and kept at hard labour.

or keeper of any houſe of correction, or publick work-houſe, ſhall neglect to do his duty, as above directed, any judge or juſtice of aſſize or gaol delivery, upon complaint, and due proof thereof upon the oath of one or more witneſſes to him made, ſhall be, and is hereby impowered to remove every ſuch perſon from his ſaid office.

Felons convict, to have benefit of this act, without being required to read, &c.

VI. *And foraſmuch as when any perſon is convicted for any felony within the benefit of clergy, upon his prayer to have the benefit thereof allowed to him, it hath been uſed to adminiſter a book to him to try whether he can read as a clerk, which by experience is found to be of no uſe*; be it therefore enacted by the authority aforeſaid, That from and after the ſaid fourteenth day of *February*, if any perſon be convicted of any ſuch felony, for which he ought to have had the benefit of his clergy, if this act had not been made, and ſhall pray to have the benefit of this act, he ſhall not be required to read, but without any reading, ſhall be allowed, taken, and reputed to be, and puniſhed as, a clerk convict, which ſhall be as effectual to all intents and purpoſes, and be as advantageous to him, as if he had read as a clerk; any thing in this act, or any other law or ſtatute to the contrary notwithſtanding.

CAP. VII.

An act for regulating and aſcertaining the duties to be paid by the unfreemen importers of coals into the port and borough of Great Yarmouth, in the county of Norfolk.

From 25 March, 1707, perſons not freemen of corporation of Great Yarmouth, may import and ſell coals there, paying 6d. per chalder, and 6d. ob. per chalder, for ballaſt. On paying rate, corporation to furniſh importers with ballaſt. Importers, &c. not freemen, to pay 4s. 6d. for pilottage, &c. beſides a halfpenny per chalder coal tonnage. All perſons except freemen to pay the duties, &c. Ships, tackle, &c. may be detained for duties not paid, and diſtreſs ſold, &c. Not to impeach duties granted by 10 & 11 W. 3. c. 5. Sixty pounds yearly payable out of duties, &c. to chamberlain of Norwich, for cleanſing and depthning the rivers Yarr, Waveney, and the North River, &c. 10 & 11 W. 3. c. 5. Mayor, &c. of Norwich in common council to diſpoſe of the monies, &c. Mayor, &c. of Norwich may levy money by warrant, &c. Proviſo for cleanſing the river to Dilham. Not to alter 16 Car. 2. Saving of right to all perſons, &c.

CAP. VIII.

An act for an union of the two kingdoms of England *and* Scotland.

Moſt gracious Sovereign,

WHEREAS *articles of union were agreed on, the twenty ſecond day of* July, *in the fifth year of your Majeſty's reign, by the commiſſioners nominated on behalf of the kingdom of* England, *under your Majeſty's great ſeal of* England, *bearing date at* Weſtminſter *the tenth day of* April *then laſt paſt, in purſuance of an act of parliament made in* England, *in the third year of your Majeſty's reign, and the commiſſioners nominated on the behalf of the kingdom of* Scotland, *under your Majeſty's great ſeal of* Scotland, *bearing date the twenty ſeventh day of* February, *in the fourth year of your Majeſty's reign, in purſuance of the fourth act of the third ſeſſion of the*

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the preſent parliament of Scotland, *to treat of and concerning an union of the ſaid kingdoms: and whereas an act hath paſſed in the parliament of* Scotland *at* Edinburgh, *the ſixteenth day of* January, *in the fifth year of your Majeſty's reign, wherein 'tis mentioned, That the eſtates of parliament conſidering the ſaid articles of union of the two kingdoms, had agreed to and approved of the ſaid articles of union, with ſome additions and explanations, and that your Majeſty, with advice and conſent of the eſtates of parliament, for eſtabliſhing the proteſtant religion and preſbyterian church government within the kingdom of* Scotland, *had paſſed in the ſame ſeſſion of parliament an act, intituled,* An act for ſecuring of the proteſtant religion and preſbyterian church government, *which by the tenor thereof was appointed to be inſerted in any act ratifying the treaty, and expreſly declared to be a fundamental and eſſential condition of the ſaid treaty or union in all times coming: the tenor of which articles, as ratified and approved of, with additions and explanations by the ſaid act of parliament of* Scotland, *follows;*

ARTICLE I.

'THAT the two kingdoms of *England* and *Scotland* ſhall upon the firſt day of *May*, which ſhall be in the year one thouſand ſeven hundred and ſeven, and for ever after, be united into one kingdom by the name of *Great Britain*; and that the enſigns armorial of the ſaid united kingdom be ſuch as her Majeſty ſhall appoint, and the croſſes of St. *George* and St. *Andrew* be conjoined in ſuch manner as her Majeſty ſhall think fit, and uſed in all flags, banners, ſtandards, and enſigns, both at ſea and land.' Union of the two kingdoms. Enſigns armorial.

ARTICLE II.

'That the ſucceſſion of the monarchy to the united kingdom of *Great Britain*, and of the dominions thereto belonging, after her moſt ſacred Majeſty, and in default of iſſue of her Majeſty, be, remain, and continue to the moſt excellent princeſs *Sophia*, electoreſs and dutcheſs dowager of *Hanover*, and the heirs of her body being proteſtants, upon whom the crown of *England* is ſettled by an act of parliament made in *England* in the twelfth year of the reign of his late Majeſty King *William* the Third, intituled, *An act for the further limitation of the crown, and better ſecuring the rights and liberties of the ſubject*: and that all papiſts, and perſons marrying papiſts, ſhall be excluded from, and for ever incapable to inherit, poſſeſs, or enjoy the imperial crown of *Great Britain*, and the dominions thereunto belonging, or any part thereof; and in every ſuch caſe, the crown and government ſhall from time to time deſcend to, and be enjoyed by ſuch perſon, being a proteſtant, as ſhould have inherited and enjoyed the ſame, in caſe ſuch papiſt, or perſon marrying a papiſt, was naturally dead, according to the proviſion for the deſcent of the crown of *England*, made by another act of parliament in *England* in the firſt year of the reign of their late majeſties King *William* and Queen *Mary*, Succeſſion to the monarchy. 12 & 13 W. 3. c. 2. Papiſts excluded.

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1 W. & M. ſt. 2. c. 2. ‘*Mary*, intituled, *An act declaring the rights and liberties of the ‘ſubject, and ſettling the ſucceſſion of the crown.*’

ARTICLE III.

One parliament. ‘That the united kingdom of *Great Britain* be repreſented by ‘one and the ſame parliament, to be ſtiled *The Parliament* of ‘Great Britain.’

ARTICLE IV.

Freedom of trade. ‘That all the ſubjects of the united kingdom of *Great Britain* ‘ſhall, from and after the union, have full freedom and intercourſe of trade and navigation to and from any port or place ‘within the ſaid united kingdom, and the dominions and plantations thereunto belonging; and that there be a communication of all other rights, privileges, and advantages, which do ‘or may belong to the ſubjects of either kingdom; except where ‘it is otherwiſe expreſly agreed in theſe articles.’

ARTICLE V.

Scotch ſhips to be Britiſh ſhips. ‘That all ſhips or veſſels belonging to her Majeſty's ſubjects ‘of *Scotland*, at the time of ratifying the treaty of union of the ‘two kingdoms in the parliament of *Scotland*, though foreign ‘built, be deemed, and paſs as ſhips of the built of *Great Britain*; ‘the owner, or where there are more owners, one or more of ‘the owners, within twelve months after the firſt of *May* next, ‘making oath, That at the time of ratifying the treaty of union ‘in the parliament of *Scotland*, the ſame did, in whole or in part, ‘belong to him or them, or to ſome other ſubject or ſubjects in ‘*Scotland*, to be particularly named, with the place of their reſpective abodes; and that the ſame doth then, at the time of ‘the ſaid depoſition, wholly belong to him or them; and that ‘no foreigner, directly or indirectly, hath any ſhare, part, or intereſt therein; which oath ſhall be made before the chief officer or officers of the cuſtoms, in the port next to the abode of ‘the ſaid owner or owners; and the ſaid officer or officers ſhall ‘be impowered to adminiſter the ſaid oath; and the oath being ‘ſo adminiſtred ſhall be atteſted by the officer or officers, who ‘adminiſtred the ſame; and being regiſtred by the ſaid officer or ‘officers, ſhall be delivered to the maſter of the ſhip for ſecurity ‘of her navigation; and a duplicate thereof ſhall be tranſmitted ‘by the ſaid officer or officers, to the chief officer or officers of the ‘cuſtoms in the port of *Edinburgh*, to be there entred in a regiſter, and from thence to be ſent to the port of *London*, to be ‘there entred in the general regiſter of all trading ſhips belonging to *Great Britain*.’

ARTICLE VI.

