persons giving false Evidence to be subject to the Penalties for Perjury.

XVI. And be it further enacted, That if any Person or Persons upon Examination upon Oath or Affirmation before the said Commissioners respectively, or if any Person or Persons making any such Affidavit or Deposition as before mentioned, shall wilfully and corruptly give false Evidence, or shall in such Affidavit or Deposition wilfully and corruptly swear, affirm, or allege any Matter or Thing which shall be false or untrue, every such Person or Persons so offending, and being thereof duly convicted, shall be and is and are hereby declared to be subject and liable to the Pains and Penalties of Persons convicted of wilful and corrupt Perjury by any Law in force at the Time of such Perjury being committed.

Commissioners to class Applications, and establish Regulations for apportioning the

XVII. And be it further enacted, That the said Commissioners shall, before any Apportionment of such Exchequer Bills to such Owners or Persons interested as aforesaid shall be made, cause the Applications to be classed according to the Amount of the Sums respectively applied for, and the Nature of the Securities tendered, and

and the Circumstances under which Application shall be made, as far as the same shall appear upon the said Applications, and thereupon shall draw up and establish such general Rules and Regulations for their own Government in the apportioning and distributing the Sums to be advanced and lent in Exchequer Bills, under this Act, to the several Parties applying for the same, as they in their Discretion shall deem equitable and just; all which Rules and Regulations shall within a convenient Time be entered in a Book or Books to be prepared and kept by such Commissioners for that Purpose; and the said Commissioners appointed by this Act, according to the true Purport and Meaning of such general Rules and Regulations as aforesaid, shall proceed to take into their Consideration all such Applications which shall specify the Particulars of the Injuries sustained and of the Sums required to be advanced as aforesaid, not being in any Case less than the Sum of Five hundred Pounds, and which shall tender any Security which the said Commissioners are authorized by this Act to take for Payment of the Sums to be advanced, and which shall also specify the Nature and Amount thereof, and from Time to Time, on Inquiry into the same respectively, shall determine what Persons shall in their Judgment be entitled to any Part of the Exchequer Bills to be advanced or lent under this Act, and to what Amount, and shall ascertain the Nature and Amount of the Securities to be required from them for the same respectively.

Sums to be advanced.

XVIII. And be it further enacted, That the Commissioners shall deliver to all Persons to whom any of the said Exchequer Bills shall be apportioned as aforesaid by the said Commissioners a Certificate or Certificates under the Hands and Seals of Two or more of such Commissioners, specifying the Amount of the Sums to be advanced and lent, to be respectively numbered and marked in the Course and Order in which the same shall be delivered; which Certificate or Certificates, being deposited with the proper Officer or Officers, shall be a sufficient Authority, without other Warrant, to such Officer or Officers to deliver such Exchequer Bills to the like Amount and Value as shall be described in and by such Certificate or Certificates of such Commissioners; and every such Exchequer Bill shall bear Date on the Day on which the same shall be issued, 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, with the Approbation of the Lords Commissioners of the Treasury in Writing under their Hands, or of any Three or more of them; and the said Commissioners appointed by this Act shall have Power and Authority from Time to Time to revise and alter such Rules and Regulations as aforesaid as they shall see Occasion, but that no such Revision or Alteration shall be valid unless agreed to at a Board of the said Commissioners, convened upon Three Days Notice for that Purpose.

Commissioners to give Certificates of the Amount of Bills apportioned, which shall be a Warrant for their Delivery.

XIX. 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

List of Exchequer Bills issued to be delivered to Commissioners.

pressed 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.

Commissioners to appoint Days for considering Applications from Time to Time made, and the Treasury may direct further Bills to be issued, &c.

XX. And be it further enacted, That the said Commissioners for the Execution of this Act shall fix and appoint proper and convenient Days for taking into consideration such Applications as shall from Time to Time be made to them, not being in any Case less than the Sum of Five hundred Pounds as aforesaid, and shall ascertain the Amount of such Exchequer Bills as shall be required to be from Time to Time issued for the Purposes of this Act, and by like Certificate or Certificates as aforesaid certify the same to the Lords Commissioners of His Majesty's Treasury or the Lord High Treasurer for the Time being, who shall and may on the Receipt thereof direct further Exchequer Bills to be issued to such Amount from Time to Time as the Exigency of the Case shall in their Judgment require to be issued, until the whole of the Bills to be made out in pursuance of this Act shall have been issued for the Purposes aforesaid; and the said Commissioners by this Act appointed shall from Time to Time proceed to determine to what Amount such Exchequer Bills shall be advanced to the Persons respectively applying for the same under this Act, and shall grant Certificates thereof to the proper Officer or Officers at the said Receipt of the Exchequer, in such Form and under the like Rules and Regulations as are herein-before mentioned concerning the Exchequer Bills to be first issued as aforesaid; and such Officers shall from Time to Time deliver such Exchequer Bills in the Form and in the Manner before directed.

Persons to whom Bills are advanced to give Security for Repayment of Advances.

XXI. And be it further enacted, That the Persons to whom or for whose Use any such Sums in Exchequer Bills shall be applied for, and advanced or lent, shall previously enter into and give such Mortgages of or upon, or Assignments or other Securities of or upon, the Properties for which the Advances shall be applied for, or of or upon the Proceeds of such Properties, as the said Commissioners shall require; and in case the Commissioners shall not think such Properties or Proceeds, and the Mortgages, Assignments, or other Securities which the Parties applying are able to enter into as to such Properties and the Proceeds thereof, a sufficient Security for the Advance applied for, then with such Bond or Obligation, Bonds or Obligations, in such Sum or Sums of Money respectively, and with such Sureties or such further Securities as the Case may in the Judgment of the said Commissioners require; which Mortgages, Assignments, Securities, and which Bonds or Obligations and Securities, the said Commissioners shall in their Discretion have full Power and Authority to cause to be taken; and every Mortgage, Assignment, Security, Bond, or Obligation to be taken in pursuance of this Act, as well of the principal Party as of such Sureties respectively, shall be to our Sovereign Lord the King in such Sum or Sums of Money as shall be directed by such Commissioners by virtue of this Act to be paid to our said Lord the King, and with such Conditions, to be therein mentioned or thereunder written, as by such Commissioners shall be deemed proper; and that all such Mortgages, Assignments, Securities, Bonds, and Obligations to be so made shall be good and effectual in

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, and shall, whether registered or not in the said Islands, have Priority over all other Mortgages, Assignments, Bonds, Obligations, or other Securities charged or chargeable upon or affecting the Properties for the Restoration of which Advances of Exchequer Bills under this Act shall be made; any Law, Usage, or Custom in the United Kingdom, or in the Islands respectively in which such Properties shall be, to the contrary notwithstanding: Provided always, that no Bond, Obligation, or other Security shall be required by the said Commissioners in respect of Advances for the Restoration of any Properties in any Case in which the said Commissioners shall be satisfied that the Value of those Properties, with the Negroes and the Proceeds thereof, form an adequate Security of themselves for the Repayment of the Principal and Interest of the Advance applied for.

Commissioners may take Security by Mortgage, &c. from Persons having partial Interests in Estates.

XXII. And be it further enacted, That in case any Persons to whom or for whose Use any Advance shall be applied for under this Act shall be entitled to an Estate for Life only, or other partial Interest of and in the Properties in respect of which such Advance is required to be made, with any subsequent Remainders, Reversions, or Limitations in favour of other Persons existing in or affecting the same Properties, the said Commissioners shall, in their Discretion, have full Power and Authority to cause any Mortgages, Assignments, Securities, Bonds, or Obligations of and from such Persons so partially interested to be taken, notwithstanding such Remainders, Reversions, or Limitations cannot be legally barred, conveyed, or disposed of; and such Mortgages, Assignments, or other Securities of or upon such Properties shall be good and effectual in the Law to all Intents and Purposes, and shall have Priority over all such Remainders, Reversions, or Limitations.

