

spect of such annuities as shall be purchased and obtained upon this act, as fully and effectually as if the same powers, directions, and clauses were here again expressed and particularly repeated.

III. And be it further enacted by the authority aforesaid, That all monies which shall come into the receipt of his Majesty's Exchequer of or for the said contributions, for further or more certain estates in the said annuities to be purchased as aforesaid, shall be issued and applied, and the same are hereby appropriated, towards the payment and satisfaction of the off-reckonings of his Majesty's army, for the year one thousand six hundred ninety seven: and that out of the same the persons concerned in clothing of the army for the year aforesaid, be paid so much as is due to them or any of them for such clothing, that is chargeable upon the off-reckonings of the said year.

Monies arising by the said contributions how appropriated.

CAP. XXV.

An act for granting to his Majesty, his heirs and successors, further duties upon stamp vellum, parchment, and paper.

Most gracious Sovereign,

WE your Majesty's most dutiful and loyal subjects, the commons in parliament assembled, being desirous to raise such aids and supplies as may be proportionable to your Majesty's great and extraordinary occasions, do humbly present your Majesty with the free gift of the further rates and duties herein after mentioned; and do 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 parliament assembled, and by authority of the same, That from and after the first day of *August*, in the year of our Lord one thousand six hundred ninety eight, there shall be throughout the kingdom of *England*, dominion of *Wales*, and town of *Berwick upon Tweed*, raised, collected, and paid unto his Majesty, his heirs and successors, for ever, for the several and respective things herein after mentioned, which shall be written or ingrossed at any time or times after the said first day of *August*, one thousand six hundred ninety eight (over and above the rates and duties, and sums of money, now due and payable to his Majesty, 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)

9 W. 3. c. 44.
3 Geo. 2. c. 30.
4 Geo. 2. c. 9.

From 1 Aug. 1698. for ever shall be paid to the King, his heirs, &c.

over and above the sums now payable, the duties following, viz.

II. 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*, 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 (commissions of rebellion in process always excepted) the sum of forty shillings.

Grants or letters patents, &c. 40 s. per skin or piece.

III. For

Pardons, &c.
(except Newgate pardons, &c.) 40 s. per skin.

III. For every skin or piece of vellum, parchment, or sheet of paper, on which any pardon (except the general circuits, and *Newgate*, 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.

Grant of money, &c. 40 s. per skin or sheet.

IV. For every skin of vellum or parchment, or sheet of paper, upon which any grant from his Majesty, his heirs or successors, 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.

Grant of office or employment above 50 l. per ann. 40 s. and of lands in fee, &c. under the great seal, &c. 40 s.

V. 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.

VI. 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.

Presentation or donation, &c. 40 s.

VII. 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.

Dispensation to hold two benefices, 40 s.

VIII. For every skin or piece of vellum or parchment, or sheet or piece 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.

Admittance to fellowship, or attorney, &c. 40 s.

IX. For every skin or piece of vellum or parchment, sheet or piece of paper, upon which 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.

Annual officers in corporations, &c. exempted.

X. Provided, That this act shall not be extended to charge, with the duty last mentioned, any annual officer in any corporation or inferior court, whose office is under the value of ten pounds *per annum*, in salaries, fees, or other perquisites, but the said annual officer is hereby exempted and discharged from the said duty.

Appeal from

XI. For every skin or piece of vellum or parchment, or sheet of

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. the admiralty, arches, &c. 40 s.

XII. 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. Exemplification, 5 s.

XIII. 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. Decree in Chancery, Exchequer, &c. 6 d.

XIV. 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. Institution or licence under bishop's seal, &c. 5 s.

XV. For every skin or piece of vellum or parchment, or sheet of paper, upon which any writ of error, *certiorari*, or appeal (except to the delegates) shall be ingrossed or written, the sum of five shillings. Writ of error, Certiorari, &c. 5 s.

XVI. For every skin or piece of vellum, parchment, or sheet of paper, upon which any *significavit pro corporis deliberatione* shall be ingrossed or written, the sum of five shillings. Significavit, &c. 5 s.