Trade. See 5 Geo. 1. c. 20. & 9 Geo. 1. c. 21. ‘That all parts of the united kingdom for ever, from and ‘after the union, ſhall have the ſame allowances, encouragements, and drawbacks, and be under the ſame prohibitions, ‘reſtrictions, and regulations of trade, and liable to the ſame ‘cuſtoms

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'cuſtoms and duties on import and export; and that the al-
'lowances, encouragements, and drawbacks, prohibitions, re-
'ſtrictions, and regulations of trade, and the cuſtoms and du-
'ties on import and export, ſettled in *England* when the union
'commences, ſhall, from and after the union, take place,
'throughout the whole united kingdom; excepting and re-
'ſerving the duties upon export and import of ſuch particular
'commodities, from which any perſons, the ſubjects of either
'kingdom, are ſpecially liberated and exempted by their private
'rights, which after the union, are to remain ſafe and entire to
'them in all reſpects, as before the ſame. And that from and
'after the union, no *Scots* cattle carried into *England*, ſhall be Scots cattle.
'liable to any other duties, either on the publick or private ac-
'counts, than thoſe duties to which the cattle of *England* are or
'ſhall be liable within the ſaid kingdom. And ſeeing by the
'laws of *England*, there are rewards granted upon the exporta-
'tion of certain kinds of grain, wherein oats grinded or un-
'grinded are not expreſſed; that from and after the union, when
'oats ſhall be ſold at fifteen ſhillings ſterling *per* quarter, or un-
'der, there ſhall be paid two ſhillings and ſix pence ſterling for
'every quarter of the oatmeal exported in the terms of the law,
'whereby and ſo long as rewards are granted for exportation of
'other grains, and that the bear of *Scotland* have the ſame re-
'wards as barley: and in reſpect the importation of victuals in- Importation
'to *Scotland*, from any place beyond ſea, would prove a diſcou- of victuals.
'ragement to tillage, therefore that the prohibition as now in
'force by the law of *Scotland*, againſt importation of victuals 14 Geo. 2. c. 7.
'from *Ireland*, or any other place beyond ſea into *Scotland*, do,
'after the union, remain in the ſame force as now it is, until
'more proper and effectual ways be provided by the parliament
'of *Great Britain*, for diſcouraging the importation of the ſaid
'victuals from beyond ſea.'

ARTICLE VII.

'That all parts of the united kingdom be for ever, from and Exciſes.
'after the union, liable to the ſame exciſes upon all exciſeable See 5 Geo. 1.
'liquors, excepting only that the thirty four gallons *Engliſh* bar- c. 20.
'rel of beer or ale, amounting to twelve gallons *Scots* preſent mea- *Explained by* 12 Geo. 1.
'ſure, ſold in *Scotland* by the brewer at nine ſhillings ſix pence c. 4. ſ. 58.
'ſterling, excluding all duties, and retailed, including duties
'and the retailers profit, at two pence the *Scots* pint, or eighth
'part of the *Scots* gallon, be not after the union liable, on ac-
'count of the preſent exciſe upon exciſeable liquors in *England*,
'to any higher impoſition than two ſhillings ſterling upon the
'aforeſaid thirty four gallons, *Engliſh* barrel, being twelve gal-
'lons the preſent *Scots* meaſure: and that the exciſe ſettled in
'*England* on all other liquors, when the union commences,
'take place throughout the whole united kingdom.'

ARTICLE VIII.

'That from and after the union, all foreign ſalt which ſhall Foreign ſalt.
'be imported into *Scotland*, ſhall be charged at the importation

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'there, with the ſame duties as the like ſalt is now charged with 'being imported into *England*, and to be levied and ſecured in 'the ſame manner: but in regard the duties of great quantities 'of foreign ſalt imported may be very heavy upon the merchants 'importers, that therefore all foreign ſalt imported into *Scotland*, 'ſhall be cellar'd and locked up under the cuſtody of the mer-'chant importers, and the officers employed for levying the du-'ties upon ſalt, and that the merchant may have what quantity 'thereof his occaſion may require, not under a wey or forty 'buſhels at a time, giving ſecurity for the duty of what quantity 'he receives, payable in ſix months. But *Scotland* ſhall, for the 'ſpace of ſeven years from the ſaid union, be exempted from
Scotch ſalt. 'paying in *Scotland*, for ſalt made there, the duty or exciſe now 'payable for ſalt made in *England*; but from the expiration of 'the ſaid ſeven years, ſhall be ſubject and liable to the ſame du-'ties for ſalt made in *Scotland* as ſhall be then payable for ſalt 'made in *England*, to be levied and ſecured in the ſame man-'ner, and with proportionable drawbacks and allowances as in '*England*, with this exception, That *Scotland* ſhall, after the 'ſaid ſeven years, remain exempted from the duty of two ſhil-
Home ſalt. 'ling four pence a buſhel on home ſalt, impoſed by an act made
9 & 10 W. 3. c. 44. 'in *England* in the ninth and tenth of King *William* the Third 'of *England*; and if the parliament of *Great Britain* ſhall, at or 'before the expiring of the ſaid ſeven years, ſubſtitute any other 'fund in place of the ſaid two ſhillings four pence of exciſe on 'the buſhel of home ſalt, *Scotland* ſhall, after the ſaid ſeven 'years, bear a proportion of the ſaid fund, and have an equiva-'lent in the terms of this treaty; and that during the ſaid ſeven 'years, there ſhall be paid in *England*, for all ſalt made in *Scot-'land*, and imported from thence into *England*, the ſame duties 'upon the importation, as ſhall be payable for ſalt made in '*England*, to be levied and ſecured in the ſame manner as the 'duties on foreign ſalt are to be levied and ſecured in *England*;
Repealed by 3 Geo. 2. c. 20. ſ. 3. as to ſalt imported. 'and that after the ſaid ſeven years, as long as the ſaid duty of 'two ſhillings four pence a buſhel upon ſalt is continued in *Eng-'land*, the ſaid two ſhillings and four pence a buſhel ſhall be 'payable for all ſalt made in *Scotland*, and imported into *Eng-'land*, to be levied and ſecured in the ſame manner; and that 'during the continuance of the duty of two ſhillings four pence 'a buſhel upon ſalt made in *England*, no ſalt whatſoever be 'brought from *Scotland* to *England* by land in any manner, un-'der the penalty of forfeiting the ſalt, and the cattle and car-'riages made uſe of in bringing the ſame, and paying twenty 'ſhillings for every buſhel of ſuch ſalt, and proportionably for 'a greater or leſſer quantity, for which the carrier as well as the 'owner ſhall be liable, jointly and ſeverally, and the perſons 'bringing or carrying the ſame to be impriſoned by any one 'juſtice of the peace, by the ſpace of ſix months without bail, 'and until the penalty be paid. And for eſtabliſhing an equality
Fleſh exported from Scotland. 'in trade, that all fleſh exported from *Scotland* to *England*, and 'put on board in *Scotland* to be exported to parts beyond the

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'ſeas, and proviſions for ſhips in *Scotland*, and for foreign voy-
'ages, may be ſalted with *Scots* ſalt, paying the ſame duty for
'what ſalt is ſo employed as the like quantity of ſuch ſalt pays
'in *England*, and under the ſame penalties, forfeitures, and
'proviſions for preventing of frauds as are mentioned in the
'laws of *England*; and that from and after the union, the laws Curing of
'and acts of parliament in *Scotland*, for pining, curing, and Herrings.
'packing of herrings, white fiſh and ſalmon for exportation
'with foreign ſalt only, without any mixture of *Britiſh* or *Iriſh*
'ſalt, and for preventing of frauds in curing and packing of fiſh,
'be continued in force in *Scotland*, ſubject to ſuch alterations as
'ſhall be made by the parliament of *Great Britain*; and that all Fiſh exported.
'fiſh exported from *Scotland* to parts beyond the ſeas, which
'ſhall be cured with foreign ſalt only, and without mixture of
'*Britiſh* or *Iriſh* ſalt, ſhall have the ſame eaſes, premiums, and
'drawbacks, as are or ſhall be allowed to ſuch perſons as export
'the like fiſh from *England*; and that for encouragement of the
'herring fiſhing, there ſhall be allowed and paid to the ſubjects,
'inhabitants of *Great Britain*, during the preſent allowances for
'other fiſh, ten ſhillings five pence ſterling for every barrel of
'white herrings which ſhall be exported from *Scotland*; and
'that there ſhall be allowed five ſhilling ſterling for every barrel
'of beef or pork ſalted with foreign ſalt, without mixture of
'*Britiſh* or *Iriſh* ſalt, and exported for ſale from *Scotland* to parts
'beyond ſea, alterable by the parliament of *Great Britain*; These duties
'and if any matters of fraud relating to the ſaid duties on ſalt revived for
'ſhall hereafter appear, which are not ſufficiently provided a- 3 years, by
'gainſt by this article, the ſame ſhall be ſubject to ſuch further 5 Geo. 2. c. 6.
'proviſions as ſhall be thought fit by the parliament of *Great*
'*Britain*.'

ARTICLE IX.

'That whenſoever the ſum of one million nine hundred Land tax.
'ninety ſeven thouſand ſeven hundred and ſixty three pounds,
'eight ſhillings, and four pence halfpenny, ſhall be enacted by
'the parliament of *Great Britain* to be raiſed in that part of the
'united kingdom now called *England*, on land and other things
'uſually charged in acts of parliament there, for granting an
'aid to the crown by a land tax; that part of the united king-
'dom now called *Scotland*, ſhall be charged by the ſame act,
'with a further ſum of forty eight thouſand pounds, free of all
'charges, as the *quota* of *Scotland*, to ſuch tax, and ſo propor- *Quota* of Scot-
'tionably for any greater or leſſer ſum raiſed in *England* by any land.
'tax on land, and other things uſually charged together with
'the land; and that ſuch *quota* for *Scotland*, in the caſes afore-
'ſaid, be raiſed and collected in the ſame manner as the ceſs
'now is in *Scotland*; but ſubject to ſuch regulations in the man-
'ner of collecting, as ſhall be made by the parliament of *Great*
'*Britain*.'

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ARTICLE X.

Stampt vellum.

'That during the continuance of the reſpective duties on 'ſtampt paper, vellum, and parchment, by the ſeveral acts now 'in force in *England*, *Scotland* ſhall not be charged with the ſame 'reſpective duties.'

ARTICLE XI.

Window tax.

'That during the continuance of the duties payable in *Eng-* 'land on windows and lights, which determine on the firſt day 'of *Auguſt*, one thouſand ſeven hundred and ten, *Scotland* ſhall 'not be charged with the ſame duties.'

ARTICLE XII.

Coals, culm, and cynders.

'That during the continuance of the duties payable in *Eng-* 'land on coals, culm, and cynders, which determine the thir- 'tieth day of *September*, one thouſand ſeven hundred and ten, 'Scotland ſhall not be charged therewith for coals, culm, and 'cynders conſumed there; but ſhall be charged with the ſame 'duties as in *England* for all coals, culm, and cynders not con- 'ſumed in *Scotland*.'