Securities given under the Sanction of Courts by Committees, &c. of any Lunatics, Infants, or Feme Coverts, to be valid against such Persons as if executed by them.

XXIII. And be it further enacted, That in case any of the Parties, Proprietors of in the whole or in part or interested in any Properties for or in respect of which any Advance may be applied for under this Act, and who may be required to give or join in giving Security to the said Commissioners for any such Advance, be an Infant or a Feme Covert or Lunatic, or in case the Properties shall be in the Possession of any Receiver or Receivers or other Officer appointed by any Court of Chancery or any other Court in the said Islands, it shall be lawful for the High Court of Chancery in *England* where the Party is resident in *Great Britain*, or the Court of Session in *Scotland* where the Party is resident in *Scotland*, or the Court of Chancery in *Ireland* where the Party is resident in *Ireland*, or the Court of Chancery in either of the said Islands of *Jamaica*, *Barbadoes*, and *Saint Vincents*, or the Royal Court of *Saint Lucie*, in which any such Party shall be resident, upon the Petition of the Committee or Committees or Persons having the legal Charge of any Lunatic, or the Guardian or Guardians of any Infant, or the Husband or Trustee or Trustees of any Feme Covert, Receivers or Receiver, or other Officer, in a summary Manner and without Bill, to refer it to One of the Masters of any of the said Courts of Chancery respectively, or in

Scotland or in *Saint Lucie* to any competent Authority, to inquire and report whether it will be for the Benefit of such Party that such Loan should be obtained; and in case the Master or other competent Authority shall report that it will be for the Benefit of such Party that such Loan should be obtained, it shall be lawful for such Committee or Committees, or Person having such legal Charge, or for such Guardian or Guardians, Husband or Husbands, or Trustee or Trustees, Receivers or Receiver, or other Officer, to join in and execute such Deeds as may be requisite for securing to the said Commissioners the Repayment of the Sum which they may have advanced; and the Deed or Deeds executed by such Persons in their several Capacities shall be as valid and effectual to all Intents and Purposes as if the Party had been capable of executing and had himself executed the same.

Sureties to be bound for no more than they subscribe.

XXIV. And be it further enacted, That in all Cases where any such Bond or Obligation shall be entered into with such Surety or Sureties as the said Commissioners shall in their Discretion approve, then each of the Sureties in such Bond or Obligation shall be bound in such Sum, and no more, as he shall set and subscribe against his Name in such Bond or Obligation.

Commissioners may take possession of Property mortgaged in certain Cases.

XXV. And be it enacted, That in every Case in which the Commissioners for the Execution of this Act shall make any Advance of Exchequer Bills to any Person or Persons under the Provisions of this Act, and Default shall be made in Repayment either of all or any Part of such Loan, or of the Interest thereof or of any Part thereof, any Person duly authorized by them may enter upon and take possession of the Property upon which such Loan shall have been charged, and in respect of or relation to which any Mortgages, Assignments, or other Securities shall have been taken by the said Commissioners, and may demand, take, and receive all Rents, Issues, and Profits thereof, and may, in the absolute Discretion of the said Commissioners, continue in such Possession, Receipt, and Enjoyment until the Repayment of such Loan and the Interest thereof, and of all Costs, Charges, and Expences incidental to such taking and retaining Possession, and otherwise in recovering such Loan and Interest; and the said Commissioners, whenever thereunto required, shall render to the Owners or Persons interested in the said Properties a faithful Account of all Rents, Issues, and Profits received from such Properties during the Period that the said Commissioners or their Nominees shall continue in possession thereof.

Relinquishing the Possession of Property so taken possession of.

XXVI. Provided always, and be it enacted, That in all Cases in which such Possession shall have been taken or shall be taken as aforesaid it shall be lawful or the said Commissioners at any Time thereafter, if they shall think fit, to relinquish such Possession in such Manner and Form, and upon such Terms and Conditions, as the said Commissioners may direct and appoint.

Commissioners, when they take possession, shall require Security from their Agent and Consignee for proper remitting and Application of Proceeds.

XXVII. Provided always, and be it further enacted, That in every Case in which the Commissioners for the Execution of this Act shall authorize any Person to enter upon and take possession of the Plantation, Slaves, Cattle, and Stock upon which such Loan shall be charged, and in respect of which Default shall be made in Repayment of the Whole or any Part of such Loan, or the Interest thereof or any Part thereof, that the Person or Persons

so authorized to enter into and take possession of the same shall give good and sufficient Security, to the Satisfaction of the said Commissioners, for the due and faithful Execution of the Trust reposed in him or them, and the due and faithful conducting and managing the said mortgaged Premises, and the Disposal of the Crops in such Manner as the said Commissioners shall from Time to Time direct, and for the faithful accounting for all Monies which shall come to his or their Hands; and also that the said Commissioners shall be authorized to require from any Person or Persons acting as Consignee under them, for the Sale of any Produce remitted to *Great Britain* or *Ireland* from any such mortgaged Premises, to give good and sufficient Security for the due and faithful Sale of such Produce, and the due paying over the Proceeds of the same to the Cashier or Cashiers of the Bank of *England* when the same shall be received.

Commissioners may take additional Security, as herein specified.

XXVIII. And be it further enacted, That the said Commissioners, in all Cases where they shall see Occasion, may accept and take, as a further and additional Security for any Loan of any Sum on such Exchequer Bills as aforesaid, or Part of such Loan, from any Principal or Surety in such Loan, any *India* Bonds, Bills of Exchange, or other negociable Securities for Money whatsoever, or from any such Principal or Surety, or other Person or Persons having Lands, Tenements, or Hereditaments, Heritages or other Real Estates in *Great Britain* or *Ireland*, any Mortgage, Hereditable Bond, or other Hereditable or Real Securities whatsoever, which may affect, incumber, or charge the said Real Estates of such Principals or Sureties, or other Person or Persons as aforesaid, and may also accept and take as a like further and additional Security from any such Principal or Surety, or other Person or Persons possessed of any Mortgages, Hereditable Bonds, or other Hereditable or Real Securities affecting, incumbering, or charging any such Real Estates in *Great Britain* or *Ireland*, any Assignment or Assignments of such Mortgages, Hereditable Bonds, or other Hereditable or Real Securities; and that every such *India* Bond, Bill of Exchange, or other negociable Security for Money, and every such Mortgage, Heritable Bond, or other Heritable or Real Security which shall be so accepted by the said Commissioners, shall be deposited with the said Commissioners or such Person as they shall appoint.

Negociable Deposits, in default of Payment of Loan, to be sold, and the Monies may be sued for in the Name of the Secretary, to whom Assignments of Mortgages, &c. shall be made.

XXIX. And be it further enacted, That all such *India* Bonds, Bills of Exchange, or other negociable Securities for Money so deposited as aforesaid may, in default of Payment of such Loan in the Manner directed by this Act, become and be vested in the said Commissioners, and may be sold and disposed of, or the Monies due and payable by virtue thereof 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 under this Act; and every Assignment of any Mortgage, Heritable Bond, and other Heritable or Real Security which shall be granted, constituted, or made to the said Commissioners, and shall be so deposited by the Principal or Principals in any such Bond or Obligation made to His Majesty as aforesaid as a Security for such Loan as aforesaid, and every Mortgage, Heritable Bond, or other Heritable or Real Security which shall be granted, constituted, made, or deposited as afore-

said, by any such Principal or Surety or other Person or Persons, as such further and additional Security as aforesaid, shall severally and respectively be granted, constituted, and made to and in the Name of the Secretary to 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, have full Power and Authority to perform, execute, and carry into effect any Acts, Matters, and Things whatever which shall be requisite for the further and better assuring and validating any such Mortgage, Heritable Bond, or other Heritable or Real 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 *Great Britain*, 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; 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 he is hereby authorized, under the Direction of the said Commissioners, to execute on behalf of the said Commissioners a Release, Discharge, or Renunciation of the said Monies so paid or 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 releasing, discharging, and renouncing a Mortgage Debt or Incumbrance upon a Real Estate; and that such Release, Discharge, and Renunciation shall be good and valid in Law to all Intents and Purposes whatever, and the Properties comprised in such Mortgage Securities shall in every such Case be thereby absolutely re-invested in the Owner or other Person lawfully entitled thereto.

