

## C A P. CLX.

An Act for the Encouragement of Seamen, and for the better and more effectually manning his Majesty's Navy; for regulating the Payment of Prize Money; and for making Provision for the Salaries of the Judges of the Vice-Admiralty Courts in the Island of *Malta* and in the *Bermuda* and *Bahama* Islands. [12th August 1803.]

WHEREAS divers injurious Proceedings have lately been had in *France*, in Derogation of the Honour of his Majesty's Crown, and of the just Rights of his Subjects: And whereas his Majesty by his Order in Council, dated the sixteenth Day of *May* One thousand eight hundred and three, was pleased to order that general Reprisals be granted against the Ships, Goods, and Subjects of *France*, so that as well his Majesty's Fleet and Ships, as also all other Ships and Vessels that should be commissioned by Letters of Marque or General Reprisals, or otherwise, by his Majesty's Commissioners for executing the Office of Lord High Admiral of *Great Britain*, shall and lawfully may seize all Ships, Vessels, and Goods, belonging to *France*, or to any Persons being Subjects of *France*, or inhabiting within any of the Territories of *France*, and bring the same to Judgement: And whereas his Majesty by his Order in Council, dated the sixteenth Day of *June* One thousand eight hundred and three, was pleased to order that general Reprisals should in like Manner and to the like Effect be granted against the Ships, Goods, and Vessels of the *Batavian* Republick, the Ally and Associate of *France*, in its Enterprizes against the Independence and Safety of his Majesty's Dominions: And whereas his Majesty hath by his Royal Munificence been graciously pleased by his Proclamation, dated the seventh Day of *July* One thousand eight hundred and three, to declare his Intention to give the Benefit of all Prizes taken during the present War, to the Captors thereof, being in his Majesty's Service or duly commissioned: Now, for the Encouragement of the Officers and Seamen of his Majesty's Ships of War, and of hired armed Vessels in the Service of his Majesty, and of the Owners, and Officers, and Seamen of all other *British* Ships, having Commissions or Letters of Marque, and for inducing all *British* Seamen who may be in any foreign Service, to return into this Kingdom, and become serviceable to his Majesty, and for the more effectually securing and extending the Trade of his Majesty's Subjects; be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Flag-Officers, Commanders, and other Officers, Seamen, Marines, and Soldiers, on board every Ship and Vessel of War in his Majesty's Pay, shall have the whole Interest and Property of and in all and every Ship, Vessel, Goods, and Merchandize which they have taken since the sixteenth Day of *May* One thousand eight hundred and three, or sixteenth Day of *June* respectively, or shall hereafter take during the Continuance of the present War, after the same shall have been adjudged lawful Prize to his Majesty, in any of his Majesty's Courts of Admiralty or Vice-Admiralty, in any of his Majesty's Dominions, which shall be duly authorized to take Cognizance of such Captures, to be divided in such Proportions and after such Manner as his Majesty, by his Proclamation of the seventh Day of *July* One thousand eight hundred and three, hath already ordered and enacted, or as his Majesty, his Heirs and Successors, shall think fit to order and direct by Proclamation or Proclamations to be issued for those Purposes; and the Commanders, Officers, Seamen, and Marines, and Soldiers, on board his Majesty's hired armed Ships, shall have such Interest, in all Ships and Goods which they have taken since the sixteenth Day of *May* One thousand eight hundred and three, or sixteenth Day of *June* respectively, or shall hereafter take during the present War, and to be divided and distributed in such Manner as his Majesty hath been pleased to order and direct by the said Proclamation of the seventh Day of *July* One thousand eight hundred and three, or as his Majesty, his Heirs, and Successors, may order and direct by any Proclamation or Proclamations hereafter to be issued.

All Ships and Vessels taken by Ships of War or hired armed Ships, during the War, shall be vested in the Captors, and divided as Prize, agreeable to his Majesty's Proclamations.

II. And be it further enacted, That the Flag Officers, Commanders, and other Officers, Seamen, Marines, and Soldiers, on board every Ship and Vessel of War in his Majesty's Pay, being armed, officered, and employed in his Majesty's Service, who shall take any Fortresses upon the Land, or any Arms, Ammunition, Stores of War, Goods, Merchandize, and Treasure, belonging to the State, or to any publick trading Company, of the Enemies of the Crown of *Great Britain*, upon the Land, or any Ship or Vessel, or Merchandize laden on board the same, in any Creek, River, Haven, or Road belonging to and defended by the said Fortresses upon the Land, shall have the sole Interest and Property of and in all and every such Ship or Ships, Vessel or Vessels, Arms, Ammunition, Stores of War, Goods, Merchandize, and Treasure, after final Adjudication thereof as lawful Prize in any of his Majesty's Courts of Admiralty or Vice-Admiralty, duly authorized as aforesaid, (which Courts are hereby required to proceed thereon as in other Cases of Prize,) to be distributed by his Majesty in such Proportions and Manner as herein-before is mentioned: Provided always nevertheless, that in all conjunct Expeditions of the Navy and Army against any such Fortresses, upon the Land, in which his Majesty shall have been pleased to give any Instructions or Directions for the Division and Distribution of Property taken thereat, the Flag and General Officers, and Commanders, and other Officers, Seamen, Marines, and Soldiers, acting on such conjunct Expedition, shall have such proportionable Interest and Property as his Majesty under his Sign Manual shall think fit to order and direct, in all and every the Arms, Ammunition, Stores of War, Goods, Merchandize, and Treasure, belonging to the State or to any publick trading Company of the Enemies of the Crown of *Great Britain*, which shall be found in any such Fortresses; and also in all and every Ship and Ships, Vessel and Vessels, with their Arms, Ammunition, Tackle, Apparel, and Furniture, and all and every the Merchandize and other Effects on board, which shall be captured in any Road, Haven, River, or Creek belonging to and defended by such Fortresses, after final Adjudication thereof as lawful Prize.

Arms and Ammunition, &c. taken in any Fortresses, and on board Vessels in Creeks defended thereby, shall also be divided as Prize.

His Majesty may apportion Prizes between the Navy and Army when acting in Conjunction.

In default of Instructions from his Majesty, Commanders in Chief may settle the Division.

How Shares shall be distributed.

Shares of Run Men, and Shares unclaimed within three Years, shall be forfeited to Greenwich Hospital, unless Disability is removed.

Commanders with Convoys or Dispatches, failing out of their Course to take Prizes, shall forfeit their Shares.

Penalty on Captains of Merchant Ships disobeying Signals of the Commander of the Convoy, 500l. and Imprisonment.

Admiralty may issue Letters of Marque.

26 G. 3. c. 60.  
34 G. 3. c. 68.

Prizes taken by Privateers shall be divided between the Owners and Captors according to Agreement.

III. Provided likewise, and be it enacted, That if no Instructions shall have been given by his Majesty for the Division of the Ships, Goods, and Merchandize to be captured in any Expedition against any Fortress on the Land, it shall be lawful for the respective Commanders in Chief of the Fleet and of the Army employed, to make Agreements in Writing for the Division of the Ships, Goods, and Merchandize, so to be taken between the said Fleet and Army, which Agreements being approved and confirmed by his Majesty shall be binding on all Persons; and the Share assigned to the Fleet by such Agreement shall be distributed therein according to his Majesty's Proclamation; and the Share assigned to the Army shall be distributed amongst the Officers and Soldiers in Proportions correspondent thereto: Provided nevertheless, that the Interest and Property hereby given to the Army employed on such conjunct Expeditions shall not extend, or be deemed or construed to extend, to entitle the said Army to share in the Distribution of any Ships or Vessels, Goods, Merchandize, or Effects captured in the Voyage to or from such Fortresses: Provided also, that the Shares of Prize of all such Officers and Seamen who shall be marked in the Books of any Ship or Vessel in the Service of his Majesty, his Heirs or Successors, as having run therefrom, and also the Shares of all such Officers and Seamen, Marines, Soldiers, and others, as well on board hired armed Ships as on board his Majesty's Ships of War, which shall not be legally demanded within three Years after the same shall have been paid to the Treasurer of the Royal Hospital at *Greenwich*, by virtue of any Law then in Force, shall be forfeited to and to the Use of the said Royal Hospital; unless with respect to such Officers and Seamen as shall be marked Run, such Mark shall be taken off by Order of the Commissioners for executing the Office of Lord High Admiral of *Great Britain*, or by Order of the Commissioners of his Majesty's Navy, and unless with respect to the Shares of such Officers, Seamen, Marines, Soldiers, and others, which shall not be claimed within the Time above limited in that Behalf, reasonable Cause shall be shewn and allowed by the Governors of the said Hospital for the Time being, or by the Judge of the High Court of Admiralty, why such last-mentioned Shares were not claimed in due Time.

IV. And be it further enacted, That if any Captain or other Commander of any of his Majesty's Ships, or Vessels of War, or hired armed Vessels in his Majesty's Service, having Transports or Merchant Ships or Vessels under Convoy, shall wilfully desert or sail away from them in pursuit of and with the View of capturing any Ship or Vessel of the Enemy (other than Ships or Vessels armed and fitted for War only, and which shall be seen hovering about or bearing down upon such Convoy), or having captured a Prize, shall wilfully desert the Convoy for the Purpose of carrying his Prize into Port; or if the Commander of any Ship or Vessel whatsoever, having his Majesty's Dispatches on board, shall fail out of his proper Course in Pursuit and with the View of making Prize of any Ship or Vessel of the Enemy, and shall be duly convicted thereof by Sentence of a Court Martial such Commander shall forfeit his Share of all and every such Prize to his Majesty for the Use of *Greenwich* Hospital.

V. And be it further enacted, That if the Captain of any Merchant Ship under Convoy shall wilfully disobey Signals or Instructions, or any other lawful Commands of the Commander of the Convoy, or shall desert the Convoy without Notice given and Leave obtained for that Purpose, he shall be liable to be article against in the High Court of Admiralty, at the Suit of the King in his Office of Admiralty, for Disobedience to the Orders of the Convoy, and upon Conviction thereof, shall be fined at the Discretion of the said Court in any Sum not exceeding five hundred Pounds, and shall suffer such Imprisonment, not exceeding one Year, as the said Court shall adjudge.

VI. And be it further enacted, That the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any three or more of them, or any Person or Persons by him or them empowered and appointed, shall, at the Request of any Owner or Owners, whom they shall deem fitly qualified, of any Ship or Vessel registered pursuant to the Directions of an Act, passed in the twenty-sixth Year of the Reign of his present Majesty, intituled, *An Act for the further Increase and Encouragement of Shipping and Navigation*, or of an Act, passed in the thirty-fourth Year of the Reign of his present Majesty, intituled, *An Act for the further Encouragement of British Mariners, and for other Purposes therein mentioned*, (such Owner or Owners giving such Bail or Security as hereafter is mentioned or expressed,) cause to be issued in the usual Manner one or more Commission or Commissions, or Letter or Letters of Marque and Reprisal, to any Person or Persons whom such Owner or Owners shall nominate to be Commander, or in case of Death, successively Commanders of such Ships or Vessels, for the attacking, surprising, seizing, and taking, by and with such Ship or Vessel, or with the Crew thereof, any Place or Fortress upon the Land, or any Ship or Vessel, Arms, Ammunition, Stores of War, Goods or Merchandize, belonging to or possessed by any of his Majesty's Enemies, in any Sea, Creek, Haven, or River; and that such Ship or Ships, Vessel or Vessels, Arms, Ammunition, Stores of War, Goods and Merchandize whatsoever, with all their Furniture, Tackle, and Apparel, so to be taken by or with such private Owner or Owners' Ship or Vessel, according to such Commission and Commissions, or Letter or Letters of Marque, after final Adjudication as lawful Prize in the High Court of Admiralty, or in any other Court of Admiralty in his Majesty's Dominions, which shall be duly authorized thereto as aforesaid, shall wholly and entirely belong to and be divided between and among the Owner or Owners of such Ship or Vessel, and the several Persons who shall be on board the same, and be aiding and assisting in the taking thereof, in such Shares and Proportions as shall be agreed on with the Owner or Owners of such Ship or Vessel as shall be the Captor thereof, their Agents or Factors, as the proper Goods and Chattels of such Owner or Owners, and the Persons who shall be entitled thereto, by virtue of such Agreements among themselves; and that neither his Majesty, his Heirs or Successors, nor any Admiral, Vice-Admiral, Governor, or other Person, commissioned by or claiming under his Majesty, his Heirs or Successors, nor any other Person or Persons whomsoever, other than the Owner or Owners of such Ship or Vessel, being the Captor of such Prize Ship or Vessel, Arms, Ammunition, Stores of War, Goods and Merchandize,

Merchandize, and the Person claiming under such Agreements, shall be entitled to any Part or Share thereof, except as to the Customs and Duties hereafter mentioned, any Law, Usage, or Custom to the contrary thereof in anywise notwithstanding: Provided always, That nothing in this Act contained shall extend, or be construed to extend, to entitle any Person or Persons to any Interest in such Ships or Vessels, Goods or Merchandize, as may be captured by any private Ships or Vessels of War belonging to or hired by or in the Service of his Majesty's Commissioners of Customs or Excise; but that the same Ships or Vessels, Goods and Merchandize so captured, shall belong to his Majesty, and be applied and disposed of in such Manner as his Majesty, under his Sign Manual shall order and direct after legal Adjudication thereof.

