

Penalty.

the authority aforesaid, That from and after the first day of *May*, in the year of our Lord one thousand six hundred ninety four, no collector, supervisor, gauger, or other officer or person whatsoever, concerned or employed in the charging, collecting, levying, or managing the duties of excise, or any branch or part thereof, shall by word, message, or writing, or in any other manner whatsoever, endeavour to persuade any elector to give, or dissuade any elector from giving his vote for the choice of any person to be a knight of the shire, citizen, burges or baron of any county, city, borough or cinque port to serve in parliament; and every officer or other person offending therein, shall forfeit the sum of one hundred pounds, one moiety thereof to the informer, the other moiety to the poor of the parish where such offence shall be committed, to be recovered by any person that shall sue for the same, by action of debt, bill, plaint, or information, in any of their Majesties courts of record at *Westminster*; in which no esoin, protection, privilege, or wager of law, or more than one imparlance, shall be allowed; and every person convict on any such suit of the said offence shall thereby become disabled and incapable of ever bearing or executing any office or place concerning or relating to the duty of excise, or any other office or place of trust whatsoever under their Majesties, their heirs or successors.

Note of gauge  
to be delivered  
to the brewer,  
&c. upon 5l.  
penalty.  
*Altered and  
explained by 7  
& 8 W. 3. c.  
30. s. 25.*

XLIX. And it is hereby declared and enacted, That true notes in writing of the last gauges, made or taken by the gaugers, shall be left by them with all brewers, makers, or retailers of beer, ale, or other exciseable liquor respectively, or some of their servants, at the times of taking their said gauges, containing the quantity and quality of the liquor so gauged, upon the penalty of five pounds for every offence or neglect of the said gauger or gaugers, to be recovered by any person that shall sue for the same by action of debt, bill, plaint, or information, in any of their Majesties courts of record at *Westminster*, in which no esoin, protection, privilege, or wager of law, nor more than one imparlance, shall be allowed.

## CAP. XXI.

*An act for granting to their Majesties several duties upon vellum, parchment, and paper, for four years, towards carrying on the war against France.*

*Most gracious Sovereigns,*

**W**E your Majesties most dutiful and loyal subjects, the commons in parliament assembled, having entred into a due and serious consideration of the extraordinary occasions which oblige your Majesties to a great and present expence in the necessary defence of your realms, and being desirous to raise such aids and supplies as may be proportionable to these occasions, do humbly present your Majesties with the free gift of the rates and duties herein after mentioned; and do beseech your Majesties that it may be enacted:

H. And



II. And be it enacted by the King's and Queen's most excellent majesties, by and with the advice and consent of the lords spiritual and temporal, and commons, in parliament assembled, and by authority of the same, That from and after the eight and twentieth day of *June*, which shall be in the year of our Lord one thousand six hundred ninety four, there shall be throughout their Majesties kingdom of *England*, dominion of *Wales*, and town of *Berwick upon Tweed*, raised, collected, and paid unto their Majesties, their heirs and successors, during the term of four years, and no longer, for the several and respective things herein after mentioned, which shall be written or ingrossed, during the term aforesaid, over and above the rates, duties, and sums of money, now due and payable to their Majesties, or to any person or persons, bodies politick or corporate whatsoever, for the same, the several and respective rates, impositions, duties, charges, and sums of money herein after expressed, in manner and form following (that is to say ;)

Duty upon things written and ingrossed for 4 years.  
For the increase and continuance of these duties, see 8 & 9 W. 3. c. 20.  
9 & 10 W. 3. c. 25.  
1 Annæ, stat. 1. c. 13.  
5 Annæ, c. 19.  
9 Annæ, c. 11.  
f. 4. & c. 23.  
10 Annæ, c. 19.  
f. 100. & c. 26. f. 3.  
12 Annæ, stat. 2. c. 9.  
1 Geo. 1. stat. 2. c. 12. f. 8.  
3 Geo. 1. c. 7.  
6 Geo. 1. c. 4.  
Particular rates.

III. For every skin or piece of vellum or parchment, on which any grants or letters patents under the great seal of *England*, or the seal of the duchy or county palatine of *Lancaster*, or of any honour, dignity, promotion; franchise, liberty, or privilege, to any person or persons, bodies politick or corporate, or exemplifications of the same, shall be ingrossed or written, the sum of forty shillings. For every skin or piece of vellum, parchment, or sheet of paper, on which any pardon of or for any crime or offence, or of any sum of money or forfeiture whatsoever, or on which any warrant of reprieve or relaxation from any fines, corporal punishments, or other forfeiture; shall be ingrossed or written, the sum of forty shillings: For every skin of vellum or parchment, or sheet of paper upon which any grant from their Majesties of any sum of money exceeding one hundred pounds, which shall pass the great seal, or privy seal (not directed to the great seal) shall be ingrossed or written, the sum of forty shillings. For every skin of vellum or parchment, or for every sheet of paper upon which any grant of any office or employment, which shall be above the value of fifty pounds *per annum*, shall be written, or ingrossed, the sum of forty shillings. For every skin of vellum or parchment, on which any grant of lands in fee, lease for years, or other grant of profit, not herein particularly charged, that shall pass the great seal of *England*, the seal of the *Exchequer*, the seal of the duchy or county palatine of *Lancaster*, or the privy seal (not directed to the great seal) shall be ingrossed or written, the sum of forty shillings. For every skin or piece of vellum or parchment, or sheet of paper, upon which any presentation or donation which shall pass the great seal of *England*, or upon which any collation to be made by any archbishop, or other bishop, or any presentation or donation to be made by any patron whatsoever, of or to any benefice, dignity, or spiritual or ecclesiastical promotion whatsoever, shall be ingrossed or written, the sum of forty shillings; provided such benefice, dignity, or