ARTICLE XIII.

Malt.

'That during the continuance of the duty payable in *Eng-* 'land upon malt, which determines the twenty fourth day of 'June, one thouſand ſeven hundred and ſeven, *Scotland* ſhall not 'be charged with that duty.'

ARTICLE XIV.

Scotland not chargeable with any other duties before the union, except theſe conſented to. See 5 Geo. 1. c. 20.

'That the kingdom of *Scotland* be not charged with any other 'duties laid on by the parliament of *England* before the union, 'except theſe conſented to in this treaty; in regard it is agreed, 'That all neceſſary proviſion ſhall be made by the parliament 'of *Scotland* for the publick charge and ſervice of that kingdom, 'for the year one thouſand ſeven hundred and ſeven. Provided 'nevertheleſs, That if the parliament of *England* ſhall think fit 'to lay any further impoſitions by way of cuſtoms, or ſuch ex- 'ciſes, with which by virtue of this treaty, *Scotland* is to be char- 'ged equally with *England*, in ſuch caſe *Scotland* ſhall be liable 'to the ſame cuſtoms and exciſes, and have an equivalent to be

Proviſo.

'ſettled by the parliament of *Great Britain*; with this further pro- 'viſion, That any malt to be made and conſumed in that part 'of the united kingdom now called *Scotland*, ſhall not be charged 'with any impoſition on malt, during this preſent war. And 'ſeeing it cannot be ſuppoſed that the parliament of *Great Bri-* 'tain will ever lay any ſort of burthens upon the united king- 'dom, but what they ſhall find of neceſſity at that time for the 'preſervation and good of the whole, and with due regard to 'the circumſtances and abilities of every part of the united king- 'dom, therefore it is agreed, That there be no further exemp- 'tion inſiſted upon for any part of the united kingdom, but that

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'the conſideration of any exemptions beyond what are already 'agreed on in this treaty, ſhall be left to the determination of 'the parliament of *Great Britain*.'

ARTICLE XV.

'That whereas by the terms of this treaty, the ſubjects of *Scot-* Equivalent.
'*land*, for preſerving an equality of trade throughout the united 'kingdom, will be liable to ſeveral cuſtoms and exciſes now pay-'able in *England*, which will be applicable towards payment of 'the debts of *England*, contracted before the union; it is agreed; 'That *Scotland* ſhall have an equivalent for what the ſubjects See 1 Geo. 1. 'thereof ſhall be ſo charged towards payment of the ſaid debts ſtat. 2. c. 27. 'of *England*, in all particulars whatſoever, in manner follow- & 5 Geo. 1. 'ing, *viz.* That before the union of the ſaid kingdoms, the c. 20. 'ſum of three hundred ninety eight thouſand and eighty five 'pounds, ten ſhillings, be granted to her Majeſty by the par-'liament of *England*, for the uſes after-mentioned, being the 'equivalent to be anſwered to *Scotland* for ſuch parts of the ſaid 'cuſtoms and exciſes upon all exciſeable liquors with which that 'kingdom is to be charged upon the union, as will be applicable 'to the payment of the ſaid debts of *England*, according to the 'proportion which the preſent cuſtoms in *Scotland*, being thirty 'thouſand pounds *per annum*, do bear to the cuſtoms in *England*, 'computed at one million three hundred forty one thouſand 'five hundred and fifty nine pounds *per annum*; and which the 'preſent exciſes on exciſeable liquors in *Scotland*, being thirty 'three thouſand and five hundred pounds *per annum*, do bear to 'the exciſes on exciſeable liquors in *England*, computed at nine 'hundred forty ſeven thouſand ſix hundred and two pounds *per* 'annum: which ſum of three hundred ninety eight thouſand 'eighty five pounds, ten ſhillings, ſhall be due and payable 'from the time of the union. And in regard that after the union '*Scotland* becoming liable to the ſame cuſtoms and duties pay-'able on import and export, and to the ſame exciſes on all ex-'ciſeable liquors as in *England*, as well upon that account, as 'upon the account of the increaſe of trade and people, (which 'will be the happy conſequence of the union) the ſaid revenues 'will much improve beyond the before-mentioned annual va-'lues thereof, of which no preſent eſtimate can be made; yet 'nevertheleſs, for the reaſons aforeſaid, there ought to be a pro-'portionable equivalent anſwered to *Scotland*; it is agreed, That 'after the union there ſhall be an account kept of the ſaid duties 'ariſing in *Scotland*, to the end it may appear what ought to be 'anſwered to *Scotland* as an equivalent for ſuch proportion of 'the ſaid increaſe as ſhall be applicable to the payment of the 'debts of *England*. And for the further and more effectual an-'ſwering the ſeveral ends hereafter mentioned, it is agreed, That 'from and after the union, the whole increaſe of the revenues 'of cuſtoms, and duties on import and export, and exciſes up-'on exciſeable liquors in *Scotland*, over and above the annual 'produce of the ſaid reſpective duties, as above ſtated, ſhall go

'and

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'and be applied, for the term of ſeven years, to the uſes here-
'after mentioned; and that upon the ſaid account there ſhall
'be anſwered to *Scotland* annually from the end of ſeven years
'after the union, an equivalent in proportion to ſuch part of
'the ſaid increaſe, as ſhall be applicable to the debts of *England*;
'and generally, that an equivalent ſhall be anſwered to *Scot-*
'*land* for ſuch parts of the *Engliſh* debts, as *Scotland* may here-
'after become liable to pay by reaſon of the union, other than
'ſuch for which appropriations have been made by parliament
'in *England*, of the cuſtoms, or other duties on export and im-
'port, exciſes on all exciſeable liquors, in reſpect of which
Uſes to which equivalent money is applied. 'debts, equivalents are herein before provided. And as for the
'uſes to which the ſaid ſum of three hundred ninety eight thou-
'ſand eighty five pounds, ten ſhillings, to be granted, as afore-
'ſaid, and all other monies which are to be anſwered or allow-
'ed to *Scotland*, as aforeſaid, are to be applied, it is agreed,
'That in the firſt place, out of the aforeſaid ſum, what conſi-
'deration ſhall be found neceſſary to be had for any loſſes,
Coin of Scotland. 'which private perſons may ſuſtain by reducing the coin of *Scot-*
'*land* to the ſtandard and value of the coin of *England*, may be
'made good; in the next place, that the capital ſtock, or fund
African company. 'of the *African* and *Indian* company of *Scotland* advanced, toge-
'ther with intereſt for the ſaid capital ſtock, after the rate of
'five *per centum per annum*, from the reſpective times of the pay-
'ment thereof, ſhall be paid: upon payment of which capital
'ſtock and intereſt, it is agreed, the ſaid company be diſſolved
'and ceaſe, and alſo, that from the time of paſſing the act of
'parliament in *England*, for raiſing the ſaid ſum of three hun-
'dred ninety eight thouſand eighty five pounds, ten ſhillings,
'the ſaid company ſhall neither trade, nor grant licence to trade;
'providing, that if the ſaid ſtock and intereſt ſhall not be paid
'in twelve months after the commencement of the union, that
'then the ſaid company may from thenceforward trade, or give
'licence to trade, until the ſaid whole capital ſtock and intereſt
Overplus. 'ſhall be paid. And as to the overplus of the ſaid ſum of three
'hundred ninety eight thouſand eighty five pounds, ten ſhil-
'lings, after payment of what conſideration ſhall be had for
'loſſes in repairing the coin, and paying the ſaid capital ſtock
'and intereſt, and alſo the whole increaſe of the ſaid revenues
'of cuſtoms, duties, and exciſes, above the preſent value, which
'ſhall ariſe in *Scotland*, during the ſaid term of ſeven years, to-
'gether with the equivalent which ſhall become due upon the
'improvement thereof in *Scotland* after the ſaid term; and alſo,
'as to all other ſums, which, according to the agreements a-
'foreſaid, may become payable to *Scotland* by way of equiva-
'lent, for what that kingdom ſhall hereafter become liable to-
'wards payment of the debts of *England*; it is agreed, That
'the ſame be applied in the manner following, *viz.* That all
Publick debts. 'the publick debts of the kingdom of *Scotland*, as ſhall be ad-
'juſted by this preſent parliament, ſhall be paid: and that two
'thouſand pounds *per annum* for the ſpace of ſeven years, ſhall

'be

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'be applied towards encouraging and promoting the manufacture of coarſe wool within thoſe ſhires which produce the wool; and that the firſt two thouſand pounds ſterling be paid at *Martinmas* next, and ſo yearly at *Martinmas*, during the ſpace aforeſaid; and afterwards, the ſame ſhall be wholly applied towards the encouraging and promoting the fiſheries, and ſuch other manufactures and improvements in *Scotland*, as may moſt conduce to the general good of the united kingdom. And it is agreed, That her Majeſty be impowered to appoint commiſſioners, who ſhall be accountable to the parliament of *Great Britain*, for diſpoſing the ſaid ſum of three hundred ninety eight thouſand and eighty five pounds, ten ſhillings, and all other monies which ſhall ariſe to *Scotland*, upon the agreements aforeſaid, to the purpoſes before-mentioned: which commiſſioners ſhall be impowered to call for, receive, and diſpoſe of the ſaid monies, in manner aforeſaid, and to inſpect the books of the ſeveral collectors of the ſaid revenues, and of all other duties, from whence an equivalent may ariſe: and that the collectors and managers of the ſaid revenues and duties be obliged to give to the ſaid commiſſioners ſubſcribed authentick abbreviates of the produce of ſuch revenues and duties ariſing in their reſpective diſtricts: and that the ſaid commiſſioners ſhall have their office within the limits of *Scotland*, and ſhall in ſuch office keep books containing accounts of the amount of the equivalents, and how the ſame ſhall have been diſpoſed of from time to time, which may be inſpected by any of the ſubjects, who ſhall deſire the ſame.'