Proviso as to Privateers in Service of Customs and Excise.

[But see 41 G. 3. (U. K.) c. 76. and post § 12.]

Six small Privateers taken from the Enemy may be included in one Adjudication.

VII. 'And, for the Encouragement of the Capture of such armed Ships belonging to the Enemy,' be it further enacted, That it shall and may be lawful to and for the Captors to include in one Adjudication any Number not exceeding six of such small armed Ships having a Commission or Letter of Marque from the Enemy, not exceeding fifty Tons each, and which shall have been taken within the Space of three Months preceding the Application to the Court of Admiralty for such Adjudication.

Private Ships of War, while under Convoy, shall not share Prizes, unless ordered to act.

VIII. Provided always, That nothing in this Act contained shall entitle any private Ship or Vessel having a Commission for War, and which shall receive General Orders and Instructions from, and put herself under the Convoy of any of his Majesty's Ships or Vessels, to share in any Prize or Prizes taken by such Ships or Vessels of his Majesty, or by such private Ship or Vessel having a Commission for War, or Letter of Marque, whilst the said Commissioned Ship or Vessel shall remain under the Care and Protection of such Convoy, unless such private Ship or Vessel shall have received Orders from the Commander of the convoying Ship to chase, or otherwise act hostily against the Enemy, and shall have been actually aiding and assisting in such Capture.

Prizes shall be liable to Duties;

but which may be remitted in certain Cases.

IX. Provided always, and be it declared and enacted, That nothing herein contained shall extend, or be construed to extend, to exempt any Ships, Goods, Wares, or Merchandize, which shall be taken as Prize and brought or imported into this Kingdom, or any of his Majesty's Dominions, from the Payment of any Customs or Duties, or from being subject to the Restrictions and Regulations to which the same are now or shall hereafter be liable by virtue of the Laws and Statutes of this Realm: Provided nevertheless, that it shall be lawful for the Lords Commissioners of his Majesty's Treasury, or for the Commissioners of the Customs, in such Cases wherein Goods unfit for the Markets of this Kingdom have been brought as Prize into the Ports thereof, and have been sold from Necessity under an Order of the High Court of Admiralty, to remit the Whole or any Part of the said Duties, upon a Certificate from the Judge of the said Court that the Goods, not being intended for the Markets of this Kingdom, have been sold from Necessity under its Order, and that the Proceeds of such Sale, after Payment of Duties, will be insufficient to satisfy just and reasonable Claims.

Security shall be taken before granting Letters of Marque.

Oath and Inquiry as to Sufficiency of Sureties.

X. And be it further enacted, That before the granting or issuing of any Commission, or Letter of Marque, in pursuance of this Act, such Bail and Security shall be taken as hath been usual in such Cases; and that previous thereto the Persons who propose to be bound and give such Security shall severally make Oath before the Judge of the High Court of Admiralty of *England*, or Judge of any other Court of Admiralty, which shall be authorized as aforesaid, in any other of his Majesty's Dominions, or his or their Surrogates, or other Person or Persons lawfully commissioned by them, that they the said Persons who shall become Sureties, are at the Time of their being sworn respectively worth more than the Sum for which they are to be bound, over and above all their just Debts; and moreover, the Marshal for the Time being of the said High Court of Admiralty, and of any of the said other Courts, or his Deputy, or the Person or Persons so commissioned as aforesaid, shall make diligent Enquiry, and certify him or themselves of the Sufficiency of such Bail and Security, and make thereupon a Report to such Judge or his Surrogate, before any such Commission or Letter of Marque shall be granted.

Applications for Letters of Marque shall be made in Writing, stating Particulars of Burthen, Built, &c.

Commissions shall be produced at Port of Outfit, and Officer there shall inspect Vessel, and certify compliance with Commission.

XI. And be it further enacted, That all and every Person or Persons who shall apply to the said Lord High Admiral of *Great Britain*, or Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any Person or Persons by him or them empowered and appointed, in order to obtain any Commission or Letter of Marque, to be granted or issued forth in pursuance of this Act, shall make every such Application in Writing, and therein set forth a particular, true, and exact Description of the Ship or Vessel for which such Commission or Letter of Marque is requested, specifying the Name and Burthen of such Ship or Vessel, what Sort of Built she is, and the Number and Nature of the Guns on board the same, to what Place belonging, and the Name or Names of the Owner or Owners of such Ship or Vessel, and the Number of Men intended to be put on board the same (all which Particulars shall be inserted in every Commission or Letter of Marque to be granted in pursuance of this Act); and that every Commander of a private Ship or Vessel of War, for which a Commission or Letter of Marque shall be granted in pursuance of this Act, shall produce such Commission or Letter of Marque to the Collector, Customhouse, or Searcher for the Time being of his Majesty's Customs, residing at or belonging to the Port from whence such Ship or Vessel shall be first fitted out, or to the lawful Deputy or Deputies of such Collector, Customhouse, or Searcher; and the said Collector, Customhouse, or Searcher, or his or their lawful Deputy or Deputies shall, as soon thereafter as conveniently may be, without Fee or Reward, inspect and examine such Ship or Vessel, so as to ascertain the Built and Burthen thereof, and the Number of Men, and the Number and Nature of the Guns on board the same; and if such Ship or Vessel shall thereupon be found to be of such Built and Burthen, and be manned and armed according to the Tenor of the Description inserted in such Commission or Letter of Marque as aforesaid, or be of a greater Burthen or Force than shall be mentioned in such Commission or Letter of Marque, then and not otherwise such Collector, Customhouse, or Searcher, or his or their lawful Deputy or Deputies shall, and he and they are hereby required, immediately upon the Request of the Commander of such Ship or Vessel, to give a Certificate thereof in Writing, under his or their Hand or Hands, gratis, to such Commander, which Certificate

Penalty on Commanders departing without Certificate, or with inferior Force, fool, and Imprisonment.

Penalty on Officers of Customs granting false Certificates, Incapacity and fool.

Application of Forfeiture.

Burthens of Vessels shall be ascertained by Certificates of Registry, except as to Revenue Vessels. (See § 6.)

Vessels having Letters of Marque shall be deemed licensed, under 24 G. 3. c. 47.

Letters of Marque shall be forfeited for Offences against Revenue Laws.

Admiralty may revoke Letters of Marque.

Notice of such Revocation to be given to the Owners.

At what Periods Letters of Marque to be revoked shall expire.

Certificate shall be deemed a necessary Clearance, before such Ship or Vessel shall be permitted to sail from that Port; and if the Commander of any Ship or Vessel, for which any Commission or Letter of Marque shall have been granted in pursuance of this Act, shall depart with such Ship or Vessel from such Port of Clearance before he hath received such Certificate, or shall depart from any such Port, or proceed upon a Cruize, with a Force inferior to the Force specified in such Commission or Letter of Marque, every such Commission or Letter of Marque shall from thenceforth be absolutely null and void, and the Commander so offending shall forfeit and pay the Sum of one thousand Pounds, to be recovered with full Costs of Suit by any Person or Persons who will sue for the same, by Actions of Debt, Bill, Complaint, or Information, in any of his Majesty's Courts of Record in *Great Britain*, wherein no Essoign, Protection, Wager of Law, or more than one Imparance, shall be allowed, and shall also be imprisoned for such Space of Time as such Court shall direct, not exceeding one Year for any one Offence.

XII. And be it further enacted, That if any Collector, Customer, or Searcher of his Majesty's Customs, or his or their lawful Deputy or Deputies, shall grant a Certificate for any Ship or Vessel which shall not be of the Burthen and Force specified in the Commission or Letter of Marque granted to the Commander or Commanders thereof, or shall certify to a greater Burthen or Force than she really is, he shall for such Offence forfeit his said Office, and be for ever incapable of holding any Office under Government whatsoever; and shall also forfeit the Sum of one hundred Pounds, to be recovered with full Costs of Suit, for any Person or Persons who will sue for the same, by Action of Debt, Bill, Complaint, or Information, in any of his Majesty's Courts of Record in *Great Britain*, in which no Essoign, Protection, Wager of Law, or more than one Imparance, shall be allowed; and one Moiety of the said Penalty of one hundred Pounds when recovered shall be paid to the Informer or Informers, and one Moiety to the Treasurer for the Time being of the Corporation for the Relief and Support of the sick, maimed, and disabled Seamen, and of the Widows and Children of such as shall be killed, slain, or drowned, in the Service of the Merchants, for the Use of such Corporation; or where such Forfeiture shall be incurred in any of the Out Ports in which a Corporation is established or shall hereafter be established for the Purposes aforesaid, then one Moiety of such Penalty shall be paid to the Trustees for the Use of the Corporation so to be established: Provided always, that the Burthen of such Ship or Vessel so to be certified shall be ascertained by the Certificate of Registry granted for such Ship or Vessel, under and pursuant to the Directions of the said recited Acts, made in the twenty-sixth and thirty-fourth Years of the Reign of his present Majesty, or an authenticated Copy thereof, in case the Ship shall be at Sea, which Certificate or authenticated Copy shall be produced to the said Lord High Admiral or Commissioners for executing the said Office of Lord High Admiral of *Great Britain*, before the issuing of any Commission or Letter of Marque for such Ship or Vessel: Provided nevertheless, that it shall not be necessary in the Case of Ships belonging to, or hired by, or in the Service of his Majesty's Commissioners of Customs or Excise, to produce such Certificates or authenticated Copies, in order to the obtaining a Commission or Letter of Marque.

XIII. Provided also, and be it further enacted, That all and every Ship and Vessel for which such Commission or Letter of Marque shall be granted as aforesaid, and for and during the Time that such Commission or Letter of Marque shall remain in Force under the Authority of this Act, and no longer, shall be deemed and taken to be a Ship or Vessel licensed pursuant to an Act of Parliament, made and passed in the twenty-fourth Year of the Reign of his present Majesty, intituled *An Act for the more effectual Prevention of Smuggling in this Kingdom*, although the Owner or Owners of such Ship or Vessel shall not have been furnished with the Licence required by the said recited Act.

XIV. Provided also, and be it further enacted, That in case the Owner or Owners, Commander, Master, or other Person, having or taking the Charge or Command of any Ship or Vessel for which such Commission or Letter of Marque shall be issued as aforesaid, shall be guilty of any Offence contrary to any Act or Acts of Parliament now in Force, or hereafter to be made for the Protection of his Majesty's Revenues of Customs or Excise, or for the Prevention of Smuggling in this Kingdom, such Owner or Owners, Commander, Master, and other Persons, shall forfeit the Commission or Letter of Marque so issued for such Ship or Vessel, over and besides all other Penalties and Forfeitures which he or they shall have incurred by reason of such Offence.