promotion, be of the yearly value of ten pounds or above in the King's books. For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which any register, entry, testimonial, or certificate of any degree taken in either of the two universities, or four inns of court, shall be ingrossed or written, the sum of forty shillings. For every skin or piece of vellum or parchment, or sheet of paper, on which any dispensation to hold two ecclesiastical dignities or benefices, or both a dignity and a benefice, or any other dispensation or faculty, from the lord archbishop of *Canterbury*, or the master of the faculties, for the time being, shall be ingrossed or written, the sum of forty shillings. For every skin or piece of vellum or parchment, sheet or piece of paper, upon which any admittance of any fellow of the college of physicians, or of any attorney, clerk, advocate, proctor, notary, or other officer or officers, in any court whatsoever, shall be ingrossed or written, the sum of forty shillings. For every skin or piece of vellum or parchment, or sheet of paper, upon which any appeal from the court of admiralty, arches, or the prerogative courts of *Canterbury*, or *York*, shall be ingrossed or written, the sum of forty shillings. For every skin or piece of vellum or parchment, or sheet of paper, upon which any conveyance, surrender of grants, or offices, release, or other deed whatsoever, which shall be enrolled of record, in any of the courts at *Westminster*, or in any other court of record whatsoever, or by any *custos rotulorum*, or clerk of the peace, shall be ingrossed or written, the sum of five shillings. For every piece of vellum or parchment upon which any writ of covenant for levying of fines shall be ingrossed or written, the sum of five shillings. For every piece of vellum or parchment, upon which any writ of entry for suffering a common recovery shall be ingrossed or written, the sum of five shillings. For every skin of vellum or parchment, upon which any exemplification, of what nature soever, that shall pass the seal of any court whatsoever, shall be ingrossed or written, the sum of five shillings. For every skin of vellum or parchment, or sheet of paper, upon which any decree or dismissal, made by or in the court of *Chancery*, *Exchequer*, court of the county palatine or duchy of *Lancaster*, courts of the counties palatine of *Chester*, *Durham*, or other court of equity whatsoever, shall be ingrossed or written, the sum of six pence. For every skin or piece of vellum or parchment, or sheet of paper upon which any institution, or licence that shall pass the seal of any archbishop or bishop, chancellor, or other ordinary, or any ecclesiastical court whatsoever, shall be ingrossed or written, the sum of five shillings. For every skin or piece of vellum or parchment, or sheet of paper, upon which any writ of error, *Certiorari*, *Habeas Corpus*, or appeal (except to the delegates) shall be ingrossed or written, the sum of five shillings. For every skin or piece of vellum or parchment, or sheet of paper, upon which any *Significavit pro corporis deliberatione* shall be ingrossed or written, the sum of five shillings.



lings. For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which any sentence that shall be given in the court of the lord high admiral of *England*, or the cinque ports exercising admiralty jurisdiction, or upon any attachment that shall be made out of any of the said courts of admiralty, or any relaxation of any such attachment, shall be ingrossed or written, the sum of five shillings. For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which any licence for or certificate of marriage, or any letters of mart, shall be ingrossed or written, the sum of five shillings. For every skin or piece of vellum or parchment, sheet or piece of paper, upon which any probate of a will, or letters of administration, for any estate above the value of twenty pounds, shall be ingrossed or written, the sum of five shillings. For every skin or piece of vellum or parchment, sheet or piece of paper, upon which any recognizance, statute-staple or statute-merchant, shall be ingrossed or written, and entred of record in any court or office, the sum of five shillings. For every skin or piece of vellum or parchment, upon which any record of *Nisi prius* or *Postea* shall be ingrossed or written, the sum of two shillings and six pence. For every skin or piece of vellum or parchment, or paper, upon which shall be engrossed or written any judgment whatsoever, which shall be signed by the master of any office, or his deputy or secondary, or by any prothonotary or his secondary, deputy or clerk, or any other officer belonging to any of the courts at *Westminster*, who have power, or usually doth or shall sign judgments, the sum of two shillings and six pence. For every skin or piece of vellum or parchment, or sheet of paper, upon which any commission issuing out of any ecclesiastical court, not herein otherwise particularly charged, shall be ingrossed or written, the sum of two shillings and six pence. For every skin or piece of vellum or parchment, or sheet of paper, upon which any warrant, monition, or personal decree, in any court of admiralty, or the cinque-ports, shall be ingrossed or written, or upon which any beneficial warrant or order under their Majesties sign manual (except warrants or orders for the service of their Majesties navy, army, and ordnance) shall be ingrossed or written, the sum of two shillings and sixpence. For every piece of vellum, parchment or paper, upon which any special bail to be taken in any of the courts at *Westminster*, or before any of the judges of the said courts, or in any other court whatsoever, that shall be filed in any of the said courts, shall be ingrossed or written, and for every piece of vellum, parchment, or paper, upon which shall be engrossed or written any appearance upon such special bail, the sum of one shilling. For every skin or piece of vellum or parchment, upon which shall be ingrossed or written any bill, answer, replication, rejoinder, interrogatories, depositions taken by commission, or any other pleadings whatsoever, in the courts of *Chancery*,

