

ANNO QUARTO & QUINTO

GULIELMI IV. REGIS.

****

CAP. LXXII.

An Act to amend several Acts for authorizing the Issue of Exchequer Bills for carrying on Public Works and Fisheries and Employment of the Poor; and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts.

[14th *August* 1834.]

WHEREAS an Act passed in the Fifty-seventh Year of the Reign of His Majesty King *George* the Third, intituled *An Act to authorize the Issue of Exchequer Bills, and the Advance of Money out of the Consolidated Fund, to a limited Amount, for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in* Great Britain, *in manner therein mentioned:* And whereas another Act passed in the same Session of Parliament, intituled *An Act to amend an Act made in the present Session of Parliament, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on Public Works and Fisheries, and the Employment of the Poor:* And whereas another Act passed in the First Year of the Reign of His said late Majesty King *George* the Fourth, intituled *An Act to amend and continue Two Acts passed in the Fifty-seventh Year of His late Majesty King* George *the Third, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on of Public Works and Fisheries and Employment of the Poor; and to extend the Powers of the Commissioners* 57G. 3. c. 34. 57G. 3. c. 121. 1 G. 4. c. 60.

for executing the said Acts in Great Britain: And whereas another Act passed in the First and Second Years of the Reign of His late
1 & 2 G. 4. c. 111. Majesty King *George* the Fourth, intituled *An Act to empower the Commissioners in* Great Britain *for the Execution of several Acts for authorizing the Issue of Exchequer Bills for carrying on Public Works and Fisheries and Employment of the Poor to extend the Time for the Payment of certain Advances under the said Acts:* And whereas another Act passed in the Third Year of the Reign of His said late
3 G. 4. c. 86. Majesty, intituled *An Act to amend Two Acts of the Fifty-seventh Year of the Reign of His late Majesty and the First Year of His present Majesty, for authorizing the Issue of Exchequer Bills the Advance of Money for carrying on Public Works and Fisheries and Employment of the Poor; and to authorize the further Issue of Exchequer Bills for the Purposes of the said Acts:* And whereas another Act passed in the Fourth Year of the Reign of His said late Majesty, intituled
4 G. 4. c. 63. *An Act to authorize the Advance of Money by the Commissioners under several Acts for the Issue of Exchequer Bills for the Public Works, for the building, rebuilding, enlarging, or repairing of Gaols in* England: And whereas another Act passed in the Fifth Year of the
5 G. 4. c. 36. Reign of His said late Majesty, intituled *An Act to amend and render more effectual the several Acts for the issuing of Exchequer Bills for Public Works:* And whereas another Act passed in the said last-mentioned
5 G. 4. c. 77. Year, intituled *An Act to amend the Acts for the Issue of Exchequer Bills for Public Works:* And whereas another Act passed in the Sixth
6 G. 4. c. 35. Year of His said late Majesty's Reign, intituled *An Act to render more effectual the several Acts for authorizing Advances for carrying on Public Works, so far as relates to* Ireland: And whereas another Act passed in the Seventh Year of the Reign of His said late Majesty, intituled
7 G. 4. c. 30. *An Act to amend the several Acts for authorizing Advances for carrying on Public Works, and to extend the Provisions thereof in certain Cases:* And whereas another Act passed in the Seventh and Eighth Years
7 & 8 G. 4. c. 12. of the Reign of His said late Majesty, intituled *An Act to amend an Act of the First Year of His present Majesty, for the Advance of Money for carrying on Public Works in* Ireland: And whereas
7 & 8 G. 4. c. 47. another Act passed in the said last-mentioned Year, intituled *An Act for the further Amendment and Extension of the Powers of the several Acts authorizing Advances for carrying on Public Works:* And whereas another Act passed in the First and Second Years of His
1 & 2 W. 4. c. 24. present Majesty, intituled *An Act to amend several Acts passed for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on Public Works and Fisheries and Employment of the Poor; and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts:* And whereas another Act was passed in the Third
3 & 4 W. 4. c. 32. and Fourth Years of the Reign of His present Majesty, intituled *An Act to amend the several Acts authorizing Advances for carrying on Public Works:* And whereas sundry Advances have been made by the Commissioners appointed by the said recited Acts for the Purposes and under the Regulation in the said Acts respectively contained, and Applications have been made and are by the several Acts authorized to be made to the said Commissioners for other Advances which the Funds remaining at their Disposal are insufficient to meet, and it is therefore expedient that a further Advance of Exchequer Bills should be placed at the Disposal of the said Commissioners for the like Pur-

poses, and subject to the like Terms and Conditions, mentioned in the said recited Acts or any of them, or in any Act or Acts having reference thereto, except so far as such Terms and Conditions may be altered or extended by this Act: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the King's most Excellent Majesty may, by Warrant or Warrants under His Royal Sign Manual, authorize the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* now or for the Time being, or any Three or more of them, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland* for the Time being, to cause or direct any Number of Exchequer Bills to be made out at His Majesty's Exchequer in *Great Britain*, not exceeding in the whole the Sum of One Million, in the same or like Manner, Form, and Order, and according to the same or the 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 Exchequer Bills*, are enacted and prescribed.

His Majesty may authorize the Commissioners of the Treasury to issue Exchequer Bills to the Amount of One Million.

48 G. 3. c. 1.

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

Powers of last-recited Act to extend to this Act.