XV. And be it further enacted, That it shall and may be lawful to and for the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any three or more of them, at any Time or Times hereafter to revoke and make void, by any Order or Orders in Writing under his or their Hand or Hands, any Commission or Commissions, or Letter or Letters of Marque, which hath, have been, or shall be issued forth to any Person or Persons who hath, have been, or shall be nominated Commander or Commanders of any Ship or Vessel, either in pursuance of his Majesty's Order in Council, or this present Act: Provided nevertheless, that the Secretary of the Admiralty for the Time being shall, with all convenient Speed, after any and every such Commission or Letter of Marque shall be so revoked, cause Notice thereof in Writing to be forthwith sent to the Owner or Owners of the Ship or Vessel named or described in such Order of Revocation, or to his or their Agent or Agents, Surety or Sureties, or some or one of them; and in case such Ship or Vessel shall be in the Channel, the said Order of Revocation shall be effectual to supersede and annul the said Commission or Letter of Marque, at the Expiration of twenty Days from and after such Notice given as aforesaid, or sooner if Notice shall be actually given in Writing by the Secretary of the Admiralty to the Captain or Commander thereof; and in case such Ship or Vessel shall be in the Northern Seas, at the Expiration of thirty Days; and in case such Ship or Vessel shall be to the Southward of *Cape Finislerre*, or in the *Mediterranean*, at the Expiration of six Weeks; and in case such Ship or Vessel shall be in *North America* or the *West Indies*, at the Expiration of three Months; and in case such Ship or Vessel shall be in the *East Indies*, at the Expiration of six Months from

from and after such respective Notices shall be given as aforesaid; and any Commander or Commanders, Owner or Owners, Agent or Agents, Surety or Sureties of any such Ship or Vessel whereof such Commission or Letter of Marque, issued or to be issued forth as aforesaid, shall be so revoked, may complain thereof to his Majesty in Council within thirty Days next after the Secretary of the Admiralty for the Time being shall cause Notice thereof to be given as aforesaid; and the Determination of his Majesty in Council touching every such Complaint shall be final: Provided always, that in case any such Order of Revocation shall be superseded, such Commission or Letter of Marque shall be deemed and taken to have continued in Force, and all Prizes taken by virtue thereof shall belong to and be the Property of such Owners and Captors, in such Manner as the same would have been in case such Order of Revocation had not been made: Provided also, that no Person shall be liable (before he shall have received personal Notice of such Order of Revocation) to be punished for doing any Matter or Thing which he might have lawfully done under the Authority of such Commission or Letter of Marque, in case such Order of Revocation had not been made.

Council may supersede such Revocation.

XVI. 'And whereas in all private Ships or Vessels of War, or Merchant Ships or Vessels, for which Commissions or Letters of Marque shall be taken out, and likewise hired armed Vessels taken into his Majesty's Service, it is expedient, for the better Discipline and Government of such Ships and Vessels, that all Persons who enter themselves on board the same should be under proper Regulations, and pay Obedience to the lawful Commands of the Captains and Chief Commanders of the said Ships and Vessels; be it therefore enacted, That all Offences committed by any Officer or Seaman on board any Vessel having taken a Commission or Letter of Marque during the present Hostilities with *France*, or on board any hired armed Vessel in his Majesty's Service, shall be tried and punished in such Manner as the like Offences are tried and punished when committed by any Person belonging to his Majesty's Fleet: Provided always, that all Offenders who shall be accused of such Crimes as are cognizable by a Court Martial shall be confined on board such Privateer, or Merchant Ship, or Vessel carrying Letters of Marque, in which such Offence shall be committed, until they shall arrive at some Port in *Great Britain* or *Ireland*, or can meet with such a Number of his Majesty's Ships of War abroad as are sufficient to make a Court Martial; and upon Application made by the Commander of such Ship or Vessel carrying Letters of Marque, or hired armed Vessels in his Majesty's Service, to the Lord High Admiral of *Great Britain*, or Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or to the Commander in Chief, or Senior Officer of his Majesty's said Ships of War abroad, the said Lord High Admiral or Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any three or more of them, or such Commander in Chief, or Senior Officer abroad, are hereby authorized and required, in the usual Manner, to call a Court Martial for trying and punishing the said Offences.

Offences committed on board Privateers shall be tried and punished as Offences committed in the Fleet.

XVII. 'And whereas good and necessary Laws are in Force within several of his Majesty's Colonies and Plantations in *America*, for preventing the carrying off from the said Colonies or Plantations any Servant or Slave without the Consent of the Owner, or the carrying off from thence any other Person or Persons whomsoever, until such Person shall have taken out his Ticket from the Secretary's Office within such respective Colony or Plantation, in such Manner, and under such Penalties and Forfeitures, as in and by the said several Laws is declared and provided; be it therefore enacted, That all Commanders of private Ships of War, or Merchant Ships having Letters of Marque, shall, upon their going into any of the Ports or Harbours in the said Colonies or Plantations, be subject, and they are hereby declared to be subject, to the several Directions, Provisions, Penalties, and Forfeitures, in and by such Laws made and provided; any Thing in this Act contained to the contrary thereof in anywise notwithstanding.

Commanders of Ships liable, while in American Colonies, to the Laws against carrying off Persons, without the requisite Consent.

XVIII. 'And, for the more speedy proceeding to Condemnation, or other Determination of any Prize Ship or Vessel, Goods or Merchandize, already taken or hereafter to be taken as aforesaid, and for lessening the Expences which have been usual in such Cases; be it further enacted, That the Judge of the High Court of Admiralty of *England*, and of any other Court of Admiralty which shall be authorized thereto, or such Person or Persons who shall be by them commissioned for that Purpose, within five Days after Request made to him or them for that Purpose, shall finish the usual Preparatory Examination of the Persons commonly examined in such Cases, in order to prove the Capture to be lawful Prize, or to enquire whether the same be lawful Prize or not, and that the proper Monition usual in such Cases shall be issued by the Person or Persons proper to issue the same, and shall be executed by the Person or Persons proper to execute the same, within the Space of three Days after Request in that Behalf made; and in case no Claim of such captured Ship, Vessel, or Goods, shall be duly entered in the usual Form, and attested upon Oath, giving twenty Days' Notice after the Execution of such Monition, or if there be such Claim, and the Claimant or Claimants shall not within five Days from the Time of entering such Claim give Security in the Sum of sixty Pounds Sterling, to pay Costs to the Captor or Captors in case the Judge shall decree Costs to be due, that then the Judge of such Court of Admiralty shall, upon producing to him the said Examinations or Copies thereof, and producing to him, upon Oath, all the Papers and Writings which shall have been found, taken in, or with such Capture, or on board any other captured Ship or Vessel, regarding the same, or upon Oath made that no Papers or Writings were found, proceed with all convenient Speed to Sentence, either to discharge or acquit such Capture, or to condemn the same to be good and lawful Prize, according as shall appear to him upon Perusal of such Preparatory Examinations, and all the Papers and Writings found, taken in, or with such Capture, or on board any other captured Vessel regarding the same, if any such shall be found, or to allow further Time for a Claim to be entered or Security given; and in case any such Claim shall be duly entered, and Security given thereupon, according to the Tenor and true Meaning of this Act, and there shall appear no Occasion to enter into any other Examination, that then the Judge shall, within ten Days if possible, after such Claim made and Security given, proceed to Sentence as aforesaid touching such Capture; but in case, upon entering such Claim, and the Attestation thereupon, or the producing of such Papers and Writings as aforesaid, regarding

Regulations respecting the Condemnation, &c. of Prizes.

On entering Claim, Security shall be given for Costs.

Proceedings of Judge towards Sentence.

Appraisement of the Capture before Trial :

and Delivery to Claimants on Security ;

or to the Captors, if Claimants refuse Security.

His Majesty may appoint Salaries for Judges of Vice-Admiralty Courts at Bahama, Bermuda, and at Malta, not exceeding 2000*l.* per Annum, &c. as under 39 G. 3. c. 110.

Captures brought into his Majesty's Dominions abroad, shall be under the Care of Officers there.

Exception as to Stat. 41 G. 3. (U. K.) c. 96.

All Books, &c. found on board Captures shall be brought into Registry of Admiralty Court.

Appeals may be made to Commissioners for hearing Prize Causes.

such captured Ship or Vessel, or Goods, and upon the said Preparatory Examinations, it shall appear doubtful to the said Judge whether such Capture be lawful Prize or not, and it shall appear to him to be necessary, according to the Circumstances of the Case, for the clearing and determining such Doubts, to have an Examination of Witnesses, on Pleadings given in by the Parties and admitted by the Judge, or such other lawful Mode of Enquiry as the said Judge may think requisite, that then the said Judge shall forthwith cause such Capture to be appraised by Persons well skilled in the same, to be named by the Parties, and approved and appointed by the Court, and sworn truly to appraise the same according to the best of their Skill and Knowledge, for which Purpose the said Judge shall cause, if he shall think fit, the Goods found on board to be unladen, and an Inventory thereof being first taken, if the Judge shall think necessary, by the Marshal of the Admiralty or his Deputy, shall cause them to be put into proper Warehouses, with separate Locks, of the Collector and Comptroller of the Customs; and where there is no Comptroller, then of the Naval Officer, and the Agents or Persons employed by the Captors and Claimants, at the Charge of the Party desiring the same; and shall, after such Appraisement, and within the Space of fourteen Days after the making of the said Claims, proceed to take good and sufficient Security from the Claimants to pay the Captors the full Value thereof, according to such Appraisement, in case the same shall be adjudged lawful Prize, and shall also proceed to take good and sufficient Security from the Captors, to pay such Costs as the Court shall think proper, in case such Ship, Vessel, or Goods, shall not be condemned as lawful Prize; and after such Security duly given, the said Judge shall make an Interlocutory Order for releasing or delivering the same to such Claimant or Claimants, or his or their Agents, and the same shall be actually released and delivered accordingly.

XIX. And it is hereby further enacted, That if any Claimant or Claimants shall refuse to give such Security, the Judge shall cause the Captor or Captors, in like Manner, to give good and sufficient Security to pay the said Claimant or Claimants the full Value thereof according to the Appraisement, in case any such Capture or Captures shall be adjudged not to be lawful Prize, and the said Judge shall thereupon proceed to make an Interlocutory Order for the releasing and delivering the same to the said Captor or Captors, or their Agents.

XX. And be it further enacted, That, from and after the passing of this Act, it shall be lawful for his Majesty, his Heirs and Successors, by any Order in Council to fix and ascertain proper and adequate Salaries for the Judges of Vice-Admiralty Courts, established or to be established in the *Bahama* and *Bermuda* Islands, and likewise at the Island of *Malta* in the *Mediterranean*, not exceeding the Sum of two thousand Pounds *per Annum* for any of such Judges; and such Salaries shall be issued, payable, and paid out of the Consolidated Fund of *Great Britain*, and further that such Salaries shall be charged and chargeable, and paid and payable in like Manner in every Respect, and under and subject to such Rules, Regulations, Provisions, Penalties, and Forfeitures as are contained in an Act, passed in the thirty-ninth Year of his present Majesty's Reign, intituled, *An Act for the Augmentation of the Salaries of the Judges of the Courts in Westminster-Hall, and also of the Lords of Session, Lords Commissioners of Justiciary, and Barons of the Exchequer in Scotland; and for enabling his Majesty to grant Annuities to Persons in certain Offices in the said Courts of Westminster-Hall, on their Resignation of their respective Offices; and that the Salaries now paid or payable to the Judges at Jamaica, Barbadoes, and Halifax, be paid and payable in like Manner.*

“ His Majesty may allow such Judges, on their Resignation, 1000*l.* *per Annum* after six Years' Service, or in case of permanent Infirmity, § 21. Profits of Judges shall not exceed 2000*l.* *per Annum* beyond their Salaries.—  
“ Account thereof shall be transmitted to the Navy Board, § 22. [See 41 G. 3. (U. K.) c. 96. § 2, 4.]”

XXIII. And be it further enacted, That all such Captures as aforesaid, which shall be brought into any of his Majesty's Dominions abroad, in order to be proceeded against to Condemnation in any of his Majesty's Courts of Vice Admiralty, being thereto duly authorized, shall, without breaking Bulk, stay there, and be under the joint Care and Custody of the Collector and Comptroller of the Customs, and where there is no Comptroller, then of the Naval Officer of the Port or Place where the same shall be brought, and the Captors or Claimants thereof, or their Agent or Agents, subject to the Direction of such Court of Vice-Admiralty, until the same shall by final Sentence have been either cleared and discharged, or adjudged and condemned as lawful Prize, or that such Interlocutory Order as aforesaid shall have been made for the releasing or delivering the same; and upon the final Condemnation or Adjudication thereof as lawful Prize, shall be immediately delivered unto the Captors thereof or their Agents: Provided always, That nothing in this Act contained shall affect any of the Regulations contained in an Act passed in the forty-first Year of his Majesty's Reign, intituled, *An Act for the better Regulation of his Majesty's Prize Courts in the West Indies and America, and for giving a more speedy and effectual Execution to the Decrees of the Lords Commissioners of Appeals, but that all the Regulations of the said Act shall be carried into full Force and Effect.*

XXIV. And be it further enacted, That all Books, Papers, and Writings, found in any Ship or Vessel taken as Prize, shall without Delay be brought into the Registry of the Court of Admiralty upon Oath, wherein such Ship or Vessel may be proceeded against, in order to Condemnation; but that only such Books, Papers, and Writings, shall be made use of and translated, as shall be agreed or insisted upon by the Proctors of the several Parties, Captors, or Claimants, or in case of no Claim, by the Captor, or his Proctor or Agent, or Register, to be necessary for ascertaining the Property of such Ship or Vessel, and Cargo thereof.