*This act is altered and explained by 6 & 7 W. 3. c. 12. as to recognizances, and warrants, &c. Certificates of Marriage, &c. Proceedings in courts martial, orders, &c. of commissioners of sewers, or in the flannary, bachelors degrees in the universities, commissions of rebellion, admittances of officers in corporations or inferior courts and officers at sea.*



*Exchequer*, duchy court, and county palatine courts, or other courts of equity, the sum of one shilling. For every skin or piece of vellum or parchment, and for every sheet or piece of paper, upon which any admission into any corporation or company, or any matriculation in either of the two universities, or any admission into any of the inns of court or inns of chancery, shall be ingrossed or written, the sum of one shilling. For every piece of parchment or paper, upon which any affidavit shall be ingrossed or written (except affidavits taken pursuant to the several acts made in the thirtieth and two and thirtieth years of the reign of King *Charles* the Second, for burying in woollen, and except such affidavits as shall be taken before the officers of their Majesties customs, or any justice or justices of the peace, or before any commissioners appointed or to be appointed by any act of parliament for the assessing or levying any aids or duties granted or to be granted to their Majesties, and which affidavits shall be taken by the said officers of the customs, justices, or commissioners, by virtue of their authority as justices of the peace, or commissioners respectively, and not otherwise) the sum of six pence. And for every piece of parchment or paper, upon which any copy of such affidavit, as is herein before charged, that shall be filed or read in any court whatsoever, shall be ingrossed or written, the sum of six pence. For every skin or piece of vellum or parchment, or sheet of paper, upon which shall be ingrossed or written any indenture, lease, or deed-poll, not hereby otherwise charged, the sum of six pence. For every piece of vellum or parchment, or piece of paper, upon which any original writ, (except such original on which a writ of *Capias* issues) *Subpœna*, bill of *Middlesex*, *Latitat*, writ of *Capias*, *Quo minus*, writ of *Dedimus potestatem* to take answers, examine witnesses, or appoint guardians, and any other writ whatsoever, or any other process or mandate that shall issue out of or pass the seals of any of the courts at *Westminster*, courts of the great sessions in *Wales*, courts in counties palatine, or any other court whatsoever holding plea, where the debt or damage doth amount to forty shillings or above, or the thing in demand is of that value, shall be ingrossed or written, the sum of six pence. For every piece of vellum, parchment, or paper, upon which any entry of any action in the mayor's and sheriffs courts of *London*, and in courts in all corporations, and other courts whatsoever, out of which no writs, process, or mandates issue, holding plea, where the debt or damage doth amount to forty shillings or above, shall be ingrossed or written, the sum of six pence. For every piece of vellum, parchment, or paper, upon which any common bail to be filed in any court whatsoever, and upon which any appearance that shall be made upon such bail, shall be ingrossed or written, the sum of six pence: which appearance or common bail the defendant shall cause to be entred or filed within eight days after the return of the process on which the defendant was arrested, upon penalty of five pounds

30 Car. 2. stat.

1. c. 3.

32 Car. 2. c. 1.

*These duties are**enlarged by 9**& 10 W. 3. c.**25. and farther**provided for by*

1 Ann. stat. 2.

c. 22.

*New duties laid**on copies of**court roll in**England, and**like instruments**in Scotland,**and pamphlets,**&c. by 10 Ann.*

c. 19. s. 100.

&amp; 101.



pounds to be paid to the plaintiff, for which the court shall immediately award judgment, whereupon the plaintiff may take out execution. For every piece of vellum, parchment, or paper, upon which any rule or order made or given in any of the courts at *Westminster*, either courts of law or equity, shall be ingrossed or written, the sum of six pence. For every piece of vellum, parchment, or paper, upon which any copy of such rules or orders entred, or the copies of any other records or proceedings in any of the said courts at *Westminster*, not hereby otherwise charged, shall be ingrossed or written, the sum of six pence. For every skin or piece of vellum or parchment, or sheet of paper, upon which shall be engrossed or written any citation or monition made in any ecclesiastical court, or any libel or allegation, deposition, answer, sentence, or final decree, or any inventory exhibited in any ecclesiastical court, the courts of admiralty, or cinque ports, or whereupon any copies of them respectively, shall be ingrossed or written, the sum of six pence. For every skin or piece of vellum, parchment, or sheet of paper, upon which any charter-party, policy of assurance, passport, bond, release, contract, or other obligatory instrument, or any protest, procuration, letter of attorney, or any other notarial act whatsoever shall be ingrossed or written, the sum of six pence. For every skin or piece of vellum or parchment, or sheet of paper, upon which any declaration, plea, replication, rejoinder, demurrer, or other pleadings whatsoever, in any court of law, shall be ingrossed or written, the sum of one penny. And for every skin or piece of vellum or parchment, upon which any copy thereof shall be written or ingrossed, the sum of one penny. For every skin or piece of vellum or parchment, or sheet of paper, upon which any depositions taken in the court of *Chancery*, or other court of equity (except the paper draughts of depositions taken by virtue of any commission before they are ingrossed) which are not herein before charged, or upon which any copy of any bill, answer, plea, demurrer, replication, rejoinder, interrogatories, depositions, or other proceedings whatsoever, in any court of equity, shall be ingrossed or written the sum of one penny. For every skin or piece of vellum or parchment, or sheet of paper, upon which a copy of any will shall be ingrossed or written, the sum of one penny.