XVII. 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. Sentence in the admiralty, &c. 5 s.

XVIII. For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which any letters of mart shall be ingrossed or written, the sum of five shillings. Letters of mart, 5 s.

XIX. For every skin or piece of vellum or parchment, 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. Probates of wills, administrations, &c. 5 s.

XX. 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, or entred of record in any court or office, the sum of five shillings. Recognizance, statute staple, &c. 5 s.

XXI. For any 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. Nisi prius or Postea, 2 s. 6 d.

XXII. For every skin or piece of vellum or parchment, or paper, upon which shall be ingrossed 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

the courts at *Westminster*, who have power, or usually doth or shall sign judgments, the sum of two shillings and six pence.

Ecclesiastical
commission,
&c. 2s. 6d.

XXIII. 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.

Admiralty or
Cinque Ports
warrant or de-
cree, or bene-
ficial warrant,
&c. 2s. 6d.

XXIV. 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 the sign manual of his Majesty, his heirs or successors (except warrants or orders for the service of the navy, army, and ordnance) shall be ingrossed or written, the sum of two shillings and six pence.

Special bail or
appearance,
1s.

XXV. 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, shall be ingrossed or written, and for every piece of vellum, parchment or paper, upon which shall be ingrossed or written any appearance upon such special bail, the sum of one shilling.

Bill, answer,
replication,
&c. 1s.

XXVI. 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*; *Exchequer*, duchy court, and county palatine courts, or other courts of equity, the sum of one shilling.

Admission, &c.
1s.

XXVII. 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.

Affidavit 6d.
Exception.

XXVIII. For every piece of parchment or paper, upon which any affidavit shall be ingrossed or written (except affidavits taken pursuant to 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 the 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 and levying any aids or duties granted or to be granted to his Majesty, his heirs or successors, 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.

Copy of affida-
vit filed, &c.
6d.

XXIX. 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.

XXX. And

XXX. For every skin or piece of vellum or parchment, or sheet of paper, upon which shall be written or ingrossed any indenture, lease, or deed poll, not hereby otherwise charged, the sum of six pence; except indentures for binding poor parish children apprentices. Indenture, lease, &c. 6 d. Exception.

XXXI. 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*, *Lati-tat*, writ of *Capias*, *Quo Minus*, writ of *Dedimus Potestatem* to take answers, examine witnesses, or appoint guardians, or any other writ whatsoever, or any other process or mandate that shall issue out or pass the seals of any 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 (writs of covenant for levying fines, writs of entry for suffering common recoveries, and writs of *Habeas Corpus* alway excepted) the sum of six pence. Original writ, Subpœna, &c. 6 d.

XXXII. 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. Entry of action in mayors court, &c. 6 d.

XXXIII. 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 day upon which the process on which the defendant is arrested shall be returnable, upon penalty of five pounds to be paid to the plaintiff, for which the court shall immediately award judgment, whereupon the plaintiff may take out execution. Common bail or appearance, 6 d.

XXXIV. For every piece of vellum, parchment or paper, upon which any rule or order made or given in any the courts at *Westminster*, either courts at law or equity, shall be ingrossed or written, the sum of six pence. Rule of court, 6 d.

XXXV. 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. Copy, 6 d.

XXXVI. For every skin or piece of vellum or parchment, or sheet of paper, upon which shall be ingrossed 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 shall be ingrossed or written, the sum of six pence. Ecclesiastical monition, libel, &c. 6 d. Copy, &c. 6 d. respec-

Charter party,
policy of assu-
rance, &c. 6 d.

respectively shall be ingrossed or written, the sum of six pence.
XXXVII. For every skin or piece of vellum or 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.

Declaration,
plea, &c. 1 d.

XXXVIII. 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.

Copy, 1 d.

XXXIX. 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.

Depositions in
Chancery, &c.
1 d.
Exceptions.

XL. 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.

Copy of will,
1 d.