XXV. Provided nevertheless, and it is hereby further enacted, That if any Captor or Captors, Claimant or Claimants, shall not rest satisfied with the Sentence or Interlocutory Decree, having the Force of a Definitive Sentence, given or pronounced in the High Court of Admiralty of *England*, or in any Court of Admiralty or Vice-Admiralty, in any of his Majesty's Dominions, duly authorized to proceed in Prize Causes, it shall and may be lawful for the Party or Parties thereby aggrieved to appeal from the said High Court of Admiralty,

or from any of the said Courts of Admiralty or Vice-Admiralty, to the Commissioners appointed or to be appointed under the Great Seal of *Great Britain*, for receiving, hearing, and determining Appeals in Causes of Prize, such Appeals to be interposed and received in the like Manner as Appeals to the Commissioners in Prize Causes have been usually interposed and received from the said High Court of Admiralty, and good Security to be likewise given by the Appellant or Appellants that he or they will effectually prosecute such Appeal, and also pay such Costs as shall be awarded, in case the Sentence or Interlocutory Decree, having the Force of a definitive Sentence of such Court of Admiralty or Vice-Admiralty, be affirmed; any Thing in this Act contained to the contrary thereof in anywise notwithstanding: Provided always, that the Execution of any Sentence or Interlocutory Decree, having the Force of a definitive Sentence, appealed from as aforesaid, shall not be suspended by reason of such Appeal, save as is herein-after provided, in case the Party or Parties appellate shall give sufficient Security, to be approved of by the Court in which such Sentence or Interlocutory Decree shall be given, to restore the Ship, Vessel, Goods, or Effects, concerning which such Sentence or Interlocutory Decree shall be pronounced, or the full Value thereof, to the Appellant or Appellants, in case the Sentence or Interlocutory Decree so appealed from shall be reversed.

XXVI. And be it enacted, That in case any Person who was not a Party in the first Instance of the Cause, shall intervene in or interpose an Appeal from a Sentence or Interlocutory Decree, having the Force of a definitive Sentence, given or pronounced in any Admiralty Court, such Person, or his or her Agent or Agents, shall at the same Time enter his or her Claim, otherwise such Appeal shall be null and void.

XXVII. And whereas great Inconveniencies have arisen by Appeals in Prize Causes not being prosecuted in a reasonable Time, and from secret Appeals or Protocols of Appeal being entered before a Notary Publick, without any Notice given to the Court or Parties appellate, or their Proctors; for Remedy whereof, be it enacted, That every Person, being a Party or not a Party in a Prize Cause in the High Court of Admiralty of *England*, or in any Vice Admiralty Court, and against whom a Sentence shall hereafter be given, or any Interlocutory Decree having the Force of a definitive Sentence pronounced, and who shall appeal therefrom, shall prosecute such his Appeal by taking out the usual Inhibition, within twelve Months after the Time such Sentence or Interlocutory Decree shall be given; and that after the Expiration of the said Term of twelve Months without any Inhibition having been taken out, no Appeal shall be allowed to be prosecuted by any Person being a Party or not a Party in the said High Court of Admiralty or Vice-Admiralty, nor shall any Inhibition be granted at the Prayer of such Person or his Proctor, but the said Sentence or Interlocutory Decree shall stand confirmed as to such Person: Provided nevertheless, that it shall be lawful for the Lords Commissioners of Appeals, in all Cases in which it shall appear that a Distribution has not taken Place, to permit an Appeal to be prosecuted after the Term of twelve Months elapsed, where upon special Cause shewn, they shall deem such Permission fit and reasonable to be given.

XXVIII. And be it enacted, That in case any Appeal shall be interposed from a Sentence or Interlocutory Decree, having the Force of a definitive Sentence, given or pronounced in any Court of Admiralty or Vice-Admiralty concerning any Ship or Vessel, or Goods or Effects, which have been, or now are, or shall hereafter be seized and taken as Prize, that then and in such Case the Judge of such Court of Admiralty or Vice-Admiralty shall and may, at the Request, Costs, and Charges, either of the Captor or Claimant, (or of the Claimant only in case where the Privilege is reserved in favour of the Claimant, by any Treaty or Treaties subsisting between his Majesty and foreign Powers,) make an Order to have such Capture appraised, unless the Parties shall otherwise agree upon the Value thereof, and an Inventory to be made, and then take Security for the full Value thereof accordingly; and thereupon cause such Capture to be delivered to the Party, giving such Security in like Manner as is herein-before enacted, notwithstanding such Appeal; and if there shall be any Difficulty or sufficient Objection to the giving or taking Security, the Judge shall, at the Request of either of the Parties, order such Goods and Effects to be entered, landed, and sold by publick Auction, under the Care and Custody of the proper Officers of the Customs, and under the Direction and Inspection of such Persons as shall be appointed by the Claimants and Captors, and the Monies arising from the Sale shall be brought into Court, and by the Register, Deputy Register or Deputy Registers of the said Court, be deposited in the Bank of *England*, or (in case the Captors and Claimants shall agree thereto) in some publick Securities, at Interest, in the Names of the Register, and of such Trustees as they the said Captors and Claimants shall appoint, and the Court shall approve; and if such Security shall be given by the Claimants, then the Judge shall give such captured Ship or Vessel a Pass under his Seal to prevent its being again taken by his Majesty's Subjects in its destined Voyage.

XXIX. Provided always, and be it further enacted, That in case the Sentence or Interlocutory Decree, having the Force of a definitive Sentence of such Court of Admiralty or Vice-Admiralty, shall be finally reversed after Sale of any Ship or Goods, pursuant to the Directions in this Act contained, the Net Proceeds of such Sale (after Payment of all Expences attending the same) shall be deemed and taken to be the full Value of such Ship and Goods, and that the Party or Parties appellate, and their Securities, shall not be answerable for the Value beyond the Amount of such Net Proceeds, unless it shall appear that such Sale was made fraudulently or without due Care.

XXX. And be it further enacted, That no Judge, Register, or Deputy Register, Marshal or Deputy Marshal, or any other Officer whomsoever, of or belonging to any Court of Admiralty or Vice-Admiralty, nor any Person or Persons practising either as Advocate, Proctor, or otherwise, in any such Court or Courts, shall be concerned or interested, directly or indirectly as Owner, Part Owner, Sharer, or Adventurer, in any private Ship or Ships, or Vessel or Vessels of War, whatsoever, having any Commission or Commissions, or Letter of Marque as aforesaid; and in case any such Judge, Register, Deputy Register, Marshal, Deputy Marshal, or other Officer, Advocate, or Proctor whatsoever, shall notwithstanding this Act be directly or indirectly concerned or interested as aforesaid, such Judge, Register, Deputy Register, Marshal, Deputy Marshal, or other

Appellants not Parties in the first Instance, shall enter the ir Claims on Appeal.

Appellants shall take out Inhibitions within twelve Months;

unless on special Cause.

On Appeals, Captures shall be appraised, and on Security for the Value be delivered, or the Effects sold, and the Money deposited.

Pass for captured Vessels.

On Reversal of Sentence, net Proceeds of the Capture shall be deemed their Value.

No Judge, or other Officer of any Court of Admiralty, or any Person practising therein, shall be interested in Privateers: Penalty, Forfeiture of Office, 500*l.* and Disability.

Officer respectively, shall for every such Offence (being thereof lawfully convicted in any of his Majesty's Courts of Record in *Great Britain*, or at any General Session of the Peace in any of his Majesty's Colonies in *America*) absolutely forfeit his Office and Employment in and belonging to any such Court of Admiralty or Vice-Admiralty, of what Kind or Nature soever such Office or Employment may be, and shall also forfeit and pay to the Use of his Majesty, his Heirs and Successors, the Sum of five hundred Pounds, and every such Advocate or Proctor respectively shall for such last-mentioned Offence (being thereof lawfully convicted in Manner aforesaid), be from thenceforth absolutely disqualified and rendered incapable of practising, either as an Advocate or Proctor, in any of his Majesty's Courts of Admiralty or Vice-Admiralty wheresoever.

Register, Marshal, &c. shall not act as Advocate or Proctor in the Court to which he belongs.

Penalty, Forfeiture of Office.

XXXI. And be it further enacted, That no Register or Deputy Register, nor any Marshal or Deputy Marshal, of or belonging to any of his Majesty's Courts of Admiralty or Vice-Admiralty whatsoever shall, either directly or indirectly, by himself or themselves, or by any Agent or Agents, or other Person or Persons whomsoever, act or be concerned in any Manner, either as an Advocate or Proctor in any Cause, Matter, or Business whatsoever, that shall be depending in any such Court or Courts of Admiralty or Vice-Admiralty, to which such Register, Deputy Register, Marshal, or Deputy Marshal, shall then belong; and that every Register, Deputy Register, Marshal, or Deputy Marshal, who shall be guilty of such Offence (being thereof lawfully convicted, either upon an Information or Indictment in Manner aforesaid) shall from thenceforth absolutely forfeit his respective Office and Employment of Register, Deputy Register, Marshal, or Deputy Marshal, in and belonging to the same Court.

His Majesty may give Directions to Courts of Admiralty.

XXXII. Provided always, and be it enacted, That nothing in this Act contained shall be construed to restrain his Majesty, his Heirs and Successors, from giving such further Rules and Directions from Time to Time to his respective Courts of Admiralty and Vice-Admiralty, for the Adjudication and Condemnation of Prizes, and for regulating the Fees of the said Courts, and amending and altering the Table of Fees therein, as by his Majesty, his Heirs and Successors, with the Advice of his or their Privy Council, shall be thought necessary or proper.

Penalty on Commanders of Privateers ransoming Prizes, unless in extreme Necessity;

XXXIII. And be it further enacted, That in case at any Time or Times any Commander or Commanders of any private Ship or Ships, or Vessel or Vessels of War commissioned as aforesaid, shall agree with the Commander or Commanders, or other Person or Persons, of or belonging to any neutral or other Ship or Ships, Vessel or Vessels, or the respective Cargo or Cargoes thereof, or any Part thereof, for the Ransom of any such Ship, Vessel, or Cargo, or any Part thereof, after the same shall have been taken as Prize, and shall, in pursuance of such Agreement or Agreements, actually quit, set at Liberty, or discharge any such Prize or Prizes, instead of bringing the same into some Port or Ports belonging to his Majesty's Dominions, that then all and every of the Commander and Commanders of such Private Ship or Ships, or Vessel or Vessels of War, who shall agree for any such Ransom, and shall quit, set at Liberty, or discharge any such Prize or Prizes in Manner aforesaid, unless in a Case of extreme Necessity, to be allowed by the Court of Admiralty, shall forfeit his or their Letter of Marque, and shall suffer such Penalties of Fine and Imprisonment as the said Court shall adjudge.

Forfeiture of Letter of Marque, &c.

No captured Vessel belonging to his Majesty's Subjects shall be ransomed.

XXXIV. And be it further enacted, That from and after the passing of this Act, it shall not be lawful for any of his Majesty's Subjects to ransom, or to enter into any Contract or Agreement for ransoming, any Ship or Vessel belonging to any of his Majesty's Subjects, or any Merchandize or Goods on board the same, which shall be captured by the Subjects of any State at War with his Majesty, or by any Persons committing Hostilities against his Majesty's Subjects, unless in the Case of extreme Necessity to be allowed by the Court of Admiralty.

Contracts for Ransom void.

XXXV. And be it further enacted, That all Contracts and Agreements which shall be entered into, and all Bills, Notes, and other Securities, which shall be given by any Person or Persons for Ransom of any Ship or Vessel, or of any Merchandize or Goods on board the same, contrary to this Act, shall be absolutely null and void in Law, and of no Effect whatsoever.

Penalty on Persons ransoming contrary to this Act, 500l.

XXXVI. And be it further enacted, That if any Person or Persons shall, contrary to this Act, ransom or enter into any Contract or Agreement for ransoming any such Ship or Vessel, or any Merchandize or Goods on board the same, every Person so offending shall, for every such Offence, forfeit and lose the Sum of five hundred Pounds, to be recovered with full Costs of Suit, by any Person or Persons who shall sue for the same, by Action of Debt in any of his Majesty's Courts of Record in *Great Britain*, in which Action no Effoign, Protection, Imparlance, or Wager of Law, shall be allowed.

Head Money, i.e. Bounty of 5l. shall be paid to the Crews of British Ships of War for every Man on board, at the Beginning of the Engagement, of any Enemy's Ships taken or destroyed.

Oath and Certificate of the Number actually on board.