*These duties are continued by 5 Ann. c. 19. and made perpetual by 1 Geo. 1. c. 12. and part of the aggregate fund.*

IV. And for preventing abuses committed by arresting persons without any writ or legal process to justify the same, by means whereof the duty hereby given to the crown upon such process will be lost; be it enacted by the authority aforesaid, that from and after the said eight and twentieth day of *June*, every officer or clerk belonging to the court of *King's Bench*, *Common Pleas*, or *Exchequer*, who shall sign any writ or process before judgment, to arrest any person or persons thereupon, shall at the signing thereof set down upon such writ or process the day and year of his signing the same, which shall be entred upon the remembrance, or in the book where the abstract

*Clerk to set down upon the writ the day and year, and enter it upon the remembrance.*

*The day and year to be likewise entred on the warrants,*



by 6 Geo. 1. c. 21. s. 54. Penalty. of such writ or process shall be entred, upon pain to forfeit the sum of ten pounds for every offence or neglect of such officer or clerk aforesaid; to be recovered by any person who shall sue for the same, in any of their Majesties courts of record, by action of debt, bill, plaint, or information, wherein no wager of law, protection or essoin, or more than one imparlance, shall be allowed.

**Bills of Exchange, &c. saved.** V. Provided always, that this act, or any thing therein contained, shall not extend to charge any bills of exchange, accounts, bills of parcels, bills of fees, or any bills or notes (not sealed) for payment of money at sight, or upon demand, or at the end of certain days of payment.

**Probate of will, &c. of soldier and seamen saved.** VI. Provided, that nothing in this act contained shall extend to charge the probate of any will, or letters of administration, of any common seaman or soldier, who shall be slain or die in their Majesties service, a certificate being produced from the captain of the ship or vessel, or captain of the troop or company, under whom such seaman or soldier served at the time of his death, and oath made of the truth thereof, before the proper judge or officer by whom such probate or administration ought to be granted; which oath such judge or officer is hereby authorized and required to administer, and for which no fee or reward shall be taken.

**King may appoint commissioners.** VII. And be it further enacted by the authority aforesaid, That for the better and more effectual levying, collecting, and paying unto their Majesties, their heirs and successors, the several and respective duties hereby granted, it shall and may be lawful for their Majesties, their heirs and successors, under the great seal of *England*, from time to time, to nominate and appoint such persons as they shall think fit, to be commissioners or officers for the several purposes herein after mentioned; and that the commissioners, so to be appointed, shall keep their head office in some convenient place within the cities of *London* or *Westminster*; and the said commissioners, or the major part of them, are hereby impowered, under their hands and seals, to appoint such other inferior officers, for the marking or stamping of vellum, parchment, and paper, or for the better collecting and levying the duties hereby granted to their Majesties, as they in their discretions shall think fit; and the said commissioners shall, by the space of thirty days before the said eight and twentieth day of *June*, which shall be in the year of our Lord one thousand six hundred ninety four, provide six several marks or stamps, differing from each other, for the several and respective duties hereby granted, with which several marks or stamps all vellum, paper, and parchment, upon which any of the several and respective things herein before charged shall be ingrossed or written, shall be stamped and impressed, that is to say; one stamp or mark, with which all vellum, paper, and parchment, herein before charged with the payment of forty shillings for every skin, piece, or sheet, shall be stamped or marked: and one other stamp or mark, with which all vellum, parchment, and paper, herein before charged with

**Place of the office.**

**Commissioners may appoint officers.**

**Six several marks to be provided.**



with the payment of five shillings for every skin, sheet, or piece, as aforesaid, shall be marked and stamped: one other mark or stamp, with which all vellum, parchment, and paper, charged as aforesaid with the payment of two shillings and six pence, for every skin, sheet, or piece, shall be marked and stamped, and so respectively a different mark or stamp, with which all vellum, paper, and parchment, herein before charged with the payment of the several duties of twelve pence, six pence, and one penny, shall be severally and differently marked and stamped; which said several marks and stamps shall be published by proclamation, to be issued under the great seal of England, a convenient time before the said eight and twentieth day of June, to the end that all persons may have due notice thereof; and that the said marks and stamps, or any of them, shall or may be altered or renewed from time to time, as their Majesties, their heirs or successors shall think fit, so as publick notification thereof be given by proclamation, as aforesaid.

*The proclamation is to be judicially taken notice of by 10 Anne, c. 19. s. 180. the old stamps are to be used till new ones are proclaimed by 12 Anne, stat. 2. c. 9. s. 30.*

*The marks may be changed.*

VIII. And be it further enacted by the authority aforesaid, That the commissioners in providing the said marks or stamps, shall take care they be so contrived, that the impression thereof may be durable, and so as the same may be least liable to be forged or counterfeited.

*Impression to be durable.*

IX. And be it further enacted, that all vellum, parchment, and paper, hereby intended to be charged with the several and respective duties aforesaid, shall, before any of the matters or things herein before mentioned shall be thereupon ingrossed or written, be brought to the head office aforesaid, or some other sub-commissioner or officer to be appointed by the commissioners, as herein is directed for that purpose, to be stamped and marked; and the said commissioners, sub-commissioners, and officers aforesaid, are hereby impowered and required forthwith upon demand to them made by any person or persons, to stamp or mark any quantities or parcels of vellum, parchment, or paper, he or they paying to such officer or officers as shall be appointed in that behalf, the respective duties hereby directed to be paid for the same, to stamp and mark the same accordingly, without any other fee or reward; which stamp or mark shall be a sufficient discharge for the several and respective duties hereby granted upon the said vellum, parchment, or paper, which shall be so stamped or marked.