XLI. 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.

Officer to date
writ of arrest;

XLII. 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 for ever to the crown upon such process will be lost; be it enacted by the authority aforesaid, That from and after the said first day of August, one thousand six hundred ninety eight, every officer or clerk belonging, or which shall hereafter belong, 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 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 court of record of his Majesty, his heirs or successors, by action of debt, bill, plaint or information, wherein no wager of law, protection or essoin, or more than one imparlance shall be allowed.

and enter the
same.

Penalty on of-
ficer neglect-
ing.

By 6 Geo. 1.
c. 21. s. 54.
Warrants on
writs are to
have the same
year and day
set down as on
the writ.

Particulars not
to be charged.

XLIII. Provided always, That this act or any thing therein contained shall not extend to charge with the said duties, or any of them, any bills of exchange, accounts, bills of parcel, bills of fees, or any bills or notes (not sealed) for payment of any money at sight, or upon demand, or at the end of certain days of payment.

XLIV. Pro-

XLIV. Provided, That nothing in this act contained shall extend to charge with the said duties, or any of them, the probate of any will, or letters of administration, of any common seaman or soldier, who shall be slain or die in the service of his Majesty, his heirs or successors, 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.

XLV. Provided also, That this act, or any clause therein contained, shall not be construed to charge with any duty, any warrant made by, or recognizance taken before, any justice or justices of the peace, or any surrender of any copyhold estate, or copies of such estate, or any proceedings of any court martial, which relate to any trial of any common soldier; or any orders, decrees or proceedings before any commissioners of sewers, or in the court of stannaries; but such warrants, recognizances, surrenders, copies, orders, decrees and proceedings, shall and are hereby declared to be exempted from the payment of any of the duties before mentioned in this act.

XLVI. Provided also, and it is hereby enacted and declared by the authority aforesaid, That the officers at sea shall by this act pay the same duty for their stamps that the officers of the army at land pay by this act, and no more upon the same act only; any thing herein contained to the contrary notwithstanding.

Sea officers to pay the same duty as land officers.

XLVII. And it is hereby declared, That all the duties by this act granted to his Majesty, his heirs and successors, shall nevertheless be subject and liable to such condition and power of redemption by parliament, as by any act of this session is or shall be declared and provided.

Duties re-deemable by parliament.

XLVIII. And be it further enacted by the authority aforesaid, That for the better and more effectual levying, collecting and paying unto his Majesty, his heirs and successors, the several and respective duties hereby granted for or upon stamped vellum, parchment and paper, it shall and may be lawful for his Majesty, his heirs and successors, and to and for the commissioners of the treasury, or any three or more of them, or the high treasurer of *England* for the time being, from time to time to nominate and appoint such persons as they shall think fit, to be commissioners, or officers for the stamping and marking of parchment, vellum and paper, and managing the duties thereupon, pursuant to this act; 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 such 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 or levying the duties hereby granted

Commissioners to be appointed, &c. Head office to be kept in London or Westminster. Inferior officers.

granted to his Majesty, his heirs and successors, as they in their discretion shall think fit; and the same commissioners shall provide from time to time marks or stamps proper for the marking and stamping of vellum, parchment and paper, according to which marks or stamps the King's duties ought to be paid.

5 & 6 W. & M.
C. 21.
8 & 9 W. 3.
C. 20. f. 12.