Manufacture of coarſe wool.

Fiſheries. *See* 13 Geo. 1. c. 30. ſ. 1. & 1 Geo. 2. ſtat. 2. c. 1. ſ. 8.

Commiſſioners for the equivalent.

ARTICLE XVI.

'That from and after the union, the coin ſhall be of the ſame ſtandard and value throughout the united kingdom, as now in *England*, and a mint ſhall be continued in *Scotland*, under the ſame rules as the mint in *England*, and the preſent officers of the mint continued, ſubject to ſuch regulations and alterations as her Majeſty, her heirs or ſucceſſors, or the parliament of *Great Britain* ſhall think fit.'

Coin.

ARTICLE XVII.

'That from and after the union, the ſame weights and meaſures ſhall be uſed throughout the united kingdom, as are now eſtabliſhed in *England*, and ſtandards of weights and meaſures ſhall be kept by thoſe burghs in *Scotland*, to whom the keeping the ſtandards of weights and meaſures, now in uſe there, does of ſpecial right belong: all which ſtandards ſhall be ſent down to ſuch reſpective burghs, from the ſtandards kept in the Exchequer at *Weſtminſter*, ſubject nevertheleſs to ſuch regulations as the parliament of *Great Britain* ſhall think fit.'

Weights and meaſures.

ARTICLE XVIII.

'That the laws concerning regulation of trade, cuſtoms, and ſuch exciſes to which *Scotland* is, by virtue of this treaty, to

Regulation of trade.

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'to be liable, be the ſame in *Scotland*, from and after the union, 'as in *England*; and that all other laws in uſe within the king- 'dom of *Scotland*, do after the union, and notwithſtanding 'thereof, remain in the ſame force as before, (except ſuch as 'are contrary to, or inconſiſtent with this treaty) but alterable 'by the parliament of *Great Britain*; with this difference be- 'twixt the laws concerning publick right, policy, and civil go- 'vernment, and thoſe which concern private right, that the 'laws which concern publick right, policy, and civil govern- 'ment, may be made the ſame throughout the whole united 'kingdom; but that no alteration be made in laws which con- 'cern private right, except for evident utility of the ſubjects 'within *Scotland*.'

ARTICLE XIX.

College of juſtice. 7 Geo. 2. c. 16. ſ. 4.

'That the court of ſeſſion, or college of juſtice, do after the 'union, and notwithſtanding thereof, remain in all time coming 'within *Scotland*, as it is now conſtituted by the laws of that 'kingdom, and with the ſame authority and privileges as before 'the union, ſubject nevertheleſs to ſuch regulations for the bet- 'ter adminiſtration of juſtice, as ſhall be made by the parlia- 'ment of *Great Britain*; and that hereafter none ſhall be named 'by her Majeſty, or her royal ſucceſſors, to be ordinary lords of 'ſeſſion, but ſuch who have ſerved in the college of juſtice as 'advocates, or principal clerks of ſeſſion for the ſpace of five 'years; or as writers to the ſignet for the ſpace of ten years; 'with this proviſion, That no writer to the ſignet be capable to 'be admitted a lord of the ſeſſion, unleſs he undergo a private 'and publick trial on the civil law, before the faculty of advo- 'cates, and be found by them qualified for the ſaid office, two 'years before he be named to be a lord of the ſeſſion; yet ſo as 'the qualifications made, or to be made, for capacitating per- 'ſons to be named ordinary lords of ſeſſion, may be altered by 'the parliament of *Great Britain*. And that the court of juſti- 'ciary do alſo after the union, and notwithſtanding thereof, re- 'main in all time coming within *Scotland*, as it is now conſti- 'tuted by the laws of that kingdom, and with the ſame au- 'thority and privileges as before the union, ſubject nevertheleſs 'to ſuch regulations as ſhall be made by the parliament of *Great* 'Britain, and without prejudice of other rights of juſticiary; 'and that all admiralty juriſdictions be under the lord high ad- 'miral or commiſſioners for the admiralty of *Great Britain* for 'the time being; and that the court of admiralty now eſtabliſh- 'ed in *Scotland* be continued, and that all reviews, reductions, 'or ſuſpenſions of the ſentences in maritime caſes, competent 'to the juriſdiction of that court, remain in the ſame manner 'after the union, as now in *Scotland*, until the parliament of 'Great Britain ſhall make ſuch regulations and alterations, as 'ſhall be judged expedient for the whole united kingdom, ſo as 'there be always continued in *Scotland* a court of admiralty, 'ſuch as in *England*, for determination of all maritime caſes re-

Court of juſticiary.

Admiralty juriſdictions.

'lating

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'lating to private rights in *Scotland*, competent to the jurisdic-
'tion of the admiralty court, subject nevertheless to such regu-
'lations and alterations as shall be thought proper to be made
'by the parliament of *Great Britain*; and that the heretable
'rights of admiralty and vice admiralties in *Scotland* be reserved
'to the respective proprietors as rights of property, subject ne-
'vertheless, as to the manner of exercising such heretable rights,
'to such regulations and alterations, as shall be thought proper
'to be made by the parliament of *Great Britain*; and that all Other courts.
'other courts now in being within the kingdom of *Scotland* do
'remain, but subject to alterations by the parliament of *Great*
'*Britain*; and that all inferior courts within the said limits do
'remain subordinate, as they are now, to the supreme courts
'of justice within the same, in all time coming; and that no
'causes in *Scotland* be cognoscible by the courts of *Chantery*,
'*Queen's Bench*, *Common Pleas*, or any other court in *Westmin-*
'*ster Hall*; and that the said courts, or any other of the like Court of Ex-
'nature, after the union, shall have no power to cognosce, chequer esta-
'review, or alter the acts or sentences of the judicatures within blished for
'*Scotland*, or stop the execution of the same; and that there be ever, by 6
'a court of *Exchequer* in *Scotland* after the union, for deciding Annæ, c. 26.
'questions concerning the revenues of customs and excises there, s. 1.
'having the same power and authority in such cases, as the
'court of *Exchequer* has in *England*; and that the said court of
'*Exchequer* in *Scotland* have power of passing signatures, gifts,
'tutories, and in other things, as the court of *Exchequer* at pre-
'sent in *Scotland* hath; and that the court of *Exchequer* that now
'is in *Scotland* do remain, until a new court of *Exchequer* be
'settled by the parliament of *Great Britain* in *Scotland* after the
'union; and that after the union, the Queen's majesty, and
'her royal successors, may continue a privy council in *Scotland*, Privy council.
'for preserving of publick peace and order, until the parliament
'of *Great Britain* shall think fit to alter it, or establish any other
'effectual method for that end.'

ARTICLE XX.

'That all heretable offices, superiorities, heretable jurisdic- Heretable of-
'tions, offices for life, and jurisdictions for life, be reserved to fices.
'the owners thereof, as rights of property, in the same manner
'as they are now enjoyed by the laws of *Scotland*, notwith-
'standing this treaty.'

ARTICLE XXI.

'That the rights and privileges of the royal burghs in *Scot-* Royal burghs.
'*land*, as they now are, do remain entire after the union, and
'notwithstanding thereof.'

ARTICLE XXII.

'That by virtue of this treaty, of the peers of *Scotland*, at Sixteen peers
'the time of the union, sixteen shall be the number to sit and of Scotland to
'vote in the house of lords, and forty five the number of the sit in the house
of lords.

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'repreſentatives of *Scotland* in the houſe of commons of the 'parliament of *Great Britain*; and that when her Majeſty, her 'heirs or ſucceſſors, ſhall declare her or their pleaſure for hold-'ing the firſt or any ſubſequent parliament of *Great Britain*, 'until the parliament of *Great Britain* ſhall make further pro-'viſions therein, a writ do iſſue under the great ſeal of the united 'kingdom, directed to the privy council of *Scotland*, command-'ing them to cauſe ſixteen peers, who are to ſit in the houſe of 'lords, to be ſummoned to parliament, and forty five members

Forty five members to ſit in the houſe of commons.

'to be elected to ſit in the houſe of commons of the parliament 'of *Great Britain*, according to the agreement of this treaty, in 'ſuch manner as by an act of this preſent ſeſſion of the parlia-'ment of *Scotland* is or ſhall be ſettled; which act is hereby de-

Farther proviſions relating hereto. 6 Annæ, c. 23. ſ. 1.

'clared to be as valid as if it were a part of, and ingroſſed in 'this treaty. And that the names of the perſons ſo ſummon-'ed and elected ſhall be returned by the privy council of *Scot-'land* into the court from whence the ſaid writ did iſſue. And 'that if her Majeſty, on or before the firſt day of *May* next, on 'which day the union is to take place, ſhall declare under the 'great ſeal of *England*, That it is expedient that the lords of 'parliament of *England*, and commons of the preſent parliament 'of *England*, ſhould be the members of the reſpective houſes of

Firſt parliament of Great Britain.