*Parchment, &c. to be marked before written.*

X. And be it further enacted, That if any commissioner or other officer to be appointed as aforesaid shall fix any such mark or stamp to any vellum, parchment, or paper, before the several and respective duties thereupon charged by this act shall be duly answered and paid, or be secured to be paid to their Majesties use, he shall for every such offence forfeit the sum of one hundred pounds; one moiety thereof to their Majesties, and the other moiety to him or them that shall inform or sue for the same in any of their Majesties courts of record, by bill, plaint, or information, wherein no essoin, protection, wager of law, or more than one imparlance, shall be allowed.

*Penalty upon officer stamping before duty paid.*

XI. And



Penalty upon person writing upon paper before stamped, &c.

Reduced to 5l. by 6 & 7 W. 3. c. 12. s. 7.

Penalty upon officer, &c. offending.

Penalty upon attorney.

No instrument, &c. written before paper stamp good, till 5l. paid to the King, and money for the stamp.

Mod. cases in law 365.

XI. And be it further enacted, That if any person or persons shall ingross or write, or cause to be ingrossed or written, upon any vellum, parchment, or paper, any of the matters or things for which the said vellum, parchment, or paper is hereby charged to pay any duty, before such time as the said vellum, parchment or paper shall be marked or stamped as aforesaid, or upon which there shall not be some stamp or mark resembling the same, or shall ingross or write, or cause to be ingrossed or written, any matter or thing, upon any vellum, parchment, or paper, that shall be marked or stamped, for any lower duty than the duty by this act payable for what shall be so ingrossed or written, such person so offending shall for every such offence forfeit the sum of five hundred pounds; one moiety thereof to their Majesties, and the other moiety to him or them that will inform or sue for the same, as aforesaid; and in case any clerk, officer, or person, who in respect of any publick office or employment is or shall be intitled or intrusted to make, ingross, or write, any records, deeds, instruments, or writings by this act charged to pay a duty, as aforesaid, shall be guilty of any fraud or practice to deceive their Majesties of any duty by this act payable, by making, ingrossing, or writing any such record, deed, instrument, or writing, or causing the same to be made, ingrossed, or written, upon vellum, parchment, or paper, not marked or stamped according to this act, or upon which there shall not be some stamp or mark resembling the same, or upon vellum, parchment, or paper, marked or stamped with any mark or stamp which he shall know to be counterfeited, or by ingrossing or writing any such deed, instrument, or other writing upon vellum, parchment, or paper, that shall be marked or stamped for a lower duty, as aforesaid, that then every such clerk, officer, or person so guilty of any such fraud or practice, and being thereof lawfully convicted, shall (over and above the penalty aforesaid) forfeit his office, place, or employment respectively, and be disabled to hold or enjoy the same for the future. And if any attorney belonging to any court whatsoever shall be guilty of any such fraud or practice as aforesaid, and be convicted thereof, he shall be disabled for the future to practise as an attorney. And if any deed, instrument, or writing whatsoever, by this act charged with the payment of a duty as aforesaid, shall contrary to the true intent and meaning thereof be written or ingrossed by any person or persons whatsoever (not being a known clerk or officer, who, in respect of any publick office or employment, is or shall be intitled to the making, writing, or ingrossing the same) upon vellum, parchment, or paper not marked or stamped according to this act, or upon vellum, parchment, or paper, marked or stamped for a lower duty, as aforesaid, that then, and in every such case, there shall be due, answered, and paid to their Majesties (over and above the duty aforesaid) for every such deed, instrument, or writing, the sum of five pounds; and no such record, deed, instrument, or writing, shall be pleaded or given in evidence in any court, or admitted in



any court to be good, useful, or available, in law or equity, until as well the said duty, as the said sum of five pounds, shall be first paid to their Majesties use, and a receipt produced for the same, under the hand or hands of some of their Majesties officers, which shall be appointed to receive the duties above mentioned, and until the vellum, parchment, or paper, on which such deed, instrument, or writing, shall be written or made, shall be marked or stamped with a lawful mark or stamp; and their Majesties officer or officers last mentioned are hereby enjoined and required, upon payment or tender of the said duty and sum of five pounds unto him or them, to give a receipt for the same, and to mark or stamp the said vellum, parchment, or paper, with the mark or stamp that shall be proper for such deed, instrument, or writing respectively; and if any person or persons whatsoever shall at any time or times hereafter counterfeit or forge any stamp or mark to resemble any stamp or mark which shall be provided or made in pursuance of this act, or shall counterfeit or resemble the impression of the same upon any vellum, parchment, or paper, thereby to defraud their Majesties, their heirs and successors, of any the duties hereby granted, or shall utter, vend, or sell any vellum, parchment, or paper, with such counterfeit mark, or impression thereupon, knowing such mark or impression to be counterfeited; then every such person so offending, being thereof convicted in due form of law, shall be judged a felon, and shall suffer death as in cases of felony, without the benefit of clergy.

Counterfeit or sale of counterfeit paper, felony.