XXXVII. And, as a further Encouragement to the Officers, Seamen, Marines, Soldiers, and others on board his Majesty's Ships of War, as also of Privateers, to attack, take, and destroy any Ships of War or Privateers belonging to the Enemy; be it enacted, That there shall be paid by the Treasurer of his Majesty's Navy upon Bills to be made forth by the Commissioners of the Navy, to be paid according to the Course thereof, without Fee or Reward, unto the Officers, Seamen, Marines, Soldiers, and others, who shall have been actually on board any of his Majesty's Ship or Ships of War, or hired armed Vessel or Vessels, or of any Privateer or Privateers, at the actual taking, sinking, burning, or otherwise destroying any Ship or Ships of War or Privateers belonging to the Enemy, since the second Day of *May* One thousand eight hundred and three, and during the present War, five Pounds for every Man who was living on board any Ship or Vessel so taken, sunk, burnt, or otherwise destroyed, at the Beginning of the Attack or Engagement between them, the Numbers of such Men to be proved by the Oath of three or more of the Chief Officers or Men who were belonging to the said Ship or Ships of War or Privateers of the Enemy, or belonging to any of them at the Time of her or their being taken as Prize, sunk, burnt, or otherwise destroyed, or (in case so many as three shall not survive the Engagement) upon the Oaths or Oath of such of them as shall survive, before the Mayor or other Chief Magistrate of the Port within any of his Majesty's Dominions whereunto any Prize, or Officers or Men of such Ships as were taken, sunk, burnt, or otherwise destroyed, shall be brought, or before the *British* Consul



Consul or Vice Consul residing at any Neutral Port to which such Prize, or Officers or Men shall be brought; which Oaths the said Mayor or other Chief Magistrate of any such Port, or Consul or Vice Consul, are hereby respectively empowered and required to administer, and shall (without Fee or Reward) forthwith grant a Certificate thereof, and also of the Deponents or Deponent (if less than three) having likewise made Oath, that to the best of his or their Knowledge and Belief no other Person or Persons belonging to the Enemy's Ship or Ships survived the Engagement, which Certificate shall be directed to the Commissioners of his Majesty's Navy; and upon the Production thereof to them the said Commissioners, together with an authentick Copy of the Sentence or Decree of Condemnation of such Ship so taken, or where such Certificate cannot be had and obtained, then upon producing only a Copy of the Sentence or Decree of Condemnation, whereby the Number of Men on board such Ships of the Enemy shall appear to have been proved, or if such Ships be sunk, burnt, or otherwise destroyed, on producing only a Certificate from the Mayor or other Chief Magistrate, or Consul or Vice Consul as aforesaid, the said Commissioners of his Majesty's Navy, or such Person or Persons as they shall appoint for that Purpose, shall, according to the Course of the Navy, within fifteen Days make out Bills for the Amount of such Bounty, directed to the Treasurer of the Navy, payable to and to be divided amongst the Officers, Seamen, Marines, and Soldiers on board his Majesty's Ships of War or hired armed Ships, in Manner, Form, and Proportion, as by his Majesty's Proclamation for granting the Distribution of Prizes, already issued or to be issued for that Purpose, is or shall be directed and appointed, and amongst the Owners, Officers, and Seamen of any private Ship or Vessel of War, in such Manner and Proportion as by any Agreement in Writing they shall have entered into for that Purpose, shall be directed: Provided nevertheless, that in all Cases where such Oath and Certificate cannot be administered and granted at the first Port whereunto any Prize or Officers or Men of such Ships as have been or shall be taken, sunk, burnt, or otherwise destroyed, shall be brought, such Oath or Oaths relating to any Prize or Prizes that shall be taken, or to any Ships of his Majesty's Enemies that shall be sunk, burnt, or otherwise destroyed as aforesaid, shall and may be administered and taken by and before the Mayor or other Chief Magistrate of any Port within any of his Majesty's Dominions, or by or before the *British* Consul or Vice Consul residing at any Neutral Port whereunto any Prize or Prizes, or Officers or Men of any Ships belonging to his Majesty's Enemies, as have or shall be taken, sunk, burnt, or otherwise destroyed, shall at any Time afterwards be brought (Proof being first made by Affidavit before such Person or Persons of the Inability of making such Oath or Oaths, and obtaining such Certificate at the said first Port), and the Mayor or other Chief Magistrate, Consul or Vice Consul, shall thereupon grant such Certificate and Certificates as are hereinbefore directed, which Certificate and Certificates shall be good and effectual to all Intents and Purposes, as if the same were granted by the Mayor or other Chief Magistrate, Consul or Vice Consul of the Port to which such Prize or Prizes, Officers or Men as aforesaid, shall be first brought; any Thing herein contained to the contrary thereof in anywise notwithstanding: Provided also, that where such Oath of the Number of Men on board any Ship or Ships so taken, burnt, sunk, or otherwise destroyed, cannot be had by reason of the total Destruction of the Officers and Crew of such Ship or Ships, then and in every such Case the Number of Men on board such Ship or Ships at the Beginning of the Attack or Engagement shall be ascertained by such Evidence as under the Circumstances of the Case shall, by the Judge of the High Court of Admiralty, or by the Judge of any other Court duly authorized, be deemed sufficient Proof thereof: Provided likewise, that in any Cases in which Doubts shall arise whether the Party or Parties claiming Head Money are entitled thereto, the same shall be summarily determined by the Judge of the High Court of Admiralty, or by the Judge of any other Court of Admiralty in which the Prize shall have been adjudged, subject nevertheless to an Appeal to the Lords Commissioners of Appeal in Prize Causes.

How Navy Bills shall be made out for the Bounty.

Provido as to Oath and Certificate;

as to total Destruction of Enemy's Ship.

Summary Determination.

XXXVIII. And be it further enacted, That the Bill or Bills to be made out for the Bounty hereby granted to the Commanders, Officers, Seamen, Marines, Soldiers, and others of his Majesty's Ships of War, or hired armed Ships, for taking, sinking, burning, or otherwise destroying any Ships of War or Privateers belonging to any of his Majesty's Enemies, shall be made payable to such Person or Persons as shall be authorized and appointed Agents for Appraisements and Sales of Prize, the same Bounty to be distributed and divided by the said Person or Persons so authorized and appointed amongst the Captors, in such Manner, Form, and Proportion as aforesaid; the several Shares of such Captors as shall run from his Majesty's Service, and of such as shall not be legally demanded within three Years after publick Notification, shall be paid and applied to the Use of the said Royal Hospital at *Greenwich*, subject to the same Provisions and Exceptions as in the Case of Prize Monies; and that the Bill or Bills to be made out for the Bounty hereby granted to Privateers for taking, burning, sinking, or otherwise destroying any Ships of War or Privateers belonging to any of his Majesty's Enemies, shall be made payable to such Person or Persons as shall be nominated and appointed by the Owner or Owners, Officers, and Seamen, of such Privateer or Privateers who shall have taken, burnt, sunk, or otherwise destroyed the same, or the major Part of them, to be divided in such Manner and Proportions as shall have been agreed on by them as aforesaid.

Bills for the Bounty shall be made payable to the Prize Agents.

Privateers.

XXXIX. Provided always, and be it enacted, That if any Ship or Vessel or Boat, taken as Prize, or any Goods therein, shall appear and be proved in any Court of Admiralty having a Right to take Cognizance thereof to have belonged to any of his Majesty's Subjects of *Great Britain* or *Ireland*, or of any of the Dominions and Territories remaining and continuing under his Majesty's Protection and Obedience, which were before taken or surprized by any of his Majesty's Enemies, and at any Time afterwards again surprized and retaken by any of his Majesty's Ships of War, or any Privateer or other Ship, Vessel, or Boat under his Majesty's Protection and Obedience, that then such Ships, Vessels, Boats, and Goods, and every such Part and Parts thereof as aforesaid, formerly belonging to such his Majesty's Subjects, shall in all Cases (save in such as are hereafter excepted) be adjudged to be restored, and shall be by Decree of the said Court of Admiralty accordingly restored to such former Owner or Owners or Proprietors, he or they paying for and in lieu of Salvage, if retaken by any of his Majesty's Ships or hired armed Ships, one eighth Part of the true Value of

Vessels formerly belonging to his Majesty's Subjects, taken from the Enemy, shall be restored upon Payment of Salvage.

Amount of Salvage, one Eighth to King's Ships, one Sixth to Privateers;

the Ships, Vessels, Boats, and Goods respectively so to be restored, which said Salvage of one Eighth shall be answered and paid to the Flag Officers, Captains, Officers, Seamen, Marines, and Soldiers in his Majesty's said Ship or Ships of War, to be divided in such Manner as before in this Act is directed, touching the Share of Prizes belonging to the Flag Officers, Captains, Officers, Seamen, Marines, and Soldiers, where Prizes are taken by any of his Majesty's Ships of War; and if retaken by any Privateer, or other Ship, Vessel, or Boat, one sixth Part of the true Value of the said Ships, Vessels, Boats, and Goods; all which Payments to be made to the Owner or Owners, Officers and Seamen, of such Privateer or other Ship, Vessel, or Boat, shall be without any Deductions, and shall be divided in such Manner and Proportions as shall have been agreed on by them as aforesaid; and in case such Ship, Vessel, or Goods shall have been retaken by the joint Operation or Means of one or more of his Majesty's Ships, and one or more private Ship or Ships, then the Judge of the High Court of Admiralty, or other Court having Cognizance thereof, shall order and adjudge such Salvage to be paid to the Recaptors, by the Owner or Owners of such retaken Ship, Vessel, or Goods, as he shall, under the Circumstances of the Case, deem fit and reasonable; which Salvage so to be adjudged shall be accordingly paid by the Owners of such retaken Ship, Vessel, or Goods, to the Agents of the Recaptors, in such Proportions as the said Court shall adjudge; but if such Ship or Vessel so retaken shall appear to have been, after the taking by his Majesty's Enemies, by them set forth as a Ship or Vessel of War, the said Ship or Vessel shall not be restored to the former Owners or Proprietors, but shall in all Cases, whether retaken by any of his Majesty's Ships or by any Privateer, be adjudged lawful Prize for the Benefit of the Captors.

or according to Directions of Court of Admiralty.

Exception as to Ships fitted out for War by the Enemy.

Prizes collusively restored by Privateers shall be Prize to his Majesty.

Penalty on restoring Prizes collusively, Forfeiture of Bond by Privateers (see § 10.), 1000*l.*, Forfeiture of Office, and Disability by Captains of King's Ships.

XL. And be it further enacted, That in case any Ship or Vessel, or any Goods or Merchandize, shall be taken or retaken, and restored by the Commander, or other Person having the Charge or Command of any Privateer or other Ship, Vessel, or Boat under his Majesty's Protection and Obedience, through Consent, or clandestinely, or by Collusion or Connivance of such Commander or other Person, without being brought to Adjudication, the Ship and Vessel, and Goods and Merchandize, so taken or retaken and restored, and also the Ship's Tackle, Furniture, Apparel, Arms, and Ammunition, shall, upon Proof thereof to be made in any Court of Admiralty having legal Cognizance thereof, be declared and adjudged to be good Prize to his Majesty, one Moiety whereof shall be to the Use of his Majesty, his Heirs and Successors, and one Moiety to the Use of such Person who shall discover and sue for the same; and the Bond given by the Captain or Commander of such Privateer, or other Ship, Vessel, or Boat, shall be and is hereby declared to be forfeited to his Majesty; and in case any such Ship or Vessel, or any Goods or Merchandize as aforesaid, shall be taken or retaken and restored by any Commander, Captain, or other Officer having the Command of any Ship or Vessel of War belonging to his Majesty, through Consent, or clandestinely, or by Collusion or Connivance of such Commander, Captain, or other Officer, such Commander, Captain, or other Officer, shall forfeit the Sum of one thousand Pounds, one Moiety thereof to the Use of his Majesty, his Heirs and Successors, and one Moiety, together with full Coists of Suit, to the Use of such Person as shall discover and sue for the same, to be recovered by Action of Debt, Bill, Plaint, or Information in any of his Majesty's Courts of Record in *Great Britain*, wherein no Essoign, Protection, Privilege, or Wager of Law, or any more than one Impar lance shall be allowed; and such Commander, Captain, or other Officer, shall forfeit his Command and Employment, and shall be and is hereby disabled and made incapable of holding any Office or Employment under his Majesty during the Space of seven Years; and the said Goods and Merchandize, and the Ship, Tackle, Apparel, Furniture, Guns, and Ammunition, so taken or retaken and restored in Manner aforesaid, shall be and is hereby directed to be adjudged in all Courts of Admiralty having legal Cognizance thereof, as good Prize to his Majesty.

But Ships retaken before carried into the Enemy's Ports may prosecute their Voyages.