XLIX. *And whereas such or the like duties as are by this act charged for ever upon the several skins, sheets or pieces of vellum, parchment and paper, herein before enumerated or mentioned, are also charged upon and payable for the same respectively, until the first day of August, one thousand seven hundred and six, by several former acts of parliament in that behalf; so that in effect the duties (as to skins, sheets or pieces of vellum, parchment and paper in this act before particularly expressed) are doubled until the said first day of August, one thousand seven hundred and six, but the said duties by the said former acts, and those by this thereupon, are appropriated or applicable to different purposes, so that it is necessary to have distinct accounts kept of the same: now for the better securing his Majesty's dues, and for distinguishing of such skins, sheets or pieces of vellum, parchment and paper as are doubly charged as aforesaid, from those which remain liable only to the single duties on the said former acts; and to the intent that the said duties arising upon this and the said former acts, upon vellum, parchment, and paper, may be issued and applied to the respective uses to which they are severally appropriated or intended; be it further enacted by the authority aforesaid, That all vellum, parchment, and paper, herein before charged, and whereof the duties are hereby intended to be doubled for a time, as aforesaid, shall, before any of the matters or things herein before mentioned to be thereupon ingrossed or written (such writing or ingrossing being after the said first day of August, one thousand six hundred ninety eight, and before the said first day of August, one thousand seven hundred and six) be first brought to the head office for the said duties, to be stamped and marked with two marks or impressions (that is to say) every such skin, sheet, or piece of vellum, parchment, and paper, having one mark or stamp set thereupon, pursuant to the said former acts, or any of them, before the writing or ingrossing any of the matters or things as aforesaid thereupon, shall be brought to the said office, to be stamped with a second mark or impression of the same kind; and every skin, sheet, or piece of vellum, parchment, or paper, having not been stamped or marked with a single stamp or mark, pursuant to the said former acts, or any of them, shall, before the writing or ingrossing any of the matters or things as aforesaid thereupon, till the said first day of August, one thousand seven hundred and six, be brought to the said office, to receive two several marks or impressions of the same kind; of all which double marks or impressions the one shall denote the duty by the said former acts, or some of them, and the other the duty by this present act thereupon: except such skins, sheets, or pieces of vellum, parchment, and paper, which do still remain liable only to the single duties on the said former acts, during the terms thereby granted,*

After 1 August, 1698.
every skin of vellum, parchment, or sheet of paper, &c. to be stamped with two marks.
Vellum, &c. once stamped, to be stamped with a second mark.

Except such as are liable only

ed, and are to have only a single mark or stamp, according to the directions of the said former acts, namely, to single duty, viz.

L. Every skin or piece of vellum, parchment, or sheet of paper, upon which any general circuit or *Newgate* pardon shall be ingrossed or written, liable only to the single duty of forty shillings by the said former acts. Circuit or Newgate pardon.

LI. 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 register or entry of the degree of any batchelor of arts being always excepted) for which skins, pieces, or sheets respectively, a duty of forty shillings is payable by the said former acts only, during the continuance thereof. Certificate of degree in the universities. Except batchelor of arts.

LII. 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, shall be inrolled 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, whereof the duty payable, as aforesaid, by the said former acts, is five shillings. Conveyance or surrender of grants or offices, &c.

LIII. Every skin or piece of vellum, parchment, or sheet, or piece of paper, upon which any licence for, or certificate of marriage, shall be ingrossed or written, which are to be liable only to a duty of five shillings by the said former acts. Marriage licence.

LIV. Every piece of vellum or parchment, upon which any writ of covenant for levying of fines shall be ingrossed or written, whereof the duty remaining upon the said former acts is five shillings. Writ of covenant.

LV. Every piece of vellum or parchment, upon which any writ of entry, for suffering a common recovery, shall be ingrossed or written, which is subject to the like single duty of five shillings. Writ of entry.

LVI. Every skin or piece of vellum or parchment, or sheet of paper, upon which any writ of *Habeas Corpus* shall be ingrossed or written, which is also liable to the single duty of five shillings. Habeas Corpus.

LVII. All which matters and things, so liable only to the said single duties, until the said first day of *August*, one thousand seven hundred and six, shall be marked and stamped only with a single mark or stamp, according to the said former acts; any thing herein contained to the contrary notwithstanding.

LVIII. And it is hereby further enacted by the authority aforesaid; That all vellum, parchment, and paper, herein before charged, shall before any of the matters or things herein before mentioned be thereupon ingrossed or written (such writing or ingrossing being after the last day of *July*, one thousand seven hundred and six) be first brought to the head office for the said duties to be stamped and marked with one mark or impression for the respective duties by this act payable to his Majesty, his heirs and successors, for ever. All vellum, &c. before written shall be stamped, &c.