XII. And be it further enacted by the authority aforesaid, That the commissioners to be constituted by their Majesties, their heirs or successors, under the great seal of *England*, as aforesaid, shall and may appoint a fit person to attend in any court or office, to take notice of the vellum, parchment, or paper, upon which any the matters or things aforesaid shall be ingrossed, written, or put, and of the marks or stamps thereupon, and of all other matters and things tending to secure their Majesties duties arising by this act, and that the judges in the several courts, and such others to whom it may appertain, at the request or requests of the said commissioners, to be appointed by their Majesties as aforesaid, or of any two or more of them, shall make such orders in the respective courts, and do such other matters and things, for the better securing of the said duties, as shall be lawfully and reasonably desired in that behalf: and that every person, who shall be commissioned by their Majesties, and every person to be employed by or under those commissioned by their Majesties, for the marking or stamping of vellum, parchment, or paper, as aforesaid, before his acting in the marking or stamping of the said vellum, parchment, or paper, shall take the oath following; that is to say,

Commissioners may appoint observers in every court, &c.

Judges shall make orders.

Officers to take the following oath.

**I** A. B. do swear, That I will faithfully execute the trust reposed in me, pursuant to an act of parliament, intituled, An act for granting to their Majesties several duties upon vellum, parchment,



ment, and paper, for four years, towards carrying on the war against France, without fraud or concealment; and shall from time to time true account make of my doing therein, and deliver the same to such person or persons as their Majesties, their heirs or successors, shall appoint to receive such account, and shall take no fee, reward or profit, for the execution or performance of the said trust, or the business relating thereunto, from any persons, other than such as shall be paid or allowed by their Majesties, their heirs or successors, or by the commissioners of their Majesties treasury, or three of them now being, or by the treasurer of the Exchequer, or three or more of the commissioners of the treasury for the time being.

By whom administered.

Which oath shall and may be administered to any such commissioner or commissioners by any two or more of the same commissioners which shall be appointed under the great seal, as aforesaid; and any of the said commissioners shall and may administer the like oath (*mutatis mutandis*) to the sub-commissioners, or other persons which shall be employed under them in the said business of marking or stamping.

Commissioners to observe the orders of the treasury,

XIII. And be it enacted, That the said commissioners or officers, to be appointed by their Majesties as aforesaid, and all sub-commissioners, and officers, to be employed or intrusted by or under them, as aforesaid, shall, from time to time, in and for the better execution of their several places and trusts, observe and perform such rules, methods, and orders, as they respectively shall from time to time receive from the said commissioners of the treasury now being, or from the treasurer of the *Exchequer*, or commissioners of the treasury for the time being; and that the said commissioners, to be appointed by their Majesties as aforesaid, shall take especial care that the several parts of this kingdom, and the dominion of *Wales*, and town of *Berwick upon Tweed*, shall, from time to time, be sufficiently furnished with vellum, parchment, and paper, stamped or marked as aforesaid, so as their Majesties subjects may have it in their election to buy the same of the officers or persons to be employed by the said commissioners, at the usual or most common rates above the said duty, or to bring their own vellum, parchment, or paper, to be stamped as aforesaid, or to furnish themselves or others that shall have done the same.

and take care that the country be furnished with parchment, &c.

Paupers excepted.

XIV. Provided always, and it is hereby further enacted, That none of the rates, impositions, or sums of money, before in this act expressed, shall be raised, levied, collected, or paid, or be payable unto their Majesties, by virtue of this act, by any person or persons that shall be admitted to sue or defend in *forma pauperis*.

Records, &c. to be writ as usual.

XV. And to the end their Majesties may not be defrauded of any the duties hereby granted, be it enacted, That all records, writs, pleadings, and other proceedings in courts of law and equity, and all deeds, instruments, and writings whatsoever, hereby charged, shall be ingrossed and written in such manner as they have been usually accustomed to be written, or are now written.

XVI. Pro-



XVI. Provided always, and be it further enacted, That as often as their Majesties, their heirs or successors, shall think fit to alter or renew the said marks or stamps, or any of them, it shall be lawful for all persons who shall at that time have in their custody or possession any vellum, parchment, or paper, marked with the mark or stamp which shall be so altered or renewed, and upon which none of the matters or things hereby charged shall be ingrossed or written, at any time within the space of sixty days after such intention of renewing or altering shall be published by proclamation, as aforesaid, to bring or send such vellum, parchment, or paper, unto the said commissioners, to the head office in *London* or *Westminster*, or to such other officers as shall be appointed, as aforesaid. And the said commissioners and officers respectively are hereby required to deliver, or cause to be delivered, unto the several persons who shall so bring and deliver any quantity of vellum, paper, or parchment, the like quantity of vellum, parchment, or paper, and as good in quality, stamped with such new stamp or mark, without demanding or taking, directly or indirectly for the same, any sum of money, or other consideration whatsoever, under the penalty of forfeiting for every offence one hundred pounds, to be sued for, recovered, and divided in such manner as other penalties in this act are directed to be sued for, recovered, and divided. And in case any person shall neglect or refuse, within the time aforesaid, to bring, or cause to be brought and delivered, unto the said commissioners or officers, as aforesaid, any such vellum, parchment or paper, the same is hereby declared to be of no other effect or use, than if it had never been stamped, and that all matters or things, which shall after that time be ingrossed or written thereon, shall be of no other effect than if they had been ingrossed or written on vellum, parchment, or paper, not marked or stamped at all; and all persons who shall ingross or write any the matters or things hereby charged on such vellum, parchment, or paper, after the said time, shall forfeit and suffer as herein before is enacted for persons writing or ingrossing on vellum, parchment, or paper, not marked or stamped.

Upon renewal of marks those that have paper marked by them shall have it changed within 60 days.

Penalty upon officer.

Paper not brought in within that time of no use.