Secretary may do all Acts for validating Mortgages, recovering Monies, &c.

Principal Sums advanced, with Interest, to be repaid by Instalments; and in default the Deposits may be disposed of or sued for.

XXX. And be it further enacted, That the Principal Sums contained in the Exchequer Bills which shall be advanced or lent by the said Commissioners under the Authority of this Act shall be repaid, without Deduction or Abatement, to the Cashier or Cashiers of the Bank of *England* at their Office, at or previously to the Expiration of Ten Years from the Time of every such Loan being advanced, with Interest for the same in the meantime, to be computed at and after the Rate of Four Pounds *per Centum per Annum* from the Day of the Advance, but the Payment of such Interest to commence at the Expiration of Three Years from the Time of every such Loan being advanced, and to be thenceforward made at the Expiration of every subsequent Year until such Principal Sums shall be repaid: Provided always, that if the net Proceeds of the Properties in respect of which any Loan shall be advanced shall not be sufficient to pay the whole Amount of the Supplies and Contingencies thereof respectively, the annual Interest upon such Loans shall not be required until the Proceeds shall be sufficient for such Supplies and Contingencies: Provided always, that nothing herein contained shall be construed to prevent the Commissioners from taking possession of any such Estate upon any Default in Payment of Interest, as in this Act before provided;

and if any Default shall be made by any Person or Persons in the Payment of any Sum or Sums of Money within the respective Times herein-before limited for Payment thereof, according to the true Intent and Meaning of this Act, it shall and may be lawful for the said Commissioners hereby appointed, or any Two or more of them, by any Warrant or Warrants under their Hands and Seals, to cause the Money due and payable by virtue thereof, the Exchequer Bills, *India* Bonds, Bills of Exchange, and other Personal Securities deposited with the said Commissioners, or such Security or further Security as aforesaid, and also all such Mortgages and Assignments of Mortgages, Heritable Bonds, or other Heritable or Real Securities made, constituted, or granted to or to the Use of or deposited with the said Commissioners, to be sold and disposed of, or be sued for in due Course of Law, in the Name of the Secretary of the said Commissioners for the Time being, for the Use of the said Commissioners, under this Act; and further, that in case any such Default shall be made, and no other sufficient Security shall be deposited or given, or that the same shall be found or shall become insufficient in Value to satisfy the whole of the Demand from such Defaulter or Defaulters, it shall also be lawful for the said Commissioners and they are hereby required, without further Delay, to issue their Warrant or Warrants from Time to Time to the proper Officer or Officers of the Crown having the Direction or Management of Proceedings upon Obligations to His Majesty, requiring such Officer or Officers presently to proceed against all or any of the Persons who shall have entered into any Bond or Obligation for the Sum advanced, his, her, and their Heirs, Executors, and Administrators, for the Recovery of such Parts of the Sums advanced on such Bonds or Obligations as shall be then due, together with Interest as aforesaid, and such Costs and Charges attending such Proceeding as shall be by Law payable for the same; the Amount of which Principal Sums so to be levied the said Commissioners shall cause from Time to Time to be testified by their Note in Writing under the Hands of any Two or more of them to such Officer or Officers, and which Sum shall be inserted in the Writ or Process, and the like Process shall and may from Time to Time issue as aforesaid, as Occasion shall require; and the Sums so recovered (the Costs and Charges aforesaid excepted) shall be paid to the said Cashier or Cashiers of the Bank of *England*, without Abatement, Deduction, or Delay, in satisfaction of such Demands; and it shall be in the Discretion of the said Commissioners to direct against which of the Obligors in such Security such Proceedings shall be from Time to Time commenced or prosecuted; and the said Commissioners shall have the Controul and Superintendence of such Prosecutions, and the same shall not be discontinued, quashed, or abated, upon any Pretence whatsoever, without the Authority of the said Commissioners, testified under the Hands and Seals of any Two or more of them, and exhibited to the Barons of His Majesty's Court of Exchequer at *Westminster*, or to any Court of competent Jurisdiction in *Scotland*, as the Case may require.

If Surety or Deposit be insufficient, the Commissioners may direct the proper Officer to proceed against the Sureties.

XXXI. Provided always, and be it further enacted, That where any Proceeding shall be directed by the said Commissioners as aforesaid against any of the Obligors or Obligor named in any such Obligation

In Proceedings against Obligors no Writ of Scire facias requisite, &c.

Obligation no Writ or Writs of Scire facias shall be required to be issued, but that upon the Production of the Warrant or Warrants of the said Commissioners, as before mentioned, before any of the Barons of the said respective Courts of Exchequer, and in case such intended Proceeding shall be against any Sureties or Surety, then upon Proof of Notice having been served upon such Party or Parties, or left at his or their usual Place or Places of Abode respectively, Ten Days at least before such Application shall be made to such Baron, an Extent shall and may issue in the first Process upon the Fiat of such Baron, without any Affidavit or other Verification or Proof of the Cause of such Proceeding than such Warrant or Warrants as aforesaid.

If Payment shall be made of Part of Loan, in consequence of any additional Security, it shall entitle the Surety to the same Remedy as if the Payment had been made upon his Obligation, &c.

XXXII. And be it further enacted, That if any Person or Surety shall give any such additional Security as in this Act is mentioned, over and above such Bond or Obligation or other Security, for any Loan as is hereby required, and if any Payment shall be made of any Part of such Loan in consequence of such additional Security being so given, and in discharge thereof, every such Payment shall be deemed and taken to be made under the Bond or Obligation entered into by such Surety, and in discharge or in part discharge thereof, for the Purpose of entitling such Surety, his Executors or Administrators, and such Payment shall entitle such Surety, his Executors and Administrators respectively, to the like Remedy from the principal Debtor or Debtors in the said Loan, his or their Heirs, Executors, or Administrators, for the Reimbursement of the Sums so paid or satisfied, and from the Co-sureties in the said Loan for the like Contribution, as if such Payment or Satisfaction had actually been made upon the Bond or Obligation entered into by such Surety; and if any Person, not being a Party to any Bond or Obligation entered into by virtue of this Act, shall give such further Security for any Loan as in this Act is particularly mentioned, and any Payment or Satisfaction of such Loan, or any Part thereof, shall be made in consequence of such further Security being so given, and in discharge thereof, every such Payment or Satisfaction shall entitle the Party making the same, his Executors or Administrators, to the like Remedy from the principal Debtor or Debtors in the said Loan, his or their Heirs, Executors, or Administrators, for the Reimbursement of the Sums so paid or satisfied, as if such Person had entered into a Bond or Obligation as Surety, and such Payment had been made thereupon; and that in every Case of such Payment upon or in consequence of such additional Security, as well the Bond or Obligation, Bonds or Obligations of such principal Debtor or Debtors entered into by virtue of this Act, as all and every the additional Securities which may have been given by such principal Debtor or Debtors by virtue of this Act, shall severally and respectively stand and remain as Securities for the Purpose of such Reimbursement in the Manner hereby directed in Cases of Payment by Sureties upon Bonds or Obligations, and until the whole of the Sums so paid or satisfied shall be fully reimbursed; and that such Proceedings shall and may be had upon any additional Securities given by such principal Debtor or Debtors for the Recovery of the Sums so paid for the Benefit of the respective Parties making such Payments, their Executors or Administrators, as might lawfully have been had for the Recovery of the Sums

Sums due and payable to the said Commissioners, notwithstanding the said Loan shall have been fully repaid to the said Commissioners.