Commissioners required to stamp all vellum, &c. paying the duties.

Stamp a discharge for payment.

Penalty on person ingrossing vellum before stamped, &c.

or marked with a lower duty.

Penalty on officer in any publick office guilty of such fraud.

LIX. And it is hereby further enacted, That the chief commissioners for the said duties upon vellum, parchment, and paper, by themselves, or by their officers employed under them, shall, and they are hereby impowered and required forthwith, upon demand to them made by any person or persons, from time to time, to stamp or mark, as this act directs, 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 payable to his Majesty, his heirs or successors for the same, without any other fee or reward, and without delay; which stamp or mark shall be a sufficient discharge for the several and respective duties by this act payable for the said vellum, parchment, or paper, which shall be so stamped or marked; and 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 ought to have a double or single stamp or mark, as aforesaid, before such time as the said vellum, parchment, or paper shall be marked or stamped with such double or single mark or stamp (as the case requires) or upon which there shall not be some double or single marks or stamps (as the case shall require) 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 or duties, than the duty or duties by this and the said former acts, or either of them, payable for what shall be so ingrossed or written, such person so offending shall for every such offence forfeit the sum of ten pounds (besides costs of suit) one moiety of which penalty of ten pounds shall be to the King, and the other moiety thereof to him or them that will inform or sue for the same, in any court of record, by action of debt, or of the case, bill, plaint, or information, wherein no essoin, protection, wager of law, or more than one imparlance, shall be allowed; 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, charged to pay a duty or duties, as aforesaid, shall be guilty of any fraud or practice to deceive his Majesty, his heirs or successors, of any duty by this or any of the said former acts 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 stamps 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

y 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 intended
 to be stamped, 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 in-
 titled to the making, writing, or ingrossing the same) upon
 vellum, parchment, or paper, not marked or stamped, or not
 doubly stamped (as the case may require) 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 his Majesty, his heirs
 or successors, (over and above the duty aforesaid) for every such
 deed, instrument, or writing; the sum of ten pounds; and that
 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 ten pounds, shall be first paid to
 the use of his Majesty, his heirs or successors, and a receipt pro-
 duced for the same, under the hand or hands of some of the of-
 ficers which shall be appointed to receive the duties above men-
 tioned, 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, or
 with double marks or stamps, according to this act; and the
 proper officer and officers are hereby enjoined and required, up-
 on payment or tender of the said duty, and the sum of ten
 pounds unto him or them; to give a receipt for the same, and
 to mark or stamp, or double mark or stamp, the said vellum,
 parchment, or paper, with the mark or stamp that shall be pro-
 per for such deed, instrument, or writing respectively. And if
 any person or persons whatsoever shall, at any time or times here-
 after, counterfeit or forge any stamp or mark to resemble any
 stamp or mark which shall be provided, made, or used in pur-
 suance of this act, or shall counterfeit or resemble the impression
 of the same, upon any vellum, parchment, or paper, thereby to de-
 fraud his Majesty, his heirs or successors, of any the said duties
 upon vellum, parchment, or paper, or shall utter, vend, or sell
 any vellum, parchment, or paper, with such counterfeit mark
 or marks thereupon, knowing such mark or marks to be coun-
 terfeit; then every such person so offending, being thereof con-
 victed in due form of law, shall be judged a felon, and shall
 suffer death, as in cases of felony, without the benefit of clergy.

Penalty on attorney.

Penalty on any other person, &c.

No such record, deed, &c. good in law, until duty and penalty be paid,

and deed stamped, &c.

Person counterfeiting stamp, &c. guilty of felony, &c. Explained by 6 Geo. 1. c. 21. s. 60.

LX. And be it further enacted by the authority aforesaid, Commission-
 That the commissioners for the said duties on vellum, parch- ers may ap-
 ment, and paper, from time to time, shall and may appoint a point a fit per-
 fit son to attend

in any court
or office to
take notice of
the stamps, &c.
Judges to
make orders,
&c.