XVII. And be it enacted by the authority aforesaid, That it shall and may be lawful to and for any person or persons, natives or foreigners, bodies politick or corporate, to advance and lend to their Majesties into the receipt of their *Exchequer*, upon the credit of this act, any sum or sums of money not exceeding the sum of three hundred and thirty thousand pounds in the whole; and to have and receive, for the forbearance of all such monies as shall be lent, interest not exceeding the rate of eight pounds *per centum per annum*.

Credit of loan for 330,000l. at 8l. per cent.

XVIII. And be it further enacted and ordained by the authority aforesaid, That all and every the officer and officers, who shall be concerned in the levying, collecting, and receiving the duties arising by this act, do keep a separate and distinct account thereof, and pay the same *in specie* into the receipt of their Majesties

Distinct account and weekly payment.



Penalty. Justies *Exchequer* weekly on *Wednesday* in every week, unless it be an holiday, and then the next day after which shall not be an holiday, and upon neglect or refusal of the same, shall incur the penalties, forfeitures, damages, and costs, as other the officers of the *Exchequer*, herein after mentioned shall be liable to; which monies so paid in shall be applied to the uses hereafter mentioned in this act, and no otherwise.

Distinct books of receipts in the *Exchequer*. XIX. And be it further enacted by the authority aforesaid, That there shall be provided and kept in their Majesties *Exchequer* (that is to say) in the office of the auditor of the receipts, one book, in which all monies, that shall be paid into the *Exchequer* by virtue of this act, shall be entred and registred, apart and distinct from all other monies paid or payable to their Majesties, upon any account whatsoever; and that all and every person and persons, natives or foreigners, bodies politick or corporate, who shall lend any money to their Majesties upon the credit of this act, and pay the same into the receipt of the *Exchequer*, shall immediately have a talley of loan struck for the same, and an order for his or their repayment, bearing the same date with the talley; in which order shall be also contained a warrant for payment of interest for forbearance, not exceeding the rates aforesaid, for his or their consideration, to be paid every three months, until the repayment of his or their principal; and that all orders for repayment of money shall be registred in course, according to the date of the talley respectively, without preference of one before another; and that all and every person and persons shall be paid in course, according as their orders shall stand registred in the said book, so as that the person, native or foreigner, his, or their executors, administrators, and assigns, who shall have his, her, or their order or orders first entred in the said book, shall be taken and accounted as the first person to be paid upon the monies to come in by virtue of this act; and he or they, who shall have his or their order or orders next entred, shall be taken and accounted to be the second person to be paid, and so successively and in course; and that the monies to come in by this act shall be in the same order liable to the satisfaction of the said respective parties, their executors, administrators, or assigns, successively, without preference of one before another, and not otherwise, and not to be divertible to any other use, intent, or purpose whatsoever; and that no fee, reward, or gratuity, directly or indirectly, be demanded or taken of any of their Majesties subjects for providing or making any such books, registers, entries, view, or search as aforesaid, or in or for the payment of money lent, or the interest as aforesaid, by any of their Majesties officer or officers, their clerks or deputies, on pain of payment of treble damages to the party grieved by the party offending, with costs of suit; or if the officer himself take or demand any such fee or reward, then to lose his place also. And if any undue preference of one before another shall be made, either in point of registry or payment, contrary to the true meaning of this act, by any

Talley and order to the lender.

Orders to be registred, and persons paid in course.

Penalties upon officer taking fee, or paying out of course.



any such officer or officers, then the party offending shall be liable by action of debt, or on the case, to pay the value of the debt, damages, and costs, to the party grieved, and shall be forejudged from his place or office; and if such preference be unduly made by any his deputy or clerk, without direction or privity of his master, then such deputy or clerk only shall be liable to such action, debt, damages, and costs, and shall be for ever after incapable of his place or office: and in case the auditor shall not direct, nor the clerk of the pells record, or the teller make payment, according to each person's due place and order, as afore directed, then he or they shall be judged to forfeit, and their respective deputies and clerks herein offending, to be liable to such action, debt, damages, and costs, in such manner as aforesaid. All which said penalties, forfeitures, damages and costs, to be incurred by any of the officers aforesaid, or any their deputies or clerks, shall and may be recovered by action of debt, bill, plaint, or information, in any of their Majesties courts of record at *Westminster*, wherein no essoin, protection, privilege, wager of law, injunction, or order of restraint shall be in any wise granted or allowed.

Penalty upon auditor, &c. offending.

XX. Provided always, and be it hereby declared, That if it happen that several tallies of loan, or orders for payment as aforesaid, bear date, or be brought the same day to the auditor of the receipt to be registred, then it shall be interpreted no undue preference which of those he enters first, so he enters them all the same day. Provided also, That it shall not be interpreted any undue preference to incur any penalty in point of payment, if the auditor direct, and the clerk of the pells record, and the teller do pay subsequent orders of the persons that come and demand their money, and bring their order, before other persons that did not come and demand their money, and bring their order, in their course, so as there may be so much money reserved as will satisfy precedent orders, which shall not be otherwise disposed, but kept for them; interest upon loan being to cease from the time the money is so reserved and kept in bank for them.

What shall not be undue preference.

XXI. And be it further enacted by the authority aforesaid, That every person or persons, to whom any monies shall be due by virtue of this act, after order entred in the book of register aforesaid for payment thereof, his executors, administrators, or assigns, by indorsement of his order may assign and transfer his right, title, interest and benefit of such order, or any part thereof, to any other, which being notified in the office of the auditor of receipt aforesaid, and an entry or memorial thereof also made in the book of register aforesaid for orders (which the officer shall, upon request, without fee or charge accordingly make) shall intitle such assignee, his executors, administrators, or assigns to the benefit thereof, and payment thereon: and such assignee may in like manner assign again, and so *toties quoties*; and afterwards it shall not be in the power of such person or persons, who have or hath made such assignments, to make void, release, or discharge the same, or any the monies thereby due, or any part thereof.