After Payment of Sums advanced and Interest, Obligations to be delivered up.

XXXIII. And be it further enacted, That after the due Payment of the Sums advanced, with Interest as aforesaid, at the Time and in the Manner herein specified, every such Bond or Obligation, and all other the Securities entered into or received in pursuance of this Act, being fully satisfied according to the true Intent and Meaning of this Act, shall be forthwith delivered up to be cancelled; and in case any such Bond or Obligation shall have been prosecuted according to the Directions of 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 said respective Courts of Exchequer to enter up Satisfaction on such Bond or Obligation, Bonds or Obligations, so being satisfied as aforesaid, upon the Record, or otherwise to deliver up the same to be cancelled, as the Case may require.

After Payment of Sums advanced by the Commissioners, Obligations with Sureties to remain as further Securities for certain Purposes.

XXXIV. Provided always, and be it further enacted, That every Bond or Obligation, with any Sureties or Surety to be taken according to this Act, after Payment or Recovery thereupon by the said Commissioners of the Sums advanced or lent, with all Interest and Costs, in the Manner required by this Act, shall stand and remain as a further Security for the Purposes and in the Manner hereinafter mentioned; (that is to say,) if any Surety or Sureties upon such Bond or Obligation, his, her, or their Executors or Administrators, shall have paid or satisfied any Part of such Sums, Interest, or Costs, then such Bond or Obligation as against the principal Obligor or Obligors, his or their Heirs, Executors, or Administrators, shall stand as a Security as aforesaid for the Reimbursement to such Sureties respectively, their Executors or Administrators, of the whole of the Sums so paid or satisfied, and so from Time to Time until such Reimbursement shall be fully made according to the Intent of this Act; and if any such Sureties or Surety, their or his Executors or Administrators, shall have paid or satisfied a Sum which shall bear a greater Proportion to the whole of the Sums recovered upon such Bond or Obligation than the Sum for whcih such Surety respectively shall have been bound shall bear to the total Amount of all the several Sums of Money for which all the several Sureties shall have been bound by such Bond or Obligation, then such Bond or Obligation as against each and every of the Sureties who shall not have paid or satisfied an equal Proportion of the whole Sum recovered according to the Sum for which he shall have been respectively bound, their and every of their Heirs, Executors, and Administrators respectively, shall stand as a Security for the Benefit of such Sureties or Surety, their Executors or Administrators respectively, who shall have paid or satisfied any such Sums as aforesaid, for the Purpose of enforcing a Contribution among such Sureties in an equal Proportion to the several Sums for which they shall have been respectively bound, and so from Time to Time until such Contribution shall be fully made according to the Intent of this Act; and that in every such Case, upon the Application of any Sureties or Surety to the said Commissioners for any of the Purposes aforesaid, the said Commissioners shall cause the respective Claims of such Sureties or Surety respectively, and the Sums to be recovered from such Principals

Commissioners may adjust Claims of Sureties, and direct Process for Recovery.

Principals or Sureties respectively, their and every of their Heirs, Executors, or Administrators, to be adjusted and settled as herein is mentioned, so that the whole Sum recovered shall be distributed in equal Proportion according to the Sums for which each Surety respectively shall have been bound in the same Bond or Obligation, and so from Time to Time as the Case shall require; and thereupon the said Commissioners, by Warrant or Warrants in Writing under their Hands, shall from Time to Time direct Process to issue for the Recovery of such Sums as they shall have so adjusted and settled to be respectively recovered from and paid to such Persons respectively as they shall specify in such Warrant or Warrants, under and subject to the several Regulations and Directions in this Act contained.

Process may issue against Principals for the Benefit of Sureties, and against Sureties for the Benefit of Co-sureties, &c.

XXXV. And be it further enacted, That such Process as aforesaid shall and lawfully may issue on any such Bond or Obligation as aforesaid against any such Principals or Principal their or his Heirs, Executors, or Administrators, for the Benefit of any such Sureties or Surety, their or his Executors or Administrators, and against any such Sureties or Surety, their or his Heirs, Executors, or Administrators as aforesaid, for the Benefit of any Co-sureties or Co-surety, their or his Executors or Administrators, notwithstanding the whole Sum which shall have been advanced to such Principals or Principal shall have been repaid; and in case any Sureties or Surety shall become bound by distinct Bonds or Obligations for the same Persons or Person, and for or on account of the same Advancement, all and every the Provisions aforesaid shall be applied in like Manner, as well for the Benefit of as against such Principals or Principal, as if all such Sureties and Principals respectively were named in the same Obligation.

Estates and Effects of Bankrupts in England liable to the discharging of Bonds or other Securities.

XXXVI. And be it further enacted, That every Bond or Obligation or other Security entered into or given by any Person or Persons, either as Principal or Surety, who shall afterwards become bankrupt within the true Intent and Meaning of the several Statutes made and now in force concerning Bankrupts, and against whom a Commission of Bankrupt shall be awarded and issued out in that Part of *Great Britain* called *England*, shall by reason and force of such Bankruptcy, and from the Time of such Bankruptcy, become and be forfeited, and due and payable as against such Bankrupt or Bankrupts; and all the Estate and Effects of such Bankrupt or Bankrupts, which would be liable to satisfy the Demands of the Creditors seeking Relief under such Commission of Bankrupt, shall be liable and subject to and are hereby made chargeable with the Payment of the Principal and Interest due upon such Bond or Obligation or other Security, and all Costs attending the Recovery of the same, and that the Claims of the said Commissioners shall be first paid and satisfied out of the Estate and Effects of the said Bankrupt or Bankrupts, and in preference to the Claim of any other Creditor or Creditors; and it shall be lawful for the said Commissioners, in the Name of their Secretary for the Time being, to apply by Petition in a summary Way to the proper Courts in *England* having the Jurisdiction of the Matters of such Commission of Bankruptcy to make due Order accordingly, which such Courts respectively are hereby authorized and required to make.

XXXVII. And

Estates and Effects of Bankrupts in Scotland, liable to Creditors seeking Relief under Sequestration, subject to the Claims of the Commissioners, &c.

XXXVII. And be it further enacted, That every Bond or Obligation or other Security entered into or given by any Person or Persons, either as Principal or Surety, who shall afterwards become bankrupt, and against whose Estate Sequestration shall be awarded in *Scotland*, shall, by reason and force of such Bankruptcy, and from the Time of the Date of the first Deliverance on the Petition to the Court of Session for awarding the Sequestration, become and be due and payable as against such Bankrupt or Bankrupts; and that all the Estate and Effects, Real and Personal, of such Bankrupt or Bankrupts, which would be liable to satisfy the Demands of the Creditors seeking Relief under such Sequestration, shall be liable and subject to and are hereby made chargeable with the Payment of the Principal and Interest due upon such Bond or Obligation, or other Security, and all Costs attending the Recovery of the same, and that the Claims of the said Commissioners shall be first paid and satisfied out of the Estate and Effects of such Bankrupt or Bankrupts, and in preference to the Claim of any other Creditor or Creditors; nevertheless without Prejudice to Preference duly obtained according to the Law of *Scotland* upon the Real Estates of Persons who shall become Bankrupts; and it shall be lawful for the said Commissioners, in the Name of their Secretary for the Time being, to apply by Petition in a summary Way to the proper Courts in *Scotland* having Jurisdiction of the Matters of such Bankruptcy for making effectual the Payment of the Claims of the said Commissioners accordingly, and which such Courts are hereby authorized and required to make.

Commissioners may accept from Assignees &c. Security for Sums due from Bankrupts.