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

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

IV. Provided always, and be it further enacted, That the Exchequer Bills to be made out by virtue of this Act, or so many of them as shall from Time to Time remain undischarged and uncancelled after the respective Days on which they shall become due and payable, shall 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;

Bills when payable to pass current;

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

withstanding; 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.

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

V. And be it further enacted, That from and after the passing of this Act all Exchequer Bills which at any Time after the passing of this Act shall be made out and issued in pursuance of either of the said recited Acts or this Act, and advanced for any of the Purposes mentioned in the said recited Acts or any of them, or in this Act, shall be made payable within One Year from the Date thereof respectively; and that the Principal Sum mentioned in every such Bill, together with 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 any Fees other than allowed by Treasury.

VI. And be it further enacted, That no Officer or other Person employed in and about the Execution of the said recited Acts and this Act in the Receipt of His Majesty's Exchequer in *Great Britain* shall demand, take, or accept any Fee or Gratuity whatsoever for their Care and Labour 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 under recited Acts to be Commissioners under this Act.

VII. And be it further enacted, That the several Persons who in and by the said recited Acts or any of them are constituted Commissioners for the Execution of the said Acts, or so many of them as shall be living at the Time of the passing of this Act, shall be and they are hereby constituted Commissioners for the Execution of the said recited Acts and this Act; and all Acts authorized by the said recited Acts and this Act to be done and executed by the said Commissioners may be done and executed by any Three or more of them.

Commissioners to take the following Oath.

VIII. And be it further enacted, That the said Commissioners named in the said recited Acts or either of them shall, before they enter upon the Execution of this Act, sign a Declaration to the following Effect:

'I *A. B.* do declare, That according to the best of my Judgment I will faithfully and impartially execute the several Duties, Powers, and Trusts vested in me by an Act, intituled [*here insert the Title of this Act*], according to the Tenor and Purport of the said Act, the Acts therein recited, and other Acts having reference thereto.'

And that such Declaration shall be kept and entered with the other Proceedings of the said Commissioners.

IX. And

Manner of advancing Bills by Commissioners.

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

Bills issued not to exceed Amount directed by this and recited Acts.

Lists of Exchequer Bills issued to be delivered to Commissioners.

X. And be it further enacted, That the 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, to them, at their Office, give complete Lists of all the Exchequer Bills made out and delivered by them, specifying therein the respective Days and Sums expressed therein, and the Period 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.

Clauses, Powers, &c. respecting Advances and Accounts made under recited Acts to extend to Advances made by Commissioners under this Act.

XI. And be it further enacted, That all the Clauses, Powers, Provisoes, Directions, Regulations, Authorities, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures contained in the said recited Acts or any of them in relation to any Advances made or to be made under the said recited Acts or any of them, or for the Recovery, Repayment, and Application of such Advances after Repayment, and the Accounts to be kept in relation thereto, shall extend and are hereby extended and made applicable to the said Commissioners, and all other Persons, Parties, Bodies Politic or Corporate, in respect to all Advances which shall be made by the said Commissioners, and all Acts done or directed by the Lords Commissioners of His Majesty's Treasury, or the said Commissioners for executing this Act and the said recited Acts, or either of them, under the Authority of the said recited Acts and this Act, and the Recovery, Repayment, and Application of such Advances, and of all Accounts in respect of the same, in such and the like Manner, to all Intents, Constructions, and Purposes whatsoever, as if such Clauses, Powers, Provisoes, Directions, Regulations, Authorities, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures had been particularly and severally repeated and re-enacted in the Body of this Act, except only so far as the same are amended or altered by this Act.

Further Advances may be made on unfinished Works, on Mortgage of such Works, or other Security.

XII. And whereas in some Cases Advances have been made by the said Commissioners towards the Completion of Public Works which yet remain unfinished in consequence of the Expence of completing the same having, from unforeseen Circumstances, exceeded the Sum estimated for the Completion thereof, and the Capital provided for such Completion at the Time of the Application for such Advances, and it is expedient, for the Security of the Money already expended and advanced on such unfinished Works, that in addition to the Powers and Remedies provided by the said recited Acts, or some or one of them, for making Calls on the Proprietors or Shareholders of such unfinished Works or Undertakings under the Circumstances aforesaid, that the said Commissioners should have Authority, if they should think fit, to make Advances in anticipation of such Calls, or on the Security of a further Mortgage of such unfinished Works, with a view to the Completion thereof; be it therefore enacted, That in all Cases in which the said Commissioners have made or shall hereafter make Advances, under the Powers of the said recited Acts or this Act, for any incomplete Work or Undertaking, which shall, after the Expenditure of such Advance and the Capital provided for the same, remain unfinished in consequence of the Expence of perfecting the same exceeding the Sum estimated for the Completion thereof at the Time of the Application for such Advance, it shall be lawful for the said Commissioners to make any further Advance for or towards the Completion of any such incomplete Work, either in anticipation of the Calls to which the Proprietors or Shareholders of such Work shall be liable under the Provisions of the said recited Acts or either of them, or on the Security of further Mortgages of the same Works, or upon such other Security, and upon such Terms and Conditions as to the Periods of Repayment or otherwise, as the said Commissioners may direct or appoint; and that such further Mortgages and other Securities shall be entitled to such and the like Priority, Privileges, and Advantages as any Mortgage or other Security which may have been previously granted to the said Commissioners on such unfinished Work; any thing contained in any Act or Acts relating to such Works, or restricting the Amount of Capital to be raised by Shares, Mortgage, or otherwise, on account thereof, or in any of the said recited Acts or this Act, to the contrary notwithstanding.

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