Orders assignable.

XXII. Pre-



Provision for  
salaries.

XXII. Provided always, and be it enacted, That it shall and may be lawful to and for their Majesties, their heirs and successors, out of the duties arising by this act, to cause such sum and sums of money to be expended and paid, from time to time, for salaries and other incident charges, as shall be necessary in and for the receiving, collecting, levying, or managing of the same duties, during the said term therein by this act granted, any thing in this act contained to the contrary notwithstanding.

Proclamation  
of renewal to  
be published  
within 20  
days.

XXIII. Provided always, and be it further enacted, That as often as their Majesties, their heirs or successors, shall think fit to alter the said stamps, or any of them, that the proclamation which is hereby directed to be made, for giving to all persons due notice thereof, shall within twenty days after the date thereof be sent to the mayor, chief magistrate, or other head officer of every city, corporation, borough and market town, throughout the kingdom of *England*, dominion of *Wales*, and town of *Berwick upon Tweed*, which officers respectively shall cause the same to be published to the inhabitants of such city, corporation, or town, either on the next market day, or next *Sunday*, in the church immediately after the time of divine service, upon pain of forfeiting the sum of two hundred pounds, to be sued for by action of debt, bill, plaint or information, in any of their Majesties courts of record at *Westminster*, wherein no essoin, protection, wager of law, privilege, or more than one imparlance, shall be granted or allowed; the one moiety of which forfeiture to be to their Majesties, the other moiety to such person who shall sue for the same.

Penalty upon  
officers not  
publishing it.

The auditor  
of the imprest  
to take the ac-  
counts of the  
commission-  
ers, &c. an-  
nually upon  
oath.

XXIV. And be it enacted, That the commissioners, receiver or receivers general, or other person or persons who are or shall be respectively employed in the directing, receiving, collecting, or paying the several impositions upon paper and parchment, and other duties, by this act granted, shall and are hereby required, between the eight and twentieth day of *June*, one thousand six hundred ninety five, and the nine and twentieth day of *September* following, and so from year to year yearly, at those times, during the continuance of this act, to exhibit their respective accounts thereof to their Majesties auditors of the imprest for the time being, or one of them, who shall and are hereby from time to time respectively authorized to examine upon oath the said commissioners, receiver or receivers general, or other person or persons accountants, who shall be employed in raising, receiving or collecting the said impositions and duties, of what sum or sums of money was or were by them, or any of them, respectively raised, collected, or received, within the time of such their accounts, and likewise what part thereof was by them, or any of them, paid into their Majesties receipt of the *Exchequer*, or by virtue of any warrant of privy seal, or warrant of the lord high treasurer, or commissioners of their Majesties treasury for the time being, otherwise paid, and to whom, and for what service or services; and in making the said accounts to and before the said auditors, or one of them, they are to produce proper vouchers for every sum

or



of money so by them, or any of them, raised, received and paid, according to the ancient methods of the *Exchequer*: And to the end that it may appear upon record what the sums amounted to in the year, for which such account or accounts are or shall be respectively made, and what thereof was paid, and to whom and for what use and service, uses and services as aforesaid, and what remains unpaid and rests *insuper* upon each respective receiver and collector, the account or accounts, so to be taken by every of the said auditors respectively, is and are to be declared before the lord treasurer, or lords commissioners of the treasury, and chancellor of the *Exchequer*, now and for the time being, according to the course of the *Exchequer* in such cases.

The accounts to be declared before the treasurer, &c.

C A P. XXII.

*An act for the licensing and regulating hackney coaches and stage coaches.*

**W**E your Majesties most loyal and dutiful subjects the commons in parliament assembled, being sensible of the great and necessary expence in which your Majesties are engaged, for carrying on the present war against the *French King*, and being desirous to supply the same, in such manner as may be least grievous to your Majesties subjects, have given and granted, and do hereby give and grant unto your Majesties, the several rates and sums of money herein after mentioned, and do beseech your Majesties that it may be enacted :

II. And be it enacted by the King's and Queen's most excellent majesties, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the tenth day of *May*, one thousand six hundred ninety four, it shall and may be lawful to and for their Majesties, their heirs and successors, under their great seal of *England*, to nominate, authorize and appoint any person or persons, not exceeding five in number, to be commissioners for the regulating and licensing of all hackney-coaches within the cities of *London* and *Westminster*, and the suburbs thereof, and within all and every the parishes and places comprized within the weekly bills of mortality, and for the regulating and licensing all stage-coaches throughout the kingdom of *England*, dominion of *Wales*, and town of *Berwick* upon *Tweed*, in such manner as is herein after directed : Which said commissioners to be appointed, as aforesaid, are hereby impowered and authorized to put in execution the several powers and authorities herein after mentioned.

The King may appoint commissioners to execute the powers in this act.

III. And be it further enacted, That the commissioners so appointed shall have power and authority, and are hereby impowered and required, under their hands and seals, or under the hands and seals of the major part of them, to licence all such persons who shall drive or keep any hackney-coach, or coach-horses within the cities of *London* and *Westminster*, or the suburbs of the same, or within the parishes comprized within the weekly

The commissioners may appoint hackney-coaches in London, &c. not exceeding 700.