Commission-
ers and offi-
cers to take
the following
oath.

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 the said duties; and that the judges in the several courts, and such others to whom it may appertain, at the request or requests of such commissioners, 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 the said duties under their charge, as shall be lawfully and reasonably desired in that behalf; and that every person who shall be commissioned, as aforesaid, and every person to be employed by or under them, 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,

I A. B. do swear, That I will faithfully execute the trust reposed in me, pursuant to the act of parliament for the further or additional duties upon stamped vellum, parchment, and paper, without fraud or concealment, and shall from time to time true account make of my doings, and deliver the same to such person or persons as his Majesty, his 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 his Majesty, his heirs or successors, or by the commissioners of his Majesty's treasury, or any three or more 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.

Oath how to
be adminis-
tered.

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

Commission-
ers, &c. to ob-
serve the di-
rections of the
treasury,

LXII. And be it enacted, That the chief commissioners or officers so to be appointed, and all sub-commissioners and officers to be employed or intrusted by or under them as aforesaid, in relation to the said duties on parchment, vellum and paper, 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 the commissioners of the treasury for the time being, or any three or more of them; and that the chief commissioners so to be appointed, 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

and furnish
the several
parts of the
kingdom with

and paper, stamped and marked as aforesaid, so as the subjects of his Majesty, his heirs and successors, 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.

LXIII. Provided always, and it is hereby further enacted, That none of the rates, impositions, or sums of money, upon vellum, parchment or paper, before in this act expressed, be raised, levied, collected or paid or payable unto his Majesty, his heirs or successors, by virtue of this act, by any person or persons that shall be admitted to sue or defend in *forma pauperis*.

LXIV. And to the end his Majesty, his heirs or successors, may not be defrauded of any of the said duties upon vellum, parchment and paper; be it enacted, That all records, writs, pleadings or 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 and are now written.

LXV. Provided always, and be it further enacted, That as often as his Majesty, his 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 stamp or stamps, 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, 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 in that behalf; 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, parchment or paper, the like quantity of vellum, parchment or paper, and as good in quality, stamped with such new stamp or stamps, without demanding or taking, directly or indirectly for the same any sum of money or other consideration whatsoever, under the penalty of forfeiture for every offence one hundred pounds, to be sued for, recovered and divided in such manner as the other penalties in this act, relating to the duties of vellum, parchment and paper, 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 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

stamped vellum, &c.

Person suing in *forma pauperis*, not to pay duty.

All records, writs, &c. to be ingrossed as usual.

In case the stamps be altered, persons having stamped vellum, &c. by them not ingrossed, in 60 days after proclamation, may bring the same to the head office in London, and commissioners to deliver them the like quantity new stamped, &c. without fee.

Penalty.

Stamped vellum, &c. not brought within the time declared useless.

Matters ingrossed thereon to be of no effect.

lum, 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.

Commissioners salaries, &c. and incident charges, to be paid out of the duties.

LXVI, Provided always, and be it enacted, That it shall and may be lawful to and for his Majesty, his heirs and successors, or to or for the commissioners of the treasury, or any three or more of them, or the treasurer of the Exchequer for the time being, out of the duties arising by this act, for or upon stamped vellum, parchment or paper, 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 by this act granted; any thing in this act contained to the contrary notwithstanding.

Proclamation for altering the stamps to be sent to the mayor, &c. of every corporation, &c.

LXVII. Provided always, and be it further enacted, That as often as his Majesty, his heirs or successors, shall think fit to alter the said stamps or any of them, that the proclamation, which is hereby intended 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 court of record at *Westminster*, wherein no essoin, protection, wager of law, privilege, nor more than one imparlance, shall be granted or allowed; the one moiety of which forfeiture to be to his Majesty, the other moiety to such person who shall sue for the same.

Who shall cause the same to be published, &c. Under penalty.