'the firſt parliament of *Great Britain*, for and on the part of '*England*, then the ſaid lords of parliament of *England*, and com-'mons of the preſent parliament of *England*, ſhall be the mem-'bers of the reſpective houſes of the firſt parliament of *Great 'Britain*, for and on the part of *England*: and her Majeſty may 'by her royal proclamation, under the great ſeal of *Great Bri-'tain*, appoint the ſaid firſt parliament of *Great Britain* to meet 'at ſuch time and place as her Majeſty ſhall think fit; which 'time ſhall not be leſs than fifty days after the date of ſuch 'proclamation; and the time and place of the meeting of ſuch 'parliament being ſo appointed, a writ ſhall be immediately 'iſſued under the great ſeal of *Great Britain*, directed to the 'privy council of *Scotland*, for the ſummoning the ſixteen peers, 'and for electing forty five members, by whom *Scotland* is to be 'repreſented in the parliament of *Great Britain*. And the lords 'of parliament of *England*, and the ſixteen peers of *Scotland*, 'ſuch ſixteen peers being ſummoned and returned in the man-'ner agreed in this treaty, and the members of the houſe of 'commons of the ſaid parliament of *England*, and the forty 'five members for *Scotland*, ſuch forty five members being elec-'ted and returned in the manner agreed in this treaty, ſhall 'aſſemble and meet reſpectively, in the reſpective houſes of the 'parliament of *Great Britain*, at ſuch time and place as ſhall 'be ſo appointed by her Majeſty, and ſhall be the two houſes of 'the firſt parliament of *Great Britain*; and that parliament may 'continue for ſuch time only, as the preſent parliament of '*England* might have continued if the union of the two king-'doms had not been made, unleſs ſooner diſſolved by her Ma-'jeſty. And that every one of the lords of parliament of *Great*

'*Britain*,

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'*Britain*, and every member of the houſe of commons of the parliament of *Great Britain*, in the firſt and all ſucceeding parliaments of *Great Britain*, until the parliament of *Great Britain* ſhall otherwiſe direct, ſhall take the reſpective oaths appointed to be taken inſtead of the oaths of allegiance and ſupremacy, by an act of parliament made in *England* in the firſt year of the reign of the late King *William* and Queen *Mary*, intituled, *An act for the abrogating of the oaths of ſupremacy and allegiance, and appointing other oaths*, and make, ſubſcribe, and audibly repeat the declaration mentioned in an act of parliament made in *England* in the thirtieth year of the reign of King *Charles* the Second, intituled, *An act for the more effectual preſerving the King's perſon and government, by diſabling papiſts from ſitting in either houſe of parliament*; and ſhall take and ſubſcribe the oath mentioned in an act of parliament made in *England*, in the firſt year of her Majeſty's reign, intituled, *An act to declare the alterations in the oath appointed to be taken by the act*, intituled, *An act for the further ſecurity of his Majeſty's perſon, and the ſucceſſion of the crown in the proteſtant line, and for extinguiſhing the hopes of the pretended prince of* Wales, *and all other pretenders, and their open and ſecret abettors, and for declaring the aſſociation to be determined*; at ſuch time, and in ſuch manner as the members of both houſes of parliament of *England* are by the ſaid reſpective acts directed to take, make, and ſubſcribe the ſame, upon the penalties and diſabilities in the ſaid reſpective acts contained. And it is declared and agreed, That theſe words, *This realm*, *The crown of this realm*, and *The Queen of this realm*, mentioned in the oaths and declaration contained in the aforeſaid acts, which were intended to ſignify the crown and realm of *England*, ſhall be underſtood of the crown and realm of *Great Britain*; and that in that ſenſe the ſaid oaths and declaration be taken and ſubſcribed by the members of both houſes of the parliament of *Great Britain*.'

Members to take the oaths, &c.

1 W. & M. ſeſ. 1. c. 8.

30 Car. 2. ſtat. 2. c. 1.

1 Annæ, ſtat. 1. c. 22.

ARTICLE XXIII.

'That the aforeſaid ſixteen peers of *Scotland* mentioned in the laſt preceding article, to ſit in the houſe of lords of the parliament of *Great Britain*, ſhall have all privileges of parliament, which the peers of *England* now have, and which they, or any peers of *Great Britain* ſhall have after the union, and particularly the right of ſitting upon the trials of peers: and in caſe of the trial of any peer, in time of adjournment, or prorogation of parliament, the ſaid ſixteen peers ſhall be ſummoned in the ſame manner, and have the ſame powers and privileges at ſuch trial, as any other peers of *Great Britain*. And that in caſe any trials of peers ſhall hereafter happen, when there is no parliament in being, the ſixteen peers of *Scotland*, who ſat in the laſt preceding parliament, ſhall be ſummoned in the ſame manner, and have the ſame powers and privileges at ſuch trials, as any other peers of *Great Britain*; and that all peers of *Scotland*, and their ſucceſſors to their ho-

Privileges of the ſixteen peers;

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and of all the peers of Scotland.

'nours and dignities, ſhall from and after the union, be peers 'of *Great Britain*, and have rank and precedency next and im- 'mediately after the peers of the like orders and degrees in *Eng- 'land* at the time of the union, and before all peers of *Great 'Britain* of the like orders and degrees, who may be created 'after the union, and ſhall be tried as peers of *Great Britain*, 'and ſhall enjoy all privileges of peers, as fully as the peers of '*England* do now, or as they, or any other peers of *Great Bri- 'tain* may hereafter enjoy the ſame, except the right and privi- 'lege of ſitting in the houſe of lords, and the privileges de- 'pending thereon, and particularly the right of ſitting upon the 'trials of peers.'

ARTICLE XXIV.

One great ſeal.

'That from and after the union, there be one great ſeal for 'the united kingdom of *Great Britain*, which ſhall be different 'from the great ſeal now uſed in either kingdom: and that the 'quartering the arms, and the rank and precedency of the lyon 'king of arms of the kingdom of *Scotland*, as may beſt ſuit the 'union, be left to her Majeſty: and that in the mean time, the 'great ſeal of *England* be uſed as the great ſeal of the united 'kingdom, and that the great ſeal of the united kingdom be 'uſed for ſealing writs to elect and ſummon the parliament of '*Great Britain*, and for ſealing all treaties with foreign princes 'and ſtates, and all publick acts, inſtruments and orders of 'ſtate, which concern the whole united kingdom, and in all 'other matters relating to *England*, as the great ſeal of *England*

Seal in Scotland.

'is now uſed: and that a ſeal in *Scotland* after the union be al- 'ways kept and made uſe of in all things relating to private

Privy ſeal, &c. continued.

'rights or grants, which have uſually paſſed the great ſeal of '*Scotland*, and which only concern offices, grants, commiſſions, 'and private rights within that kingdom; and that until ſuch 'ſeal ſhall be appointed by her Majeſty, the preſent great ſeal of '*Scotland* ſhall be uſed for ſuch purpoſes: and that the privy 'ſeal, ſignet, caſſet, ſignet of the juſticiary court, quarter ſeal, 'and ſeals of courts now uſed in *Scotland* be continued; but that 'the ſaid ſeals be altered and adapted to the ſtate of the union, 'as her Majeſty ſhall think fit; and the ſaid ſeals, and all of 'them, and the keepers of them, ſhall be ſubject to ſuch regu- 'lations as the parliament of *Great Britain* ſhall hereafter make.

Regalia, records of parliament, &c.

'And that the crown, ſcepter, and ſword of ſtate, the records 'of parliament, and all other records, rolls and regiſters what- 'ſoever, both publick and private, general and particular, and 'warrants thereof, continue to be kept as they are within that 'part of the united kingdom now called *Scotland*; and that they 'ſhall ſo remain in all time coming, notwithſtanding the union.'

ARTICLE XXV.

Laws inconſiſtent, void.

'That all laws and ſtatutes in either kingdom, ſo far as they 'are contrary to, or inconſiſtent with the terms of theſe articles, 'or any of them, ſhall, from and after the union, ceaſe and

'become

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' become void, and ſhall be ſo declared to be, by the reſpective ' parliaments of the ſaid kingdoms.'

As by the ſaid articles of union, ratified and approved by the ſaid act of parliament of Scotland, *relation being thereunto had, may appear. And the tenor of the aforeſaid act for ſecuring the proteſtant religion and preſbyterian church government within the kingdom of* Scotland, *is as follows:*

II. ' OUR ſovereign Lady, and the eſtates of parliament, conſidering that by the late act of parliament, for a ' treaty with *England* for an union of both kingdoms, it is pro- ' vided, That the commiſſioners for that treaty ſhould not treat ' of or concerning any alteration of the worſhip, diſcipline, and ' government of the church of this kingdom as now by law eſta- ' bliſhed: which treaty being now reported to the parliament, ' and it being reaſonable and neceſſary that the true proteſtant ' religion, as preſently profeſſed within this kingdom, with the ' worſhip, diſcipline, and government of this church, ſhould ' be effectually and unalterably ſecured: therefore her Majeſty, ' with advice and conſent of the ſaid eſtates of parliament, doth ' hereby eſtabliſh and confirm the ſaid true proteſtant religion, ' and the worſhip, diſcipline, and government of this church, ' to continue without any alterations to the people of this land ' in all ſucceeding generations; and more eſpecially her Ma- ' jeſty, with advice and conſent aforeſaid, ratifies, approves, ' and for ever confirms the fifth act of the firſt parliament of ' King *William* and Queen *Mary*, intituled, *Act ratifying the ' confeſſion of faith, and ſettling preſbyterian church government*; ' with all other acts of parliament relating thereto, in proſecu- ' tion of the declaration of the eſtates of this kingdom, con- ' taining the claim of right, bearing date the eleventh of *April*, ' one thouſand ſix hundred and eighty nine: and her Majeſty, ' with advice and conſent aforeſaid, expreſly provides and de- ' clares, That the foreſaid true proteſtant religion, contained ' in the above mentioned confeſſion of faith, with the form and ' purity of worſhip preſently in uſe within this church, and its ' preſbyterian church government and diſcipline (that is to ſay) ' the government of the church by kirk ſeſſions, preſbyteries, ' provincial ſynods, and general aſſemblies, all eſtabliſhed by ' the foreſaid acts of parliament, purſuant to the claim of right, ' ſhall remain and continue unalterable, and that the ſaid preſby- ' terian government ſhall be the only government of the church ' within the kingdom of *Scotland*.'

Act for ſecuring the proteſtant religion, and preſbyterian church government in Scotland.