XLI. Provided nevertheless, and be it hereby enacted, That if a Ship be retaken before she has been carried into an Enemy's Port, it shall be lawful for her, if the Recaptors consent thereto, to prosecute her Voyage, and it shall not be necessary for the Recaptors to proceed to Adjudication till six Months, or till the Return of the Ship to the Port from which she sailed; and it shall be lawful for the Master, the Owners, or their Agents, with the Consent of the Recaptors, to unliver and dispose of their Cargoes before Adjudication; and in case the Vessel shall not return directly to the Port from whence she sailed, or the Recaptors shall have had no Opportunity of proceeding regularly to Adjudication within six Months, on account of the Absence of the said Vessel, the Court of Admiralty shall, at the Instance of the Recaptors, decree the Restitution to the former Owners, paying Salvage, upon such Evidence as to the said Court shall, under the Circumstances of the Case, appear reasonable, the Expence of such Proceeding not to exceed the Sum of fourteen Pounds.

Prize Vessels condemned shall be deemed British-built, being registered under 26 G. 3. c. 60.

XLII. And be it further enacted, That all Prize Ships or Vessels which shall be legally condemned shall, to all Intents and Purposes whatsoever, be considered as *British*-built Ships or Vessels, being first duly registered according to the Provisions of the said recited Act, made in the twenty-sixth Year of the Reign of his present Majesty, and shall be deemed and taken as such, and shall be entitled to have and enjoy all and every the same Rights, Liberties, Privileges, and Advantages, in all Respects whatsoever, with *British*-built Ships or Vessels, and shall be subject and liable to all and every the Rules and Regulations that *British*-built Ships or Vessels are subject and liable to; any Law, Custom, or Usage to the contrary thereof in anywise notwithstanding.

Penalty for breaking Bulk, or embezzling any Part of Prizes, Forfeiture of Shares, and treble Value.

XLIII. And be it further enacted, That if any Commander or Commanders, Officer or Officers, Seamen, Marines, Soldiers, or others, shall break Bulk on board, except in case of Necessity to be allowed by the Court of Admiralty, or embezzle any of the Money, Jewels, Plate, Goods, Merchandize, Tackle, Furniture, or Apparel of or belonging to any Prize or Prizes, such Commander, Officer, Seaman, Marine, Soldier, or other Person, shall for every such Offence forfeit his whole Share in such Prize to his Majesty, for the Use of the Royal Hospital at *Greenwich*, and so to be adjudged on Proof thereof by the Court of Admiralty in which such Proof shall be made, and shall also forfeit Treble the Value of all such Money, Jewels, Plate, Goods, Merchandize, Tackle, Furniture, or Apparel, as he or they shall embezzle, one third Part thereof to be to the Use of the said Royal Hospital at *Greenwich*, and the other two third Parts thereof, together with full Coists of

of Suit, to him or them that will sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record in *Great Britain*, in which no Effoign, Protection, or Wager of Law, or more than one Imparlanche, shall be allowed.

XLIV. And be it further enacted and declared, That it shall be lawful for the Judge of the High Court of Admiralty, or the Judge of any other Court lawfully commissioned to take Cognizance of Prize, upon due Proof of the Breach of any of his Majesty's Instructions relating to Prizes, or of any Offence against the Law of Nations committed by the Captors in relation to any Prize, or to the Persons taken on board the same, to condemn the Prize to his Majesty's Use and Disposal, save as herein above is directed with respect to breaking of Bulk or Embezzlement; and where the Prize hath been taken by a Ship having a Commission or Letter of Marque to revoke the same, and to pronounce the Bond to be forfeited, and to compel Payment of the Penalty secured thereby, subject nevertheless to an Appeal to the Lords Commissioners of Appeals in Prize Causes.

XLV. And whereas great Numbers of Ships of foreign Nations may pass the Seas laden with Naval Stores, intended to be carried to the Ports of *France*, whereby his Majesty's Enemies may not only be enabled and encouraged to fit out and arm Privateers to destroy the Trade of his Majesty's Subjects, but may also be supplied with Materials to build and fit out Ships of War, to annoy and invade his Majesty's Dominions: And whereas divers Ships of foreign Nations, laden as aforesaid, may be taken and brought into the Ports of *Great Britain*, and the Purchase of such Naval Stores laden on board such Ships of foreign Nations for the Service of his Majesty may in many Cases be expedient without proceeding to the Condemnation thereof; be it therefore further enacted, That it shall and may be lawful to and for the principal Officers and Commissioners of his Majesty's Navy or Victualling for the Time being, or their Officers or Agents, during the Continuance of the present War, to purchase on the Account or for the Service of his Majesty, his Heirs and Successors only, all or any such Naval Stores found on board any such Ships of foreign Nations, which have been or shall or may hereafter be brought into any of the Ports of this Kingdom by any of his Majesty's Ships or Vessels, or by any private Ships or Vessels of War, or other Ships or Vessels having a Commission or Letters of Marque, and that the Commissioners and Officers of the Customs for the Time being shall and may permit and suffer such Naval Stores so purchased as aforesaid, to be entered and landed within any of the Ports of this Kingdom, any Thing in an Act of Parliament passed in the twelfth Year of the Reign of his late Majesty King *Charles* the Second, intituled, *An Act for the encouraging and increasing of Shipping and Navigation*, or in any other Statute made subsequent thereto, contained to the contrary thereof in anywise notwithstanding.

XLVI. And be it further enacted, That if any Person or Persons shall falsely make Oath to any of the Matters herein-before required to be verified on Oath, or suborn any other Person so to do, such Person or Persons shall suffer the like Pains and Penalties as are incurred by Persons committing wilful and corrupt Perjury; and that if any Person or Persons shall counterfeit, erase, alter, or falsify any Commission for War, or Letter of Marque, or any Warrant for making out the same, or any Certificate required or directed by this Act to be obtained, or shall publish or make use of any such Commission for War, or Warrant for making out the same, or any Certificate as aforesaid, knowing the same to be counterfeited, erased, altered, or falsified, such Person or Persons shall for every such Offence forfeit the Sum of five hundred Pounds, to be recovered, together with full Costs of Suit, by Action of Debt, Bill, Plaint, or Information in any of his Majesty's Courts of Record in *Great Britain*, wherein no Effoign, Protection, or Wager of Law, or more than one Imparlanche shall be allowed.

XLVII. And be it further enacted, That where the Offence of taking a false Oath, or suborning any Person so to do, or any of the Offences by this Act made cognizable in any of his Majesty's Courts of Record in *Great Britain* shall be committed out of this Realm, the same may be alleged to be committed, and may be laid, inquired of, tried, and determined in any County in *England*, in the same Manner, to all Intents and Purposes, as if the same had been actually done or committed within the Body of such County.

XLVIII. And be it further enacted, That all Appraisements and Sales of any Ship or Ships, Goods, Wares, or Merchandize as shall be taken by any of his Majesty's Ships of War, shall be made by Agents appointed by the Flag Officers or Flag Officer, Captains or Captain, Officers or Officer, Ships' Companies or Company, and others entitled thereto; that is to say, that if the Flag Officers or Flag Officer of any Fleet or Squadron of Ships as shall take any such Prize or Prizes, or the Majority, if more than one, shall appoint one or more Person or Persons, Agent or Agents as aforesaid, then the Captains and Commanders or Captain and Commander entitled thereto, or the Majority of them, if more than one, may appoint the like Number to act for them; and all the other Officers under the Degree of a Captain and Commander may appoint the like Number to act for them; and all the Crews of the several Ships' Companies of the Fleet or Squadron, or Ship's Company, and others entitled thereto, may likewise appoint the like Number to act for them in such Appraisements and Sales; and in the Case of hired armed Ships, if the Captain shall appoint one or more Person, Agent or Agents, the Crew shall appoint a like Number to act for them in such Appraisements and Sales.

XLIX. And be it further enacted, That all and every Person or Persons who shall be so nominated and appointed Agent or Agents as aforesaid, for any Prize or Prizes taken by any Ship or Ships, Vessel or Vessels of War, or for receiving the Bounty hereinafter granted, shall exhibit and cause to be registered in the said High Court of Admiralty in *Great Britain*, in the respective Courts of Admiralty in *America*, or in any other his Majesty's Dominions where the said Prize and Prizes, and every of them, shall be proceeded against, his or their respective Letter or Letters of Attorney, appointing him or them Agent or Agents for the Purposes aforesaid; and if any Person or Persons so appointed Agent or Agents as aforesaid shall, without sufficient Cause to be approved by the Court, omit or delay so to do for the Space of twenty Days after the Monition has been taken out in the said High Court of Admiralty in *Great Britain*, or in any Court of Vice Admiralty in *America*, or other his Majesty's Dominions, for the Care and Distribution of which he or they shall be appointed Agent or Agents, such Person or Persons so omitting or delaying shall forfeit the Sum of five Pounds, to be recovered by him or them who shall sue for the same, by Action of Debt, Bill, Plaint, or Information in any Court of Record

On Breach of Instructions relative to Prizes, or of Law of Nations, Captures shall be Prize to his Majesty, &c.

Navy or Victualling Board may purchase Naval Stores found on board Foreign Ships taken as Prize.

Penalty on false Oaths, &c. as for Perjury; counterfeiting Letters of Marque, 500l.

Offences committed out of the Realm may be tried in any English County.

Directions for appointing Prize Agents.

Agents shall register their Powers of Attorney.

Penalty 5l

cord in *Great Britain, America*, or in any other of his Majesty's Dominions, in which no Essoign, Protection, or Wager of Law, or more than one Imparlance shall be allowed.

Agents shall give Security in 5000l.

L. And be it further enacted, That every Agent when he shall register the first Letter or Letters of Attorney, which in pursuance of this Act he shall register after the passing thereof, shall at the same Time give Security in the Sum of five thousand Pounds to the Court of Admiralty in which such Letter or Letters shall be registered, for the due Execution of his Trust in all Matters of Prize Agency that shall be committed to his Care during the present War; and if he shall neglect or refuse so to do, such Letter or Letters of Attorney shall be null and void, and he shall be for ever disabled from acting as an Agent in Matters of Prize.

Registers of Courts of Admiralty shall enter Powers of Attorney,

LI. And be it further enacted, That the Register or Registers of his Majesty's High Court of Admiralty, and of all other Courts of Admiralty in his Majesty's Dominions, shall from Time to Time duly enter or register, or cause to be entered or registered, in one or more Book or Books to be by him or them kept for that Purpose only, all Letters of Attorney that shall be exhibited or delivered to them after the passing of this Act, by any Agent or Agents for any Prize or Prizes taken or to be taken by any of his Majesty's Ships or Vessels of War or hired armed Ships, or by any Agent or Agents for the Receipt and Distribution of any Bounty Bill or Bills, within fourteen Days after the same shall be so exhibited or delivered to such Register or Registers at his or their respective Offices, which Registry shall contain the Days of Delivery and Entry, the Dates of the Letters of Attorney, the Names and Places of Abode of the Agents, the Names of the Prizes taken, or of the Ships of War or Privateers of the Enemy taken, burnt, sunk, or otherwise destroyed, together with the Names of the Ships or Vessels by which such Prizes shall have been taken, or by which such Ships of War or Privateers of the Enemy shall have been taken, burnt, sunk, or otherwise destroyed, together with the Date of the Condemnation, if any Condemnation shall have passed thereon, and of the Appeal, if any interposed; and the Register or Registers shall, on the twenty-sixth Day of *December* and the twenty-fifth Day of *June*, or within forty Days thereafter in every Year, transmit or deliver unto the Treasurer of the said Hospital, or to the lawful Deputy of such Treasurer for the Time being, a true Copy or Transcript under his or their Hand or Hands of all such Entries as aforesaid, within the preceding Half Year; and if such Register or Registers shall neglect or refuse to make or keep such Entries, or to transmit or deliver such Copies thereof as aforesaid, within the respective Times herein-before limited for that Purpose, he or they shall, for every such Offence, forfeit the Sum of one hundred Pounds, to be recovered by Action of Debt, Bill, Complaint, or Information in any of his Majesty's Courts of Record, in which no Essoign, Protection, Privilege, Wager of Law, or more than one Imparlance, shall be allowed.

and transmit Copies to Greenwich Hospital.

Penalty 100l.

Registers of Vice-Admiralty Courts shall transmit to Doctors Commons List of Prizes adjudged.