XXXVIII. Provided always, and be it further enacted, That the said Commissioners may accept from the Assignees under any Commission of Bankrupt issued, or from the Factor or Factors, Trustee or Trustees under any Sequestration awarded against any principal Debtor or Debtors in any such Loan under this Act, such Security for the Payment of the Sum due from such Bankrupt or Bankrupts, out of his or their Estate or Effects, as the said Commissioners shall approve, and that the Acceptance of such Security by the said Commissioners shall operate as a Release of the Estate of such Bankrupt or Bankrupts, for the Benefit of the Creditors under the said Commission of Bankrupt in *England* or Sequestration in *Scotland*, from all Claims whatever by the said Commissioners, other than and except such Part of the said Estate as shall be specified in Writing between the said Commissioners and the said Assignees under the said Commission of Bankruptcy in *England*, or between the said Commissioners and the said Factor or Factors, Trustee or Trustees under the said Sequestration in *Scotland*, to be reserved by the said Commissioners for such Security as aforesaid in case the said Commissioners shall require such Security.

Commissioners may accept from Assignees, &c. of Sureties becoming Bankrupts provisional Security for Payment of Sums due, &c.

XXXIX. Provided also, and be it further enacted, That in case such Debt shall grow due to the said Commissioners from any such Bankrupt or Bankrupts as a Surety or Sureties upon any such Loan as aforesaid the said Commissioners may accept from the Assignees under such Commission of Bankruptcy in *England*, or from the Factor or Factors, Trustee or Trustees under such Sequestration in *Scotland*, such provisional Security for the Payment of the Sum due from such Bankrupt or Bankrupts out of his or their

their Estate or Effects as the said Commissioners shall approve, such provisional Security to be void on the Payment or Satisfaction of the Sum so due by the principal Debtor or Debtors, or by the Acceptance of other Surety or Sureties in lieu thereof, in the Manner herein-after mentioned, provided that such Acceptance of such provisional Security by the said Commissioners shall operate as a Release of the Estate of such Bankrupt or Bankrupts for the Benefit of the Creditors under the said Commission of Bankruptcy in *England*, or Sequestration in *Scotland*, from all Claims whatsoever by the said Commissioners, other than and except such Part of the said Estate as shall be specified in Writing between the said Commissioners and the said Assignees under the said Commission of Bankruptcy in *England*, or between the said Commissioners and the said Factor or Factors, Trustee or Trustees under the said Sequestration in *Scotland*, to be reserved by them for such provisional Security as aforesaid, in case the said Commissioners shall require such Security: Provided always, that any such Release of the Estate or Estates of any such Bankrupt or Bankrupts as aforesaid, whether Principals or Sureties upon any such Loan as aforesaid, shall not be deemed or taken, either in Law or Equity, to discharge any other Person or Persons, or the Estate or Estates of any other Person or Persons, or to affect any other Security for the same Debt, or in any Manner to prevent any Contribution amongst Sureties, or any Demand of Sureties against their Principals, provided for by this Act.

Persons applying for Exchequer Bills for the Use of Partnerships may give Notes in the Partnership Firm.

XL. And be it further enacted, That in case Persons carrying on Trade in a Partnership shall apply for any Exchequer Bills to be advanced by virtue of this Act on any of the Securities herein mentioned, and shall show to the Satisfaction of the said Commissioners that such Exchequer Bills are to be advanced to such Person or Persons for the Use of the said Partnership, the Persons so applying may give to the said Commissioners, over and above the Security required by this Act, a Promissory Note or Promissory Notes in the Partnership Firm, in such Sum or Sums of Money respectively, not exceeding in the whole the Amount of the Sum to be advanced to such Person or Persons, with Interest for the same, as the said Commissioners shall direct; which Promissory Notes as aforesaid shall respectively be made payable to the Secretary of the said Commissioners for the Time being, at such Times and in such Proportions as the Advance to be made to the Person or Persons so applying shall be stipulated to be paid by any Security entered into by such Person or Persons pursuant to this Act; which Notes shall be respectively made in the Form following; (that is to say,)

Form of Partnership Notes.

'WE promise to pay to the Secretary of the Commissioners for the Issue of Exchequer Bills advanced under an Act intituled *An Act*

the Sum
of with Interest for the same at
the Rate of Pounds *per Centum* by the Year
from the Date hereof, on the Day of
now next ensuing.'

Notes to be given for each Instalment.

Provided that separate and distinct Notes shall be made and given by such Person or Persons as aforesaid in respect of each Instalment

ment to be paid of the Sum advanced pursuant to this Act, and for which the Secretary to the said Commissioners for the Time being may sue upon every such Note.

Where Bills shall have been applied to the Use of Partnerships, their Estate and Effects to be liable, though other Security shall have been taken.

XLI. And be it further enacted, That in case any Advance in Exchequer Bills shall be made to any Person or Persons concerned in any Partnership, upon the Application of any Person or Persons to the said Commissioners to make such Advance to the Use of the said Partnership, and such Advance or any Part thereof shall have been actually applied to the Use of the said Partnership, then the Estate and Effects of such Partnership shall be liable and subject to and are hereby made chargeable with the Payment of the Sums advanced and actually applied as aforesaid, with Interest for the same, and all Costs attending the Recovery thereof, as in case of Debt found on Record to the King's Majesty, notwithstanding the said Commissioners shall or may have taken Securities for the same Debt in the Name or Names of any other Person or Persons than the Persons concerned in such Partnership, or in the Names or Name of any One or more of such Partners; and in case it shall be made appear by Affidavit to any Baron of the respective Courts of Exchequer in *England* and *Scotland* that such Advance, or such Part thereof as aforesaid, was actually applied to the Use of the said Partnership, and the same being found on Record, it shall be lawful for such Baron to cause an Extent to be issued against the Estate and Effects of such Partnership to the Amount of the Sum so actually applied, with Interest thereupon and Costs as aforesaid, in the same Manner as if the Advance so actually applied was an immediate Debt from all the Persons concerned in such Partnership to the King's Majesty.

Persons may apply to the Commissioners to have the Time of Repayment of Exchequer Bills extended.

XLII. And be it further enacted, That any Person or Persons to whom such Exchequer Bills have been issued, his, her, or their Heirs, Executors, and Administrators, and who respectively shall be desirous of enlarging or extending the Time limited by the said Act for such Repayment, to make Application to the said Commissioners for any Enlargement or Extension of the Time limited for such Repayment at any Time previously to the Expiration of Five Years from the Time of the Loan being advanced, and to offer to the said Commissioners Security for the due Payment of such Loan and Interest, at or within such enlarged or extended Times, either by continuing in the Manner herein-after mentioned the Sureties or Securities already liable or pledged for Repayment of the Amount of the said Bills and the Interest thereon, or by procuring or making further or other Sureties or Securities of the Nature and Quality specified in this Act, as he or they may be able to give or effect; and the said Commissioners are hereby authorized from Time to Time to judge of and determine upon the Sufficiency of such Surety or Sureties, Security or Securities, to be given for securing the Repayment of any such Loan at the Expiration of such enlarged or extended Times, in like Manner as they are enabled to do with respect to the original Sureties or Surety or Securities or Security directed to be proposed, given, and made previous to the Advance or Issue of any Exchequer Bills under this Act.

Commissioners to determine on the Sufficiency of Sureties and Securities.

Sureties willing to remain for Repayment of

XLIII. And be it further enacted, That every Person who now or at the Time of any such Application shall be liable as Surety for

Loan at Expiration of extended Times to signify their Consent to the Secretary.

for the Repayment of any such Loan or Advance, and who shall be willing to remain Surety for the Repayment of such Loan or Advance at the Expiration of such enlarged or extended Time, and who shall be approved by the said Commissioners for that Purpose, shall signify their Consent to remain such Surety by subscribing his Name to a Writing, to be left with the Secretary of the said Commissioners for the Time being, in the following Form; (that is to say,)

Form of Consent.