III. ' And further, for the greater ſecurity of the foreſaid ' proteſtant religion, and of the worſhip, diſcipline, and govern- ' ment of this church, as above eſtabliſhed, her Majeſty, with ' advice and conſent aforeſaid, ſtatutes and ordains, That the ' univerſities and colleges of Saint *Andrews*, *Glaſgow*, *Aberdeen*, ' and *Edinburgh*, as now eſtabliſhed by law, ſhall continue with- ' in this kingdom for ever; and that in all time coming, no

Univerſities and colleges to continue.

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'profeſſors, principals, regents, maſters, or others, bearing 'office in any univerſity, college, or ſchool within this king-'dom, be capable to be admitted, or allowed to continue in the 'exerciſe of their ſaid functions, but ſuch as ſhall own and ac-'knowledge the civil government in manner preſcribed or to be 'preſcribed by the acts of parliament; as alſo, that before, or 'at their admiſſions, they do and ſhall acknowledge and pro-'feſs, and ſhall ſubſcribe to the foreſaid confeſſion of faith, as 'the confeſſion of their faith, and that they will practiſe and 'conform themſelves to the worſhip preſently in uſe in this 'church, and ſubmit themſelves to the government and diſ-'cipline thereof, and never endeavour directly or indirectly the 'prejudice or ſubverſion of the ſame, and that before the re-'ſpective preſbyteries of their bounds, by whatſoever gift, pre-'ſentation or proviſion they may be thereto provided.

Subjects not liable to any oath inconſiſtent with the ſaid church government.

IV. 'And further, her Majeſty, with advice aforeſaid, ex-'preſly declares, and ſtatutes, That none of the ſubjects of this 'kingdom ſhall be liable to, but all and every one of them for 'ever free of any oath, teſt or ſubſcription within this kingdom, 'contrary to, or inconſiſtent with the foreſaid true proteſtant re-'ligion, and preſbyterian church government, worſhip, and 'diſcipline, as above eſtabliſhed; and that the ſame within the 'bounds of this church and kingdom, ſhall never be impoſed 'upon, or required of them, in any ſort. And laſtly, That

Queen's ſucceſſors to maintain the ſame.

'after the deceaſe of her preſent Majeſty, (whom God long 'preſerve) the ſovereign ſucceeding to her in the royal govern-'ment of the kingdom of *Great Britain*, ſhall in all time coming 'at his or her acceſſion to the crown, ſwear and ſubſcribe, that 'they ſhall inviolably maintain and preſerve the foreſaid ſettle-'ment of the true proteſtant religion, with the government, 'worſhip, diſcipline, right, and privileges of this church, as 'above eſtabliſhed by the laws of this kingdom in proſecution 'of the claim of right.'

Act to be for ever obſerv'd as an eſſential part of any treaty, &c. between the kingdoms.

V. 'And it is hereby ſtatute and ordained, That this act of 'parliament, with the eſtabliſhment therein contained, ſhall be 'held and obſerved in all time coming, as a fundamental and 'eſſential condition of any treaty or union to be concluded be-'twixt the two kingdoms, without any alteration thereof, or 'derogation thereto in any ſort for ever: as alſo, That this act 'of parliament, and ſettlement therein contain'd, ſhall be in-'ſert and repeated in any act of parliament that ſhall paſs for 'agreeing and concluding the foreſaid treaty or union betwixt 'the two kingdoms; and that the ſame ſhall be therein expreſly 'declared to be a fundamental and eſſential condition of the ſaid 'treaty or union in all time coming: which articles of union, 'and act immediately above-written, her Majeſty, with advice 'and conſent aforeſaid, ſtatutes, enacts, and ordains to be 'and continue, in all time coming, the ſure and perpetual 'foundation of a compleat and entire union of the two king-'doms of *Scotland* and *England*, under the expreſs condition and 'proviſion, that this approbation and ratification of the fore-

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'ſaid articles and act ſhall be no ways binding on this kingdom, 'until the ſaid articles and act be ratified, approved, and con-'firmed by her Majeſty, with and by the authority of the par-'liament of *England*, as they are now agreed to, approved and 'confirmed by her Majeſty, with and by the authority of the 'parliament of *Scotland*; declaring nevertheleſs, that the par-'liament of *England* may provide for the ſecurity of the church 'of *England* as they think expedient, to take place within the 'bounds of the ſaid kingdom of *England*, and not derogating 'from the ſecurity above provided for eſtabliſhing of the church 'of *Scotland* within the bounds of this kingdom; as alſo the 'ſaid parliament of *England* may extend the additions and other 'proviſions contained in the articles of union, as above inſert, 'in favours of the ſubjects of *Scotland*, to and in favours of the 'ſubjects of *England*; which ſhall not ſuſpend or derogate from 'the force and effect of this preſent ratification, but ſhall be 'underſtood as herein included, without the neceſſity of any 'new ratification in the parliament of *Scotland*.'

Parliament of England may provide for ſecurity of church of England, &c.

VI. 'And laſtly, her Majeſty enacts and declares, That all 'laws and ſtatutes in this kingdom, ſo far as they are contrary 'to, or inconſiſtent with, the terms of theſe articles, as above-'mentioned, ſhall from and after the union ceaſe and become 'void.'

All laws, &c. inconſiſtent with articles of union, to ceaſe.

VII. 'And whereas an act hath paſſed in this preſent ſeſſion 'of parliament, intituled, *An act for ſecuring the church of* Eng-'land *as by law eſtabliſhed*; the tenor whereof follows:

5 Annæ, c. 5.

'WHEREAS by an act made in the ſeſſion of parliament 'held in the third and fourth year of her Majeſty's 'reign, whereby her Majeſty was impowered to appoint com-'miſſioners, under the great ſeal of *England*, to treat with com-'miſſioners to be authorized by the parliament of *Scotland*, 'concerning an union of the kingdoms of *England* and *Scotland*, 'it is provided and enacted, That the commiſſioners to be 'named in purſuance of the ſaid act ſhould not treat of or con-'cerning any alteration of the liturgy, rites, ceremonies, diſ-'cipline, or government of the church as by law eſtabliſhed 'within this realm: and whereas certain commiſſioners ap-'pointed by her Majeſty in purſuance of the ſaid act, and alſo 'other commiſſioners nominated by her Majeſty by the autho-'rity of the parliament of *Scotland*, have met and agreed upon 'a treaty of union of the ſaid kingdoms; which treaty is now 'under the conſideration of this preſent parliament: and where-'as the ſaid treaty (with ſome alterations therein made) is rati-'fied and approved by act of parliament in *Scotland*; and the 'ſaid act of ratification is, by her Majeſty's royal command, 'laid before the parliament of this kingdom: and whereas it 'is reaſonable and neceſſary, that the true proteſtant religion 'profeſſed and eſtabliſhed by law in the church of *England*, and 'the doctrine, worſhip, diſcipline, and government thereof, 'ſhould be effectually and unalterably ſecured; be it enacted by

Act for ſecuring the church of *England*, recited.

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'the Queen's moſt excellent majeſty, by and with the advice 'and conſent of the lords ſpiritual and temporal, and the com- 'mons, in this preſent parliament aſſembled, and by au- 'thority of the ſame, That an act made in the thirteenth year
13 Eliz. c. 12. 'of the reign of Queen *Elizabeth*, of famous memory, intituled, '*An act for the miniſters of the church to be of ſound religion*; and 'alſo another act made in the thirteenth year of the reign of
13 & 14 Car. 2. c. 4. 'the late King *Charles* the Second, intituled, *An act for the uni- 'formity of the publick prayers and adminiſtration of ſacraments, 'and other rites and ceremonies, and for eſtabliſhing the form of 'making, ordaining, and conſecrating biſhops, prieſts, and deacons in 'the church of* England (other than ſuch clauſes in the ſaid acts, 'or either of them, as have been repealed or altered by any 'ſubſequent act or acts of parliament) and all and ſingular other 'acts of parliament now in force for the eſtabliſhment and pre- 'ſervation of the church of *England*, and the doctrine, worſhip, 'diſcipline, and government thereof, ſhall remain and be in 'full force for ever.'

Queen's ſucceſſors to take an oath, to maintain the church of England.

VIII. 'And be it further enacted by the authority aforeſaid, 'That after the demiſe of her Majeſty (whom God long pre- 'ſerve) the ſovereign next ſucceeding to her Majeſty in the 'royal government of the kingdom of *Great Britain*, and ſo for 'ever hereafter, every King or Queen ſucceeding and coming 'to the royal government of the kingdom of *Great Britain*, at 'his or her coronation, ſhall in the preſence of all perſons who 'ſhall be attending, aſſiſting, or otherwiſe then and there pre- 'ſent, take and ſubſcribe an oath to maintain and preſerve in- 'violably the ſaid ſettlement of the church of *England*, and the 'doctrine, worſhip, diſcipline, and government thereof, as by 'law eſtabliſhed within the kingdoms of *England* and *Ireland*, 'the dominion of *Wales*, and town of *Berwick* upon *Tweed*, and 'the territories thereunto belonging.'

Act to be an eſſential part of any treaty, &c.

IX. 'And be it further enacted by the authority aforeſaid, 'That this act, and all and every the matters and things there- 'in contained, be, and ſhall for ever be holden and adjudged 'to be a fundamental and eſſential part of any treaty of union 'to be concluded between the ſaid two kingdoms; and alſo that 'this act ſhall be inſerted in expreſs terms in any act of par- 'liament which ſhall be made for ſettling and ratifying any ſuch 'treaty of union, and ſhall be therein declared to be an eſſen- 'tial and fundamental part thereof.'

Articles of union, and the act for eſtabliſhing preſbyterian church government, &c. ratified and confirmed.

X. May it therefore pleaſe your moſt excellent Majeſty, that it may be enacted; and be it enacted by the Queen's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That all and every the ſaid articles of union as ratified and approved by the ſaid act of parliament of *Scotland*, as aforeſaid, and herein before particularly mentioned and inſerted; and alſo the ſaid act of parliament of *Scotland* for eſtabliſhing the proteſtant religion

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gion and preſbyterian church government within that kingdom, intituled, *An act for ſecuring the proteſtant religion, and preſbyterian church government*, and every clauſe, matter, and thing in the ſaid articles and act contained, ſhall be, and the ſaid articles and act are hereby for ever ratified, approved, and confirmed.