LII. And be it further enacted, That the Registers of every Vice Admiralty Court, shall, on the twenty-sixth Day of *December* and twenty-fifth Day of *June* in every Year, transmit to the Register of the High Court of Admiralty, a List of all the Prizes that have been adjudged in their Courts respectively, together with the Names of the capturing Ships, and their Commanders, and the Agents of the Captors, and a Copy of the decretal Part of the Sentences upon the same; which Lists shall be hung up for publick Inspection in the Registry at Doctors Commons, together with similar Lists of the Prizes adjudged in the High Court of Admiralty, and in the Court of Appeal.

Agents appointed after Condemnation shall register Powers of Attorney. (See § 49.)

LIII. Provided always, That if any Agent or Agents shall be appointed after the Time any Sentence of Condemnation in any of the said Courts of Admiralty shall be given, such Agent or Agents shall, under the aforesaid Penalty, register or cause to be registered, in Manner aforesaid, his or their respective Letters or Letter of Attorney, appointing him or them Agent or Agents as aforesaid, within the Space of twenty Days after the Date of the said Letter or Letters of Attorney.

Registers of Admiralty Courts in America, &c. shall transmit to Greenwich Hospital Copies of Letters of Attorney registered in their Courts.

LIV. And be it further enacted, That the Register or Registers of all and every the Court and Courts of Admiralty in any of his Majesty's Plantations in *America*, or elsewhere in any of his Majesty's Dominions, shall yearly and every Year, upon the twenty-third Day of *October*, or within three Calendar Months next after the same, make out and transcribe true Copies of all and every such Letter and Letters of Attorney as shall be so registered in the said Court or Courts, to which the Judge and Judges of the said Court and Courts shall affix his and their Seal of Office, and then the said Register and Registers shall transmit the same to the Treasurer of the said Royal Hospital at *Greenwich* to be there registered, and to be inspected by any Person *gratis*, the Charges of which Copies, and affixing the Seal or Seals thereto, and transmitting the same to the Treasurer of the said Hospital, shall be paid by the said Agent or Agents at the Time of making such Registry as aforesaid; and in case such Register or Registers shall neglect or refuse to transcribe and transmit such Copy and Copies of the said Letter and Letters of Attorney in Manner aforesaid (if any Ship or Ships in that Time shall sail from that Port or Place to any Port or Ports in *Great Britain*), such Register and Registers so neglecting or refusing shall forfeit the Sum of five hundred Pounds, to be recovered by him or them who will sue for the same, by Action of Debt, Bill, Complaint, or Information, in any Court of Record in *Great Britain* or *America*, or elsewhere, in any other of his Majesty's Dominions, in which no Essoign, Protection, or Wager of Law, or more than one Imparlance shall be allowed.

Penalty 500l.

Copies of Letters of Attorney and Registry shall be Evidence of Agency. (and see § 59.)

LV. And for the better and more effectual making such Letters of Attorney Evidence of the Agency of the Person or Persons to whom the same shall be made, be it further enacted, That true Copies of such Letter or Letters of Attorney, and of Transcripts under Seal transmitted by the said Register or Registers of the Court and Courts of Admiralty in his Majesty's Plantations in *America*, and elsewhere within his Majesty's Dominions, and registered by the said Treasurer of *Greenwich* Hospital, shall from Time to Time, and at all Times hereafter, be good and sufficient Evidence of the Agency of the Person or Persons to whom such Letter of Attorney is or shall be made, and from Time to Time and at all Times hereafter shall be admitted without further or other Proof thereof to be legal Evidence in all his Majesty's Courts of Record of Law or Equity; any Law, Custom, or Usage to the contrary thereof in anywise notwithstanding.

Prize Agents shall give

LVI. And be it further enacted, That, after the Sale or Sales of any Prize or Prizes which have been or shall be taken from the Enemy by any of his Majesty's Ships of War or hired armed Ships, publick Notification

in Manner hereinafter mentioned shall be given by the Persons or Agents appointed as aforesaid, for the Payment of the several Shares to the Captors aforesaid; that is to say, if the Prize or Prizes shall have been or shall be condemned in his Majesty's High Court of Admiralty of *Great Britain*, then the Person or Persons, Agent or Agents, appointed or to be appointed in pursuance of this Act, for the Appraisalment and Sale of such Prize or Prizes, shall insert and publish, or cause to be inserted and published, such Notification under his or their Hand or Hands respectively, in the *London Gazette*, and if in any Court of Vice-Admiralty, then in some Gazette or Newspaper of public Authority, of the Island or Place where the Prize or Prizes shall have been or shall be condemned; and if there shall be no Gazette or such other Newspaper published there, then in some or one of the most publick Newspapers of such Island or Place; and all Persons or Agents publishing or causing to be published every such Notification respectively shall deliver to the Collector, Customer, or Searcher for the Time being, of his Majesty's Customs, residing at or belonging to the Port or Place where the Prize or Prizes shall have been or shall be condemned, or the lawful Deputy or Deputies of such Collector, Customer, or Searcher, and if there shall be no such Collector, Customer, or Searcher, then such Persons or Agents as aforesaid shall deliver to the principal Officer or Officers of the Port or Place where the Prize or Prizes shall have been or shall be condemned, or to the lawful Deputy or Deputies of such principal Officer or Officers, three of those Gazettes or other Newspapers in which such Notification shall be so inserted and published; and if there should not be any publick Newspapers in any such Island or Place, then such Person or Persons, Agent or Agents, shall give three such Notifications in Writing under his or their respective Hand or Hands to the said Collector, Customer, or Searcher, or the Deputy or Deputies of such Collector, Customer, or Searcher, or where there shall be no such Collector, Customer, or Searcher, to such principal Officer or Officers, or his or their Deputy or Deputies aforesaid; and every such Collector, Customer, or Searcher, and principal Officer or Officers or such Deputy or Deputies, shall subscribe his or their Name or Names on some conspicuous Part of both the said Gazettes, Newspapers, or written Notifications respectively; and by the first Ship which shall sail (after his or their Receipt of such Gazettes, Newspapers, or written Notifications, respectively) from such Port or Place to any Port in *Great Britain*, shall transmit or send to the Treasurer of the Royal Hospital at *Greenwich*, or the Deputy of such Treasurer for the Time being, one of the said Gazettes, Newspapers, or written Notifications, with his or their Name or Names so subscribed to and upon the same respectively, to be there registered, and another Direction to the Treasurer of the Navy, or his Majesty's Paymaster of the Navy in *London*, and shall faithfully preserve and keep the other of the said three Gazettes, Newspapers, or written Notifications, with his or their Name or Names thereon subscribed as aforesaid, in his or their Custody; and that in every such printed or written Notification as aforesaid the said Person or Persons, Agent or Agents, shall insert or specify his or their Place or Places of Abode, and the precise Day of the Month and Year appointed for the Payment of the several and respective Shares of the Prize or Prizes to the Captors; and all such Notifications, with respect to Prizes condemned or to be condemned in *Great Britain*, shall be published in the *London Gazette* three Days at least before any Part or Parts, Share or Proportion of any such Prize or Prizes shall be paid to any such Person or Persons entitled thereto; and all such Notifications with respect to Prizes condemned or to be condemned in any other Part of his Majesty's Dominions, shall be delivered to the said Collector, Customer, or Searcher, or principal Officer or Officers as aforesaid respectively, or such respective Deputy or Deputies, three Days at least before any Part or Parts, Share, or Proportion of any such Prize or Prizes, shall be paid to any Person or Persons entitled thereto; after which several and respective Notifications, if any Man's Share shall remain in the Hands of the Persons or Agents appointed as aforesaid, either belonging to such Men as shall be run from his Majesty's Service, or which shall not be legally demanded within three Years, then such Share or Shares so remaining in the Person's or Agent's Hands, or belonging to such Men as shall run from his Majesty's Service, shall go and be paid to the Treasurer of *Greenwich* Hospital.

LVII. And be it further enacted, That, together with the Gazette, Newspaper, or written Notification so to be delivered to the Collector, Customer, or Searcher, or to their lawful Deputy or Deputies, or to the principal Officer, or his Deputy or Deputies, there shall be delivered by the Agent or Agents a written Notification of the Amount of an individual Share in each Class, which Notification shall be transmitted to the Treasurer of *Greenwich* Hospital, or his Deputy; and a similar Notification shall in like Manner be delivered, and afterwards transmitted to the Treasurer of the Navy, or the Paymaster of the Navy in *London*; and if the Prize shall have been condemned in the High Court of Admiralty in *Great Britain* a written Notification to the like Effect shall be transmitted by the Agent or Agents, immediately upon Publication of Notice for Payment in the *London Gazette*, to the Treasurer of the Navy or the Paymaster of the Navy in *London*.

LVIII. And be it further enacted, That if any Person or Agent appointed or to be appointed for Appraisalment or Sale of any Prize or Prizes, taken or to be taken from the Enemy by any of his Majesty's Ships or Vessels of War, or hired armed Vessel, or for the Distribution of any Bounty Money, shall neglect or refuse to publish, give, or deliver any Notification herein directed or required to be published, given, or delivered, or shall not give, publish, or deliver, any such Notification before the Payment of any Part of such Prize or Bounty Money, and within the Times herein limited, or in the Manner herein appointed, or shall not specify or set forth in such Notification the Matters and Things herein directed to be specified and set forth, every such Person or Agent shall for such Offence forfeit and pay the Sum of one hundred Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record in *Great Britain* or *America*, or elsewhere in any of his Majesty's Dominions, in which no Essoign, Protection, Privilege, Wager of Law, or more than one Imparance, shall be allowed; and if any Collector, Customer, or Searcher of his Majesty's Customs, or principal Officer or Officers, or such Deputy or Deputies as aforesaid, shall neglect or refuse to receive or to attest, or shall not transmit or send any such Gazette, Newspaper, or written Notification as aforesaid, in such Manner as is before directed, every such Collector, Customer, or Searcher, principal Officer

Notification of the Payment of Prize Money,

and deliver three Copies to Custom-house Officers abroad, who shall transmit one to *Greenwich* Hospital, and one to Treasurer of the Navy.

Contents of Notification.

Time of publishing same.

Shares unclaimed, &c. shall be paid to *Greenwich* Hospital.

Notice shall be given to *Greenwich* Hospital, &c. of the Amount of an individual Share in each Class, &c.

Penalty for Neglect in giving or transmitting such Notices, &c.

Officer or Officers, or such Deputy or Deputies so offending, shall for every such Offence forfeit the Sum of one hundred Pounds, to be sued for and recovered in the same Manner as the above Penalty is directed to be sued for and recovered.

Notifications registered at Greenwich Hospital shall be Evidence of Agency. (See *Act* § 55.)

LIX. And be it further enacted, That the Notifications in all such Gazettes, Newspapers, and in Writing respectively as aforesaid, which shall be so transmitted and attested by such Collector, Customer, or Searcher, or principal Officer or Officers, or such Deputy or Deputies as aforesaid, and registered at the said Royal Hospital, on Proof of the Hand-Writing of such Collector, Customer, Searcher, principal Officer or Officers, or Deputy or Deputies, from Time to Time and at all Times, shall be good and sufficient Evidence in all his Majesty's Courts of Law and Equity and Admiralty, that the Person or Persons whose Name or Names is or are therein set forth and specified as the Agent or Agents for the Prize or Prizes therein respectively mentioned, is or are such Agent or Agents.

Before Payment of Prizes, Agent shall exhibit to Admiralty Court, on Oath, a Copy of the Account of Sale.

LX. And be it further enacted, That all Agents appointed shall, after the Sale of any Prize is completed, and before the Time of the first Payment of the Prize Money to be distributed, exhibit in the respective Court of Admiralty in which the Prize was condemned, or in the High Court of Admiralty, a Copy of their Accounts of Sales duly verified upon Oath, which Copy shall be deposited in the publick Registry of the Court, and all Parties interested shall have Liberty to object to the Charges therein contained; and the said Court shall confirm or disallow the Accounts upon hearing the Objections, and shall make such further Order touching the said Accounts, or the Distribution of the Proceeds, as the Case may require; and any Agent who shall neglect or refuse to bring in a Copy of his Accounts at the Time hereby directed, or who shall proceed to distribute without having exhibited a Copy of the said Accounts duly verified on Oath, or who shall refuse or neglect to obey an Order for the Distribution of the Proceeds, shall forfeit the Sum of five hundred Pounds to the Use of Greenwich Hospital, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record in any of his Majesty's Dominions, in which no Essoign, Protection, Privilege, or Wager of Law, or more than one Imparance, shall be allowed; and shall moreover be subject to the Process of the Court of Admiralty, by Monition and Attachment, until he has obeyed the Order of the said Court, by exhibiting a Copy of the said Accounts duly verified as aforesaid, and until the said Accounts shall be duly confirmed, and the Proceeds distributed and paid; and it shall be lawful for the said Court to pronounce the Bond given with the Letter or Letters of Agency to be forfeited, and to levy the Penalties secured thereby from the Sureties in the said Bond.