'WHEREAS the Commissioners named in and appointed under
' and by virtue of an Act of Parliament passed in the
' Year of the Reign of His present Majesty, intituled
' did on
' the Day of advance to
' the Sum of in Exchequer Bills, who thereupon
' entered into and executed Securities to His Majesty for Payment
' of the said Sum of on the Day
' of with Interest at the Rate of Four Pounds
' *per Centum per Annum*, according to the said Act; and the several
' Persons hereunder mentioned as Sureties for the said
' entered into and executed [*state Securities*] to His Majesty for the
' several Sums of Money set opposite their respective Names here-
' under written, conditioned for Repayment of the said Sum of
' and the Interest thereof in manner afore-
' said: And whereas the said applied to the
' said Commissioners to extend the Time for the Payment of the
' whole of the said Loan in Exchequer Bills for the Space of
' from the Time when the same became
' payable, and proposed that the Persons
' whose Names are hereto subscribed shall consent to remain as
' Sureties for Payment of the said Sum of with
' Interest at the Rate of *per Centum per Annum*,
' at the said extended Period or Periods, in like Manner as they
' now stand liable for Payment thereof with Interest, according to
' the said Act: Now these Presents witness, That we, whose Names
' are hereunder subscribed, do hereby severally and respectively de-
' clare that the said Application and Proposal so made to the said
' Commissioners by the said as aforesaid were made
' with our Privity, Consent, and Approbation; and we do hereby con-
' sent and agree that the already executed
' by us for the respective Sums set opposite our respective Names at
' the Foot hereof as aforesaid shall remain and continue as a Security
' for the Repayment of the said Sum of with Interest
' thereon at the Rate of Pounds *per Centum per*
' *Annum*, at the said extended Period, in like Manner as the same
' now stand, as a Security for Repayment thereof, according to
' the said Act; and we further consent and agree that the said
' Commissioners shall be at liberty to grant to the said
' the said Extension of Time for Payment, either upon the Security
' already received for the same, or upon any other or different
' Securities, as they in their Discretion shall think fit to accept.
' Witness our Hands, this Day of .'

And every such Consent, so subscribed and delivered, shall be binding upon the respective Sureties or Surety so signing the same, their, his, or her Heirs, Executors, or Administrators, in like Manner

Manner as such respective Sureties or Surety were or was by the original Security entered into by them or him bound for the Repayment of such Loan or Advance at the Times thereby limited for the Repayment thereof.

Commissioners may grant further Time to Persons not prepared to tender sufficient Sureties previous to Instalment becoming due.

XLIV. And be it further enacted, That in case any Persons making such Application to the said Commissioners shall not, previous to the Period limited for the Repayment of any Loan or Advance, be prepared to tender such sufficient Sureties or Surety or Securities or Security as shall by the said Commissioners be deemed satisfactory, the said Commissioners may, by Writing under the Hands and Seals of any Three or more of them, grant to such Persons such further Time for the procuring and tendering such Sureties or Securities (not exceeding the Limits herein-after mentioned) as they in their Discretion shall think fit to allow; and in the meantime, and until the Expiration of the Time so allowed by the said Commissioners for the Purpose aforesaid, such Parties respectively shall not be deemed or taken to have made default in Payment of such Instalment of the said Loan, nor shall any Process, Suit, or other Proceeding be issued, commenced, or had, nor any Warrant for the same granted, against the said Parties respectively, or their Sureties or Surety, their Heirs, Executors, or Administrators, or upon or in respect of any Securities or Security made, assigned, or deposited for the Purpose of recovering or compelling Payment of the said Loan or any Part thereof.

Extension of Time not to exceed Three Months without Consent of the Treasury.

XLV. Provided always, and be it further enacted, That in case such Application shall be made to the said Commissioners for the Enlargement or Extension of the Time limited for the Payment of any such Loan or Advance, the said Commissioners shall not, without the Consent in Writing of Three or more of the Commissioners of the Treasury for the Time being, allow any longer Time for the Purposes aforesaid than Three Months to be computed from the Time of Payment of the said Loan as limited by the said Act; and any Grant or Allowance by the said Commissioners to any Person or Persons making such Application of any longer or further Time for the Purposes aforesaid than as hereinbefore mentioned, without such Consent as aforesaid, shall be wholly void and of none Effect.

Persons to whom Time for Repayment of Loan shall be extended to enter into additional Bonds, &c.

XLVI. And be it further enacted, That all Persons who shall make such Application to the said Commissioners for the Enlargement or Extension of the Time of Repayment, and whose Proposals shall be approved by the said Commissioners, shall, if required, forthwith enter into such additional Bonds or Obligations as shall be required and approved by the said Commissioners for the due Repayment of the Amount of such Exchequer Bills at or before the Expiration of such enlarged or extended Time, and shall deposit or cause to be deposited in the Hands of the said Commissioners, or of such Person as they shall appoint to receive the same, all such further or other Securities as shall have been tendered by the said Parties respectively and approved by the said Commissioners, and shall pay such Interest on the said Loan, and in such Manner and within such Time as herein-after directed; and from and after the Execution and Delivery of such Bonds, and the signing of such Consent by the original Sureties as aforesaid, and the Deposit of such further Securities (as the Case may be), and the Payment of

Commissioners may grant to such Persons Extension of Times of Re-

payment by certain Instalments.

of such Interest as aforesaid, the said Commissioners may grant and allow in manner herein-after mentioned, to such Parties respectively, such Enlargement or Extension of the Times of Repayment of such Loan as they the said Commissioners shall in their Discretion think proper, so that the same be granted and allowed, with the Consent and Approbation of the Lords Commissioners of His Majesty's Treasury, or any Three or more of them for the Time being; and such Parties respectively to whom the said Commissioners shall allow such Enlargement or Extension of the Times of Payment of the said Loan shall not be deemed or taken to have made Default in Payment of the said Loan in manner directed by the said recited Act, nor shall any Process, Suit, or other Proceeding be issued, commenced, or had, nor any Warrant for the same granted against the said Parties respectively, or their Sureties or Surety, their or any of their Heirs, Executors, or Administrators, or upon or in respect of any Securities or Security made, assigned, or deposited for the Purposes in the said Act mentioned, or otherwise, in order to recover or compel Payment of the said Loan or any Part thereof, until the Expiration of such enlarged or extended Times as aforesaid.

Commissioners to certify their Allowance of such Extension in the following Form.

XLVII. And be it further enacted, That in all Cases in which the said Commissioners shall think fit to grant or allow any such Enlargement or Extension of Time for the Repayment of such Loan, or any Instalment thereof, they the said Commissioners shall certify such their Allowance by a Writing under the Hands of any Three or more of them in the Form following; (that is to say,)

'WHEREAS the Commissioners named in and appointed under
' and by virtue of an Act of Parliament passed in the
' Year of the Reign of His present Majesty, intituled
' did on the Day of advance to the Sum
' of in Exchequer Bills, who thereupon entered
' into and executed a Bond to His Majesty, in the penal Sum
' of conditioned for the Payment of the said Sum of
' with Interest, by Instalments, according to the said
' Act: And whereas the said applied to the said Commissioners to extend the Time for the Payment of the whole
' of the said Loan in Exchequer Bills, [*or* the First, Second, or
' Third Instalments, *as the same may be*,] for the Space of
' for the Time [*or* respective Times] when the same became
' payable according to the said first-mentioned Act, and hath
' given Security for Payment thereof at such extended Period,
' which hath been approved: Now we whose Names are hereunto
' subscribed and Seals affixed, being Three of the said Commissioners, do, in pursuance of the Directions contained in the said
' last-mentioned Act, certify, That we have granted and allowed to
' the said the further Time of for
' Repayment of the said Sum of from the Time
' [*or* respective Times] when the same became payable. Given
' under our Hands and Seals, this Day of .'

Copies of such Certificates to be entered.

And such Certificates shall be delivered to the respective Parties to whom such Allowance shall be made, and a Copy or Minute of all such Certificates or Allowances shall be entered in a Book or Books to be kept by the said Commissioners for that Purpose.