Treasury once a year to set the prices on stamped vellum, &c.

LXVIII. And for the better distribution of the said vellum, parchment and paper, and that the subjects may have the same with more conveniency and at an easy rate; be it enacted by the authority aforesaid, That the lord high treasurer of *England*, or commissioners of his Majesty's treasury for the time being, shall once in every year, at least, set the prices of all sorts of stamped vellum, parchment and paper, that it shall be sold at; and that the said commissioners for the said duties upon vellum, parchment, and paper, shall stamp the said price so set, upon every skin or piece of vellum or parchment, or sheet or piece of paper, so by them to be sold; and that the said commissioners shall likewise allow and pay to every person who shall bring vellum, parchment or paper to be stamped (the duty whereof shall amount to the sum of ten pounds or upwards) after the rate of six pounds in the hundred pounds *per annum* for three months,

The price to be stamped thereon.

months, upon present payment of the said duty upon the said vellum, parchment and paper, so by them brought, over and above the like allowance upon the same quantity by the said former acts; and that any persons that shall buy of the said commissioners or their agents, vellum, parchment or paper, the duty whereof amounts to the like sum of ten pounds or upwards, shall have the same allowance.

LXIX. Provided always, That nothing in this act contained shall extend to charge any letters patents for collecting charitable benevolence, commonly called *Briefs*, with the duty therein mentioned, or to make it necessary that such briefs should be doubly stamped, any thing herein contained to the contrary in any wise notwithstanding.

Briefs not charged. Charged with annuities by 4 Geo. 2. c. 9.

C A P. XXVI.

An act to settle the trade to Africa.

WHEREAS *the trade to Africa is highly beneficial and advantageous to this kingdom, and to the plantations and colonies thereunto belonging: and whereas forts and castles are undoubtedly necessary for the preservation and well carrying on the said trade: and whereas the forts and castles now on the said coast of Africa have been, and now are, maintained at the sole cost and charge of the present royal African company of England: towards which charge it is most reasonable that all persons trading to such parts of the said coast of Africa, as are herein after limited and appointed, should contribute; be it therefore enacted, &c.*

Royal African company shall maintain, &c. all their forts, castles, &c. and supply the same with men, artillery, &c. King's subjects as well as the said company may trade to Africa, between Cape Mount and the Cape of Good Hope, paying 10l. per cent. &c. Master, &c. shall enter his name and ship, &c. 15 days before cleared from port. Owner or exporter to make entry of goods shipped on oath, sign the entry, and pay the duty, &c. Master, &c. to take an oath. On exportation of merchandizes from the colonies, &c. in America to Africa, exporter to swear that such merchandize was imported there from England. Master and one of the owners to give bond, &c. for ships sailing to Africa, &c. Officers of the custom house to take such bonds, and keep distinct entries, &c. Company to have a duplicate of such entries, &c. Officer to pay the sum received deducting 5l. per cent. Subjects of England may trade to Africa between Cape Blanco and Cape Mount. paying 10l. per cent. for goods exported, and 10l. per cent. on all goods, &c. imported into England or America, from Africa, &c. Master and traders, &c. to make the like entry and oath, and give bond as aforesaid, &c. Master trading ship between Cape Blanco and Cape Mount, before landing shall deliver a particular of his cargo on oath. Goods imported from Africa into England or America shall be entred on oath, &c. and pay the duty. Collector, &c. to take the entries, and deduct 5l. per cent. Except duties arising by the exports and imports of the royal African company. Company to give an account yearly to the curfitor baron of the Exchequer of monies received, &c. Goods landed before entry forfeited. Ships sailing to Africa, &c. and not duly entred, forfeited. Subjects of England trading to Africa, &c. to have the same protection, &c. as the company; and may settle factories there, without molestation of the company. Goods exported to Africa and brought back again, may be re-exported without duty, &c. Duties appropriated for maintaining the forts and castles in Africa, &c. Account of the duties and disbursements, &c. to be kept in a

EXP,

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book,