XI. And it is hereby further enacted by the authority aforeſaid, That the ſaid act paſſed in this preſent ſeſſion of parliament, intituled, *An act for ſecuring the church of* England, *as by law eſtabliſhed*, and all and every the matters and things therein contained, and alſo the ſaid act of parliament of *Scotland*, intituled, *An act for ſecuring the proteſtant religion, and preſbyterian church government*, with the eſtabliſhment in the ſaid act contained, be and ſhall for ever be held and adjudged to be, and obſerved as fundamental and eſſential conditions of the ſaid union; and ſhall in all times coming be taken to be, and are hereby declared to be eſſential and fundamental parts of the ſaid articles and union; and the ſaid articles of union ſo as aforeſaid ratified, approved and confirmed by act of parliament of *Scotland*, and by this preſent act, and the ſaid act paſſed in this preſent ſeſſion of parliament, intituled, *An act for ſecuring the church of* England *as by law eſtabliſhed*, and alſo the ſaid act paſſed in the parliament of *Scotland*, intituled, *An act for ſecuring the proteſtant religion, and preſbyterian church government*, are hereby enacted and ordained to be and continue in all times coming the compleat and entire union of the two kingdoms of *England* and *Scotland*.

5 Annæ, c. 5. Acts for ſettling the church governments in England and Scotland, &c. declared eſſential parts of the union.

5 Annæ, c. 5.

XII. *And whereas ſince the paſſing the ſaid act in the parliament of* Scotland, *for ratifying the ſaid articles of union, one other act, intituled*, An act ſettling the manner of electing the ſixteen peers, and forty five members, to repreſent *Scotland* in the parliament of *Great Britain, hath likewiſe paſſed in the ſaid parliament of* Scotland *at* Edinburgh, *the fifth day of* February, *one thouſand ſeven hundred and ſeven, the tenor whereof follows:*

Act ſettling the manner of electing the repreſentatives of Scotland.

'OUR ſovereign Lady conſidering, That by the twenty ſecond article of the treaty of union, as the ſame is ratified by an act paſſed in this ſeſſion of parliament, upon the fixteenth of *January* laſt, it is provided, That by virtue of the ſaid treaty, of the peers of *Scotland*, at the time of the union, ſixteen ſhall be of the number to ſit and vote in the houſe of lords, and forty five the number of the repreſentatives of *Scotland* in the houſe of commons of the parliament of *Great Britain*; and that the ſaid ſixteen peers, and forty five members in the houſe of commons, be named and choſen in ſuch manner as by a ſubſequent act in this preſent ſeſſion of parliament in *Scotland*, ſhould be ſettled; which act is thereby declared to be as valid, as if it were a part of, and ingroſſed in the ſaid treaty; therefore her Majeſty, with the advice and conſent of the eſtates of parliament, ſtatutes, enacts, and ordains, That the ſaid ſixteen peers, who ſhall have right to ſit in the houſe of peers in the parliament of *Great Britain*, on

Tenor of the act.

How the ſixteen peers that be elected.

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'on the part of *Scotland*, by virtue of this treaty, ſhall be named 'by the ſaid peers of *Scotland*, whom they repreſent, their heirs 'or ſucceſſors to their dignities and honours, out of their own 'number, and that by open election and plurality of voices of 'the peers preſent, and of the proxies for ſuch as ſhall be ab-'ſent, the ſaid proxies being peers, and producing a mandate 'in writing duly ſigned before witneſſes, and both the conſti-'tuent and proxy being qualified according to law; declaring 'alſo, That ſuch peers as are abſent, being qualified as afore-'ſaid, may ſend to all ſuch meetings liſts of the peers whom 'they judge fitteſt, validly ſigned by the ſaid abſent peers, which 'ſhall be reckoned in the ſame manner as if the parties had 'been preſent, and given in the ſaid liſt; and in caſe of the 'death, or legal incapacity of any of the ſaid ſixteen peers, that 'the aforeſaid peers of *Scotland* ſhall nominate another of their own 'number, in place of the ſaid peer or peers, in manner before 'and after mentioned: and that of the ſaid forty five repre-'ſentatives of *Scotland* in the houſe of commons in the parlia-'ment of *Great Britain*, thirty ſhall be choſen by the ſhires or 'ſteuartries, and fifteen by the royal burrows, as follows, *viz.* 'one for every ſhire and ſteuartry, excepting the ſhires of *Bute* 'and *Cathneſs*, which ſhall chooſe one by turns, *Bute* having 'the firſt election; the ſhires of *Nairn* and *Cromarty*, which 'ſhall alſo chooſe by turns, *Nairn* having the firſt election; and 'in like manner the ſhires of *Clackmanan* and *Kinroſs* ſhall chooſe 'by turns, *Clackmanan* having the firſt election; and in caſe of 'the death or legal incapacity of any of the ſaid members from 'the reſpective ſhires or ſteuartries above-mentioned, to ſit 'in the houſe of commons, it is enacted and ordained, That 'the ſhire or ſteuartry, who elected the ſaid member, ſhall elect 'another member in his place; and that the ſaid fifteen repre-'ſentatives for the royal burrows be choſen as follows, *viz.* 'That the town of *Edinburgh* ſhall have right to elect and ſend 'one member to the parliament of *Great Britain*; and that each 'of the other burghs ſhall elect a commiſſioner in the ſame 'manner as they are now in uſe to elect commiſſioners to the 'parliament of *Scotland*, which commiſſioners and burghs (*Edin-burgh* excepted) being divided in fourteen claſſes or diſtricts, 'ſhall meet at ſuch time and burghs within their reſpective di-'ſtricts, as her Majeſty, her heirs or ſucceſſors ſhall appoint, 'and elect one for each diſtrict, viz. The burghs of *Kirkwall*, 'Weik, Dornock, Dingwall, and Taine, one; the burghs of 'Fortroſe, Invernes, Nairn, and Forres, one; the burghs of 'Elgin, Cullen, Banff, Inverury, and Kintore, one; the burghs 'of Aberdeen, Inverbervy, Montroſe, Aberbrothock, and Brechine, 'one; the burghs of Forfar, Perth, Dundee, Coupar, and St. 'Andrews, one; the burghs of Crail, Kilrennie, Anſtruther 'Eaſter, Anſtruther Weſter, and Pittenweem, one; the burghs 'of Dyſart, Kirkaldie, Kinghern, and Bruntiſland, one; the 'burghs of Innerkithen, Dumfermline, Queensferry, Culroſs, and 'Sterling, one; the burghs of Glaſgow, Renfrew, Ruglen, and

And alſo the forty five repreſentatives.

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'*Dumbartan*, *one*; the burghs of *Haddington*, *Dunbarr*, *North* '*Berwick*, *Lauder*, and *Jedburgh*, one; the burghs of *Selkirk*, '*Peebles*, *Linlithgow*, and *Lanerk*, one; the burghs of *Dumfries*, '*Sanquhar*, *Annan*, *Lockmaben*, and *Kirkeudbright*, one; the 'burghs of *Wigtoun*, *New Galloway*, *Stranraver*, and *White-* '*hern*, one; and the burghs of *Air*, *Irvin*, *Rotheſay*, *Cambletoun*, 'and *Inverary*, one: and it is hereby declared and ordained, 'That where the votes of the commiſſioners for the ſaid burghs, 'met to chooſe repreſentatives from their ſeveral diſtricts to the 'parliament of *Great Britain*, ſhall be equal, in that caſe the 'preſident of the meeting ſhall have a caſting or deciſive vote, 'and that by and according to his vote as a commiſſioner from 'the burgh from which he is ſent; the commiſſioner from the 'eldeſt burgh preſiding in the firſt meeting, and the commiſ- 'ſioners from the other burghs in their reſpective diſtricts pre- 'ſiding afterwards by turns, in the order as the ſaid burghs are 'now called in the rolls of the parliament of *Scotland*; and that 'in caſe any of the ſaid fifteen commiſſioners from burghs ſhall 'deceaſe or become legally incapable to ſit in the houſe of com- 'mons, then the town of *Edinburgh*, or the diſtrict which choſe 'the ſaid member, ſhall elect a member in his or their place: 'it is always hereby expreſly provided and declared, That none 'ſhall be capable to elect or be elected for any of the ſaid eſtates, 'but ſuch as are twenty one years of age compleat, and pro- 'teſtant, excluding all papiſts, or ſuch who being ſuſpect of 'popery, and required, refuſe to ſwear and ſubſcribe the *For-* '*mula* contained in the third act made in the eighth and ninth 'ſeſſions of King *William*'s parliament, intituled, *An act for* '*preventing the growth of popery*; and alſo declaring, that none 'ſhall be capable to elect, or be elected, to repreſent a ſhire or 'burgh in the parliament of *Great Britain*, for this part of the 'united kingdom, except ſuch as are now capable by the laws of 'this kingdom, to elect, or be elected as commiſſioners for 'ſhires or burghs to the parliament of *Scotland*: and further, 'her Majeſty, with advice and conſent aforeſaid, for the effec- 'tual and orderly election of the perſons to be choſen to ſit, 'vote, and ſerve in the reſpective houſes of the parliament of '*Great Britain*, when her Majeſty, her heirs and ſucceſſors, 'ſhall declare her or their pleaſure for holding the firſt or any 'ſubſequent parliament of *Great Britain*, and when for that ef- 'fect a writ ſhall be iſſued out under the great ſeal of the united 'kingdom, directed to the privy council of *Scotland*, conform 'to the ſaid twenty ſecond article, ſtatutes, enacts, and ordains, 'That until the parliament of *Great Britain* ſhall make further 'proviſion therein, the ſaid writ ſhall contain a warrant and 'command to the ſaid privy council, to iſſue out a proclama- 'tion in her Majeſty's name, requiring the peers of *Scotland*, 'for the time, to meet and aſſemble at ſuch time and place 'within *Scotland*, as her Majeſty and royal ſucceſſors ſhall think 'fit, to make election of the ſaid ſixteen peers, and requiring the 'lord clerk regiſter, or two of the clerks of ſeſſion, to attend all