XLVIII. Pro-

XLVIII. Provided always, and be it further enacted, That all and every Persons and Person to whom such Enlargement or Extension of Time for the Payment of the said Instalments, or any or either of them, shall be granted or allowed under the Powers and Authorities herein-before given for that Purpose, shall, previous to receiving the Certificate of the said Commissioners for the same, pay or cause to be paid to the said Commissioners, or such Persons or Person as they shall appoint to receive the same, and all Arrears of Interest for the said Loan.

Before receiving Certificates the Interest of Loans to be paid.

XLIX. And be it further enacted, That if any Default shall be made in the Repayment of all or any Part of such Loan or Advance for which any such Mortgage shall be accepted or taken by the said Commissioners as a Security, (but not otherwise,) the said Commissioners, or their Attornies or Attorney to be appointed for that Purpose, by the proper Proceedings in the said Islands, upon Judgment to be entered up, shall take possession of all or any Parts or Part of the said mortgaged Premises, and by Sale or Mortgage of the same, or a competent Part thereof, raise and levy such Sum or Sums of Money as shall 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 the Monies so recovered (the Costs and Charges aforesaid excepted) shall be paid and applied in reimbursement and satisfaction of the Sum due upon or in respect of such Loan or Advance, in like Manner as the Sums of Money to be recovered under the Proceedings authorized by the said recited Act in default of Payment are thereby directed to be paid and applied; and the Receipt of such Persons or Person as the said Commissioners, or any Three or more of them, shall nominate and appoint as their Attornies or Attorney in the said Islands or in *Great Britain*, shall alone be a full and sufficient Discharge to such Mortgagees or Purchasers or Mortgagee or Purchaser for the Monies or Money advanced on Mortgage, or for the Purchase Monies or Purchase Money of the respective Premises so mortgaged or sold; and such Mortgagees or Purchasers or Mortgagee or Purchaser shall not be bound to see to the Application thereof, nor shall be liable or in any Manner accountable for the Misapplication or Nonapplication of such Monies or Money by the Attornies or Agents of the said Commissioners or any of them; and the Attornies or Agents so to be appointed as aforesaid shall give Security by Obligations to His Majesty, with such Sureties as the said Commissioners or any Three or more of them shall approve, duly to account to the said Commissioners for, and to pay to the Cashiers of the Bank of *England* when and as the said Commissioners or any Three or more of them shall direct or appoint, all such Sum and Sums of Money as they shall recover or receive under or by virtue of such Appointments, after deducting all Costs, Charges, and Expences which shall or may be incurred in the Recovery thereof, and the Commission or Compensation to be paid or allowed to such Attornies or Agents for their Trouble; which Costs, Charges, Expences, Commission, or Compensation shall be examined and allowed by the said Commissioners, or any Three or more of them, in such Manner and to such Extent as they in their Discretion shall think fit; and the said Attornies or Agents to be appointed as aforesaid

If Default be made in Repayment of Loans the mortgaged Premises may be sold.

Receipt of Attornies appointed by the Commissioners to be a sufficient Discharge.

Attornies to give Security, &c.

aforesaid shall alone be Accountants to His Majesty for such Sum and Sums of Money as they shall recover under or by virtue of this Act.

Commissioners may apply for Commissions of Bankruptcy, &c.

L. And be it further enacted, That the said Commissioners may, in the Name of their Secretary for the Time being, apply, by Petition or otherwise, to the proper Courts in *England* and *Scotland* respectively for any Commission of Bankruptcy or Sequestration, against the Estate or Effects of any Bankrupt or Bankrupts, and to sue out and otherwise pursue the same respectively in like Manner as any other Creditor or Creditors is or are by Law entitled to do in *England* and *Scotland* respectively.

If principal Debtors do not in a limited Time produce Sureties in place of such as become Bankrupts, or pay Half of the Sum for which they were Sureties, their Securities shall be deemed forfeited to that Amount.

LI. And be it further enacted, That if any such Surety or Sureties upon any such Loan by the said Commissioners under this Act shall be declared bankrupt as aforesaid, and the principal Debtor or Debtors thereon shall not, within Fourteen Days after Notice thereof and Requisition made for that Purpose by the said Commissioners, produce another Surety or Sureties to be approved of by the said Commissioners to become bound, and who shall accordingly become bound in the said Sum by the like Surety or Sureties in lieu of the Surety or Sureties so becoming bankrupt as aforesaid, or pay to the said Commissioners One Half of the Sum for which such Surety or Sureties were bound by such Security or Securities, then the Security and Securities given or entered into by such principal Debtor or Debtors shall be deemed forfeited as far as to the Amount of One Half of the Sum or Sums in which such Surety or Sureties were bound respectively; and the said Commissioners may cause Process to be issued in the Manner prescribed by this Act against the principal Debtor or Debtors, his and their Heirs, Executors, and Administrators, for the Recovery of One Half Part of all and every the Sum and Sums in which such Surety or Sureties were bound respectively, together with Interest and Costs, to be directed by the said Commissioners in pursuance of this Act.

Any Person appointed by the Commissioners shall be admitted to prove Debts, &c.

LII. And be it further enacted, That any Person appointed by the said Commissioners to act in the Execution of this Act may, on Oath or Affirmation, which Oath, Affirmation, and Affidavit respectively shall be taken and administered before any of the proper Officers having Authority by Law to administer Oaths or Affirmations or to take Affidavits in Cases of Bankruptcy, prove any Debt or Grounds of Debt under this Act, and vote in the Choice of an Assignee or Assignees, Factor or Factors, Trustee or Trustees, as the Case may require, of such Bankrupt's Estate and Effects, and may do and execute every other Act, Matter, and Thing relating to such Bankruptcy or Sequestration, as fully and effectually as if such Person so authorized was the *bond fide* Creditor of such Bankrupt or Bankrupts.

Act not to delay the Execution of Commissions of Bankruptcy, provided the Assignments of the Effects are subject to the Claims of the Commissioners.

LIII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to prevent, hinder, or delay the Execution of any Commission of Bankruptcy according to the Laws now in force in that Part of *Great Britain* called *England*, or the proceeding to or under Sequestration in *Scotland*, provided that every Assignment of the Estate or Effects of such Bankrupt or Bankrupts under the said Commission in *England*, and every Act of Sequestration of the Estate or Effects of

such Bankrupt or Bankrupts in *Scotland*, shall be subject to the Claims of the said Commissioners appointed by this Act, and until the same shall be fully paid or secured to be paid.

Deposits to be vested in the Commissioners;

LIV. And be it further enacted, That all Mortgages, Heritable Bonds, or other Heritable or Real Securities, and all Assignments of Mortgages, Heritable Bonds, or other Heritable or Real Securities, and also all Exchequer Bills, *India* Bonds, Bills of Exchange, and other negociable Securities for Money whatsoever, given to or deposited with the said Commissioners under the Authority and for the Purposes of this Act, shall be for such Purposes vested in the said Commissioners, by the Name of "The Commissioners for the Issue of Exchequer Bills advanced to Persons connected with or trading to the Islands of *Jamaica*, *Barbadoes*, *Saint Lucie*, or *Saint Vincents*;" and that the said Commissioners shall and may sue and be sued in the Name of the 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 this Act, in the Name of their 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 one of the said Courts of Exchequer, and with the Leave of such Court first had and obtained, and upon such Terms and Conditions as the said Courts shall direct.

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

No Obligation, &c. under this Act liable to Stamp Duty.

LV. And be it further enacted, That no Obligation to His Majesty, Mortgage, Assignment, or other Security taken by the said Commissioners from and after the passing of this Act, nor any Reconveyance or Re-assignment thereof, nor any Promissory Note to be given to the Secretary to the said Commissioners under this Act as a Security for the Loan of Money in such Exchequer Bills as aforesaid, nor any Affidavit, Deposition, or Receipt taken or to be taken, or any other Instrument to be given or made under and by virtue of this Act, shall be liable to any Stamp Duty whatsoever.

The Bank of England to open and keep an Account with the Commissioners.

LVI. And be it further enacted, That the Governor and Directors of the Bank of *England* are hereby required to open and keep an Account in their Books with the Commissioners for the Execution of this Act, under the Title of "Commissioners for the Issue of certain Exchequer Bills to Persons connected with *West India* Islands," 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 of *England;* and whenever the said Commissioners for the Execution of 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, 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, and the Amount of the Money to be re-

ceived 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 Certificates shall acknowledge 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, and also to the Person or Persons to whom such Receipt or 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 this Act shall be paid by the Secretary of the said Commissioners, or such other Persons as may be appointed by them for that Purpose, into the same Account, upon a Certificate, to be signed by 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.

LVII. And be it further enacted, That all Sums of Money which shall be paid into the Bank of *England* under or by virtue of this Act shall from Time to Time be paid into the Receipt of His Majesty's Exchequer at *Westminster;* and there shall 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 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 Monies so paid into the said Receipt by virtue of 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 this Act, with such Interest as shall be payable thereon, at the respective Days and Times and in he 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 and out of the first Monies that shall arise in the Receipt of His Majesty's Exchequer accordingly; and

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 Lord High Treasurer for the Time being, according to the Directions of this Act, and also to pay and satisfy all Charges and Expences incidental 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 this Act upon satisfying the several Sums hereby charged thereon as aforesaid, such Surplus shall be reserved for the Disposition of Parliament.

Bank may advance Money on the Credit of this Act.

LVIII. 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 this Act, any Sum or Sums of Money not exceeding in the whole the Sum of One Million; any thing in an Act passed 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.

Exchequer Bills not used to be cancelled.

LIX. '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 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.

Six Months Notice to be given of Termination of the Powers of the Commissioners.

LX. And be it further enacted, That so soon as the whole Sum of One Million by this Act authorized to be issued and applied under the Provisions of 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 One Million, or whenever the said Commissioners of His Majesty's Treasury shall think that the Powers of the said Commissioners for the Execution of this Act may, without Injury to any Principals or Sureties or other Persons interested in the Properties for which Advances have been made, or in any Securities given in relation thereto, cease and determine, the Commissioners of His Majesty's Treasury, or any Three or more of them, are hereby authorized to direct the said Commissioners or any Three or more

of them, of whom the Chairman or Deputy Chairman shall be One, and the said Commissioners are thereupon hereby authorized and required to publish and declare, by Advertisements to be inserted in the *London Gazette* and such of the daily Newspapers 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 this Act will cease to execute and perform the Powers and Authorities vested in them by this Act, and all the Powers and Authorities of the said Commissioners for the Execution of this Act shall thereupon cease and determine accordingly; and 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 deliver or cause to be delivered up to the said Commissioners of His Majesty's Treasury for the Time being, 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, by Writing under their Hands shall nominate and appoint, all 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, 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 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.

Commissioners to give an Account of their Proceedings to the Treasury.

LXI. And be it further enacted, That the said Commissioners herein appointed shall from Time to Time at their Discretion, or as often as they shall be thereunto required, during their carrying on any Proceedings by virtue of this Act, and as soon as possible after the Determination of such Proceedings, without any further Requisition, give an Account of their Proceedings in Writing to the Lords Commissioners of His Majesty's Treasury or the Lord High Treasurer for the Time being.

Commissioners may receive and send Letters free of Postage.

LXII. And be it further enacted, That the said Commissioners shall and may receive and send by the General Post, from and to Places within the United Kingdom, all Letters and Packets relating solely and exclusively to the Execution of this Act, free from the Duty of Postage, provided that such Letters and Packets as shall be sent to the said Commissioners be directed "To the Commissioners for the Issue of Exchequer Bills," at their Office in *London*, and that all such Letters and Packets as shall be sent by the said Commissioners shall be in Covers, with the Words "Exchequer Bill Office, pursuant to Act of Parliament of 3d *William* 4th," printed on the same, and be signed on the Outside thereof under such Words with the Name of such Person as the said Commissioners, with the Consent of the Lords Commissioners of the Treasury, or any Three or more of them, shall authorize and appoint, in his own Handwriting, and be sealed with the Seal of the said Commissioners, and under such other Regulations and Restrictions as the said Lords Commissioners, or any Three or more of them, shall think proper and direct; and the Person so to be authorized

is

is hereby strictly forbidden so to subscribe or seal any Letter or Packet whatever, except such only concerning which he shall receive the special Direction of his superior Officer, or which he shall himself know to relate solely and exclusively to the Execution of this Act; and if the Person so to be authorized, or any other Person, shall send or cause or permit to be sent under any such Cover any Letter, Paper, or Writing, or any Enclosure other than what shall relate to the Execution of this Act, every Person so offending shall forfeit and pay the Sum of One hundred Pounds, and be dismissed from his Office: And whereas it is expedient to make Provision for the Relief of His Majesty's Colonies of *Trinidad*, *British Guiana*, and *Saint Lucie*, be it therefore enacted, That the Lord High Treasurer or Commissioners of the Treasury, or any Three or more of them for the Time being, may, upon the Requisition in Writing of His Majesty's Secretary of State having Charge for the Time being of the Affairs of those Colonies, authorize and order and direct the Payment, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, any Sum or Sums of Money to any Person or Persons who may be authorized by such Secretary of State to receive the same, for the Relief of all or any or either of such Colonies, so that the whole Sum so issued shall not exceed the Sum of Fifty-eight thousand Pounds, and so that the Sum issued for the Relief of any One of such Colonies shall not exceed One Half the Amount of the annual Revenue of the Colony for which such Relief shall be required: Provided always, that a Copy of the Requisition of the Secretary of State, and of the Orders made by the Lord High Treasurer or Commissioners of the Treasury thereupon, and an Account of the Sum or Sums issued out of the growing Produce of the Consolidated Fund in pursuance of such Order, shall be laid before Parliament within Ten Days after the Issue of any such Money if Parliament shall be then sitting, or if Parliament shall not then be sitting, then within Ten Days after the next Meeting of Parliament.

Limitations of Actions.

LXIII. 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 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 Tender thereof hath been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed; and every such Action shall be brought in the said respective Courts of Exchequer, 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 this Act; and if the same appear so to be done, or if such Action or Suit so to be brought after the Time herein-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 Plain-

General Issue.

tiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of his, her, or their Action or Suit, 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 Costs of Suit in any other Cases of Law.

Treble Costs.

Punishment of Persons counterfeiting Certificates, &c.

LXIV. 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 said Commissioners by this Act appointed as aforesaid or any of them, or any Receipt or Receipts to be given by the Cashier or Cashiers of the Governor and Company of the Bank of *England* in pursuance of this Act, or shall wilfully deliver to the Auditor of the Receipt of His Majesty's Exchequer for the Time being, or to any Officer appointed by him, or to the said Commissioners by this Act appointed or any of them, or to any Officer or Officers appointed by them or any of them in the Execution of the Powers 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.

Act may be altered.

LXV. 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.

CAP. CXXVI.

An Act to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year One thousand eight hundred and thirty-two; and to appropriate the Supplies granted in this Session of Parliament. [16th *August* 1832.]

'Most Gracious Sovereign,

'WE, Your Majesty's most dutiful and loyal Subjects, the 'Commons of the United Kingdom of *Great Britain* and '*Ireland* in Parliament assembled, towards making good the 'necessary Supplies which we have cheerfully granted to Your 'Majesty in this Session of Parliament, have resolved to grant 'unto Your Majesty the Sums herein-after mentioned;' and do therefore most humbly beseech 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 there shall and may be issued and applied, for or towards making good the Supply granted to His Majesty for the Service of the Year One thousand eight hundred and thirty-two, the Sum of Eight millions four hundred and fifty thousand Pounds out of the Consolidated Fund of the United Kingdom

There shall be applied, for the Service of the Year 1832, 8,450,000*l.* out of the Consolidated Fund.