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'such meetings, and to adminiſter the oaths that are or ſhall be 'by law required, and to aſk the votes; and having made up 'the liſt in the preſence of the meeting, to return the names of 'the ſixteen peers choſen (certified under the ſubſcription of 'the ſaid lord clerk regiſter, clerk or clerks of ſeſſion attending) 'to the clerk of the privy council of *Scotland*, and in like man-
16 Geo. 2. c. 11. 'ner requiring and ordaining the ſeveral freeholders in the re-'ſpective ſhires and ſteuartries, to meet and convene at the 'head burghs of their ſeveral ſhires and ſteuartries, to elect 'their commiſſioners, to conform to the order above ſet down, 'and ordaining the clerks of the ſaid meetings immediately af-'ter the ſaid elections are over, reſpectively to return the names 'of the perſons elected to the clerks of the privy council: and 'laſtly, ordaining the city of *Edinburgh* to elect their commiſ-'ſioner, and the other royal burrows to elect each of them a 'commiſſioner, as they have been in uſe to elect commiſſioners 'to the parliament, and to ſend the ſaid reſpective commiſſion-'ers at ſuch times, to ſuch burghs, within their reſpective di-'ſtricts, as her Majeſty and ſucceſſors by ſuch proclamation 'ſhall appoint; requiring and ordaining the common clerk of 'the reſpective burghs, where ſuch election ſhall be appointed 'to be made, to attend the ſaid meetings, and immediately af-'ter the election to return the name of the perſon ſo elected '(certified under his hand) to the clerk of privy council, to the 'end that the names of the ſixteen peers, thirty commiſſioners 'for ſhires, and fifteen commiſſioners for burghs, being ſo re-'turned to the privy council, may be returned to the court 'from whence the writ did iſſue under the great ſeal of the 'united kingdom, conform to the ſaid twenty ſecond article: 'and whereas by the ſaid twenty ſecond article it is agreed, That 'if her Majeſty ſhall on or before the firſt day of *May* next de-'clare, that it is expedient the lords and commons of the pre-'ſent parliament of *England*, ſhould be the members of the re-'ſpective houſes of the firſt parliament of *Great Britain*, for 'and on the part of *England*, they ſhall accordingly be the 'members of the ſaid reſpective houſes, for and on the part of '*England*; her Majeſty, with advice and conſent aforeſaid, in 'that caſe only, doth hereby ſtatute and ordain, That the ſix-'teen peers, and forty five commiſſioners for ſhires and burghs, 'who ſhall be choſen by the peers, barons, and burghs reſpec-'tively, in this preſent ſeſſion of parliament, and out of the 'members thereof, in the ſame manner as committees of par-'liament are uſually now choſen, ſhall be the members of the 'reſpective houſes of the ſaid firſt parliament of *Great Britain*, 'for and on the part of *Scotland*. Which nomination and 'election being certified by a writ under the lord clerk regiſter's 'hand, the perſons ſo nominated and elected ſhall have right 'to ſit and vote in the houſe of lords, and in the houſe of com-'mons, of the ſaid firſt parliament of *Great Britain*.'

XIII. *An*

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XIII. *As by the ſaid act paſſed in* Scotland, *for ſettling the manner of electing the ſixteen peers, and forty five members, to repreſent* Scotland *in the parliament of* Great Britain, *may appear*; be it therefore further enacted and declared by the authority aforeſaid, That the ſaid laſt-mentioned act paſſed in *Scotland* for ſettling the manner of electing the ſixteen peers, and forty five members, to repreſent *Scotland* in the parliament of *Great Britain*, as aforeſaid, ſhall be, and the ſame is hereby declared to be as valid as if the ſame had been part of, and engroſſed in the ſaid articles of union ratified and approved by the ſaid act of parliament of *Scotland*, and by this act, as aforeſaid. Act aforeſaid declared valid.

CAP. IX.

An act for rendring more effectual an act paſſed in the firſt year of her Majeſty's reign, intituled, An act for the better preventing eſcapes out of the *Queen's Bench* and *Fleet Priſons.*

WHEREAS *the inheritance and cuſtody of ſeveral county gaols are in private perſons, by means whereof the good intent of a certain act made in the firſt year of her Majeſty's reign, intituled,* An act for the better preventing eſcapes out of the *Queen's Bench* and *Fleet Priſons, may be in ſome counties defeated and eluded*: to the end therefore that the ſaid act may be rendred more effectual; be it enacted by the Queen's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That all and every perſon and perſons, who from and after the five and twentieth day of *March*, in the year of our Lord one thouſand ſeven hundred and ſeven, ſhall be ſeized or taken by virtue or authority of the ſaid act, ſhall inſtead of being committed to the common gaol of the county wherein ſuch perſon or perſons ſhall be taken, be conveyed and committed to the priſon or place where the ſheriff of ſuch county detains or keeps the debtors or priſoners for debt or damage, there to remain in the cuſtody of the ſheriff of ſuch county, ſubject to the ſame rules and directions, and under the ſame reſtrictions, regulations, and penalties, and in ſuch manner and form in all and every reſpect, as if the ſaid perſon or perſons had been committed to the common gaol of the county; and if any perſon or perſons ſo taken and committed, as aforeſaid, ſhall at any time make any eſcape out of the ſaid priſon or place to which he, ſhe, or they be ſo committed, as aforeſaid, the ſheriff in whoſe cuſtody he, ſhe, or they was or were, ſhall be anſwerable for ſuch eſcape to the party grieved, in like manner as in the caſe of any other eſcape.

1 Annæ, ſtat. 2. c. 6.

Perſons taken by virtue of 1 Annæ, c. 6. to be committed to priſon where ſheriff keeps priſoners for debt, and remain in ſheriff's cuſtody.

Sheriff anſwerable for eſcape.

II. And to the intent that the benefit of the ſaid former act may the more eaſily be had, in caſe the perſon or perſons eſcaping ſhall be ſeen in places diſtant from the city of *London*; be it further enacted, That it ſhall and may be lawful to and for any one of the judges of the reſpective courts in the ſaid former act mentioned, to grant like warrant and warrants, upon oath in writing to

Eſcape warrant may be granted upon affidavit made in the country.

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to be made before any perſon commiſſionated under the ſeal of the ſame court to take affidavits in the country, (the ſame oath being firſt duly filed) as by the ſaid former act he is impowered to do upon like oath made before himſelf.

Perſons may be apprehended by warrant on a Sunday.

III. And be it declared and enacted, That it is and ſhall be lawful to apprehend and take, upon the Lord's day, any perſon or perſons by virtue of any warrant or warrants granted in purſuance of this or of the ſaid former act.

Perſons in cuſtody of ſheriff on a decree, and making his eſcape, ſheriff liable to pay, &c.

IV. And be it further enacted by the authority aforeſaid, That if any perſon or perſons is, are or ſhall be in cuſtody of any ſheriff or other officer, either by virtue of the ſaid act, or of this preſent act, or otherwiſe, for not performing any decree of the high court of *Chancery*, or court of *Exchequer*, whereby any ſum or ſums of money is ordered or decreed to be paid, and ſhall afterwards make any eſcape from the ſaid ſheriff or other officer, that then and in ſuch caſe the perſon and perſons, their executors or adminiſtrators, to whom the money was to be paid by the ſaid decree, ſhall have the ſame remedy againſt the ſaid ſheriff, as if ſuch perſon or perſons ſo eſcaping had been in cuſtody upon an execution at law, and ſhall and may recover the ſeveral ſum and ſums of money decreed to be paid to him, her, or them in and by ſuch decree, againſt ſuch ſheriff or other officer, together with his, her, or their coſts of ſuit, in any action or actions of debt, or upon the caſe to be brought or commenced againſt ſuch ſheriff or other officer in any of her Majeſty's courts of record at *Weſtminſter*, wherein no protection or wager of law ſhall be admitted, or any more than one imparlance; any law, uſage, or cuſtom to the contrary in any wiſe notwithſtanding.

Act to be a general law.

V. And for the prevention of diſputes touching this preſent act; be it enacted by the authority aforeſaid, That the ſame and every clauſe and thing therein contained, ſhall be adjudged and taken to be a general law, and that it ſhall not be needful to ſet forth the ſame in pleading, or any part thereof.

CAP. X.

EXP. An act for repairing the highway between Hockliffe and Woborne in the county of Bedford.

CAP. XI.

An act for continuing the acts formerly made for repairing of the highways in the county of Hertford.

15 Car. 2. c. 1.
16 & 17 Car. 2. c. 10.
4 & 5 W. & M. c. 9.
6 Geo. 1. c. 20.

For repair of the highways in the county of Hertford. Moiety of the toll taken at Wades Mill, continued for 15 years. If highways be before ſufficiently repaired, toll to ceaſe. Power of officers, &c. in the former acts continued. *Repealed as to the county of* Hertford, *by* 6 Geo. 2. c. 24.

CAP. XII.

An act for the enlarging the paſſage leading to New Palace Yard through the Gatehouſe, Weſtminſter. EXP.

CAP. XIII.

An act for continuing the duties upon houſes to ſecure a yearly fund for circulating Exchequer bills, whereby a ſum not exceeding fifteen hundred thouſand pounds is intended to be raiſed for carrying on the war and other her Majeſty's occaſions.

1 Ann. ſtat. 1. c. 13.
9 & 10 W. 3. c. 44.

Duties

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