Penalty on Neglect to do, or to distribute Proceeds, &c. 500*l.* and Forfeiture of Bond. (See § 50.)

Admiralty Court may order and enforce Distribution of Proceeds.

LXI. And be it further enacted, That it shall be lawful for the Judge of the High Court of Admiralty, in all Cases in which the regular Time of Appeal is elapsed, or in which the Appeal hath been determined, to make an Order for the Distribution of the Proceeds, and to enforce the same by the Process of the said Court, in the Manner above provided, upon the Agent or Agents in whose Hands the Proceeds may be lodged, or to whom the Proceeds, having been deposited in the Bank, or vested in publick Sureties under any Order of the Court, may, by a further Order of the said Court, have been returned, and likewise by further Process against the Sureties of the said Agent or Agents.

Whenever Sentence of Condemnation is appealed from, the Judge may order the Proceeds of Sale to be brought in and lodged in the Bank, &c.

LXII. And be it further enacted, That it shall be lawful for the Judge of the High Court of Admiralty, in all Cases wherein any Sentence of Condemnation pronounced in the said Court is appealed from, at the Time of serving the Inhibition thereon, or at any Time thereafter during the Pendency of the said Appeal, and without Prejudice to such Appeal, to assign the Agent or Agents, or other Persons, in whose Hands the Proceeds of the Prize may have come, at the Prayer of either Party, to bring into and leave in the Registry the Net Proceeds of the Sales of such Prize, deducting therefrom so much as in the Discretion of the Judge shall be requisite to be left in the Hands of the Agent or Agents for the Expences of defending the said Appeal; and the Proceeds so brought in shall be deposited in the Bank of *England*, or in case the Parties shall agree thereto, in some publick Securities, at Interest, in the Names of the Register or Deputy Register, and of such Trustees as the Parties shall appoint and the Court shall approve; any Thing in this Act contained to the contrary thereof in anywise notwithstanding.

Agents may in all Cases of Condemnation be compelled to vest the Proceeds in publick Securities.

LXIII. And be it further enacted, That in all Cases of Condemnation in the High Court of Admiralty, where there is no Claimant or Appellant before the Court, it shall be lawful for the said Court at the Prayer of the Captors to compel the Agents by Process of Monition and Attachment to vest the Proceeds of the Property condemned in such publick Securities as the Captors shall elect, there to remain and accumulate for the Benefit of the Parties entitled, till the Time of Appeal shall be lapsed, subject nevertheless to the further Directions of the Court upon the Application of the Captors; and in all Cases of Condemnation in any Court of Vice-Admiralty, where there is no Claimant or Appellant before the Court, it shall be lawful for the said Court, at the Prayer of the Captors, to direct the Property captured, or the Proceeds thereof, to be forthwith transmitted to *Great Britain*, there to be vested in such publick Securities (after being sold, if not already converted by Sale) as the Captors shall elect, until the regular Time of Appeal shall have lapsed, subject nevertheless to the Directions of the High Court of Admiralty upon the Application of the Captors.

Agents shall advertise their exhibiting Accounts of Sales.

LXIV. And be it further enacted, That every Agent shall, ten Days before he exhibits his Account of Sales in the Registry of the High Court of Admiralty, cause Advertisements to be twice inserted in the *London Gazette*, notifying to all Persons concerned, that the Account of Sales of such Prize or Prizes will be brought into the Registry of the said Court.

How Agents shall keep Office open for Payment of Shares.

LXV. And be it further enacted, That every Prize Agent shall, for one Year after the Time of Distribution has commenced, keep an Office open two Days at least in every Week, during the usual Hours of Attendance for the Payment of Shares remaining due, which Days shall be specified in the Notification of Payment published in the Gazette.

LXVI. And whereas Petty Officers, Seamen, and Marines in his Majesty's Service have improvidently executed Powers of Attorney, by which they transfer the Interest in all Prizes which they may be concerned

‘ in taking after the Execution of the same;’ be it therefore enacted, That no Power of Attorney given by any Petty Officer, Seaman, or Marine, or Soldier serving as Marine in his Majesty’s Service, shall be valid and effectual for the Receipt of Prize Money, unless the same shall specify the Name of the captured Ship or Vessel, from the Condemnation of which, or her Cargo, the said Prize Money shall have arisen, together with the Name of his Majesty’s Ship of War by which the same was taken, nor unless the same be executed pursuant to the Directions contained in an Act, passed in the twenty-sixth Year of his present Majesty’s Reign, intituled, *An Act for preventing Frauds and Abuses attending the Payment of Wages, Prize Money, and other Allowances due for the Service of Petty Officers and Seamen on board any of his Majesty’s Ships*; and also in an Act passed in the thirty-second Year of his said Majesty’s Reign, intituled, *An Act for explaining and amending an Act passed in the twenty-sixth Year of the Reign of his present Majesty, intituled, ‘ An Act for the further preventing Frauds and Abuses attending the Payment of Wages, Prize Money, and other Allowances due for the Service of Petty Officers and Seamen on board any of his Majesty’s Ships;’ and for further extending the Benefits thereof to Petty Officers and Seamen, Non-commissioned Officers of Marines, and Marines serving, or who may have served on board any of his Majesty’s Ships*; and also another Act passed in the thirty-second Year of the Reign of his present Majesty, intituled, \**[An Act for explaining and amending an Act passed in the twenty-sixth Year of the Reign of his present Majesty, intituled, ‘ An Act for the further preventing Frauds and Abuses attending the Payment of Wages, Prize Money, and other Allowances due for the Service of Petty Officers and Seamen on board any of his Majesty’s Ships;’ and for further extending the Benefits thereof to Petty Officers and Seamen, Non-commissioned Officers of Marines, and Marines serving, or who may have served, on board any of his Majesty’s Ships;]* and unless the same shall be examined and verified in the Manner directed by the said Act of the thirty-second Year of his present Majesty’s Reign, for Orders not exceeding seven Pounds.

Powers of At-  
torney by Sea-  
men for Receipt  
of Prize Money  
shall specify  
Name of cap-  
tured and cap-  
turing Ship, and  
shall be executed  
pursuant to  
26 G. 3. c. 63.  
32 G. 3. c. 34.  
& c. 67.

\* [Query?  
32 Geo. 3. c. 67.  
extending former  
Acts to Ireland.]

[See 32 G. 3.  
c. 34. § 7.]

Stamp Duty  
thereon, 1s.

Run Men shall  
not be entitled  
to Prize Money.

LXVII. And be it further enacted, That for the Stamp Duty on such Instrument or special Power of Attorney, not more than the Sum of one Shilling shall be paid.

LXVIII. And be it further enacted, That no Person or Persons belonging to any of his Majesty’s Ships or Vessels of War, or to any Merchant Ship employed in his Majesty’s Service, who shall run away or withdraw him or themselves from the Ship or Vessel by which any Prize or Prizes shall be taken from any of his Majesty’s Enemies, or otherwise from his Majesty’s Service, before or after Notifications shall be given by the Persons or Agents appointed as aforesaid, of the Day appointed for the Payment of the several Shares to the Captors of the said Prize or Prizes, shall have or be entitled to have, or claim any Interest in, or Benefit of the said Share or Shares of the said Prize or Prizes, or the Bounty Money aforesaid, or any Part thereof that shall then remain unpaid, but such Share and Shares of such Prize or Prizes, and Bounty Money, shall go and be paid to the Use of Greenwich Hospital, subject to the Provisoes and Exemptions hereinbefore mentioned.

After first Dis-  
tribution of  
Prizes, &c.  
Accounts of  
Receipts and  
Payments shall  
be transmitted  
to Greenwich  
Hospital,

LXIX. And be it enacted, That all and every Person and Persons, Agent and Agents, and others, who shall sell and otherwise dispose of any Prize or Prizes so to be taken as aforesaid from any of his Majesty’s Enemies, shall, within the Space of three Calendar Months next after the Day to be appointed for the first Payment or Distribution to the Captors of such Prize or Prizes made in pursuance of such publick Notification as aforesaid, make out, and transmit or deliver unto the Treasurer of the said Royal Hospital at Greenwich for the Time being, or to such Person or Persons as he shall for that Purpose depute or appoint, a true State and Account in Writing, under the Hand or Hands of such Agent or Agents, or Person or Persons so employed, of the Produce of all such Prize and Prizes as aforesaid, together with an Account of the Payments of the several Shares to the Captors as shall then have been really and truly by him or them respectively paid; and also that all and every Person and Persons authorized and appointed by this present Act, to receive Bills for the Bounty hereby granted shall, within the like Space of three Calendar Months next after the Day appointed for the first Payment or Distribution of such Bills, for the Bounty as aforesaid, in like Manner make out, and transmit or deliver to the Treasurer for the Time being of the said Hospital, or to his sufficient Deputy, a true State and Account in Writing, under his or their Hand or Hands, of the Payment and Distribution of such Bills; and further, that all and every Person and Persons, Agents and others, who by virtue of this Act shall sell or dispose of any Prize or Prizes which already have been, or shall at any Time or Times hereafter be taken from the said Enemy by any of his Majesty’s Ships or Vessels of War, or hired armed Ships, or who shall receive or dispose of any Bill or Bills for Bounty, such Person and Persons, Agents, and others, so selling and disposing thereof, shall, within the Space of three Calendar Months next after the Expiration of the Term of three Years limited by this Act, make out an exact Account in Writing of the Produce of such Prize and Prizes, Bill and Bills for Bounty, as also of the Payments of the several Shares to the respective Captors, together with a true and just Account, upon Oath, to be taken before the Treasurer of the said Hospital for the Time being, or any other Person or Persons by him for that Purpose deputed and authorized, in Writing under his Hand and Seal, (which Oath the said Treasurer of the said Hospital, and a sufficient Deputy and Deputies authorized as aforesaid, is and are hereby authorized and empowered to administer,) of all Sum and Sums of Money as shall be then remaining in such Agent or Agents, or Person or Persons Custody, Power, or Possession; and shall at the same Time deliver, or cause to be delivered, to the Treasurer of the said Hospital for the Time being, or to his sufficient Deputy or Agent, the said Accounts so attested upon Oath as aforesaid, together with all such remaining Sum and Sums of Money then so left and remaining in his or their Hands as aforesaid, taking from the said Treasurer or his proper Deputy or Agent, his or their Acquittance or Acquittances for the same.

and after three  
Years (See § 56.)  
an Account of  
the Balance on  
Oath, and the  
Balance paid,

LXX. And be it further enacted, That all and every Person and Persons hereby directed to transmit or deliver all or any the Accounts before mentioned, who shall neglect or refuse to transmit or deliver all or any such Account or Accounts to the Treasurer of the said Hospital, or his said Deputy or Agent, within the Time before limited and appointed, in Manner and Form as hereinbefore mentioned, or who shall neglect or refuse to pay over all and every such Sum and Sums of Money as shall remain in his or their Hand or Hands,  
Power,

Penalty for not  
delivering Ac-  
counts or not  
paying Balances,  
100l. besides the  
Balance.

Power, Custody, or Possession, after the Term of three Years, to be accounted as aforesaid, shall, for every such Offence, forfeit the Sum of one hundred Pounds, over and above a Sum equal to the Money then in such Agent's Hands, one third Part whereof shall belong to his Majesty, and the remaining two Thirds to the said Royal Hospital, to be recovered, with Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record, in which no Essoign, Protection, Privilege, or Wager of Law, or more than one Imparance, shall be allowed.

Penalty for Frauds in stating Accounts, 500l.

LXXI. And be it further enacted, That if any Fraud, Collusion, or Deceit shall be wittingly or willingly made, used, committed, permitted, or done, or suffered, in making, stating, or balancing any such Accounts, then every Person or Persons who shall be thereof duly convicted, and his and their Aiders and Abettors, shall forfeit and pay for every such Offence the Sum of five hundred Pounds, one third Part whereof to be to the Use of his Majesty, and one other Third to the Use of the said Hospital, and the other Third to the Informer who shall sue for the same, to be recovered with Costs of Suit, by Action of Debt, Bill, Plaint, or Information in any Court of Record, in which no Essoign, Protection, Privilege, or Wager of Law, or more than one Imparance shall be allowed.

No Agent shall be sued by Run Men, unless they obtain and produce Certificate of R. being taken off.

LXXII. And be it further enacted, That no Agent or Agents for Prizes or Bounty Money shall be liable to be sued, impleaded, or arrested, by any Person or Persons who shall be made Run from his Majesty's Service in the List to be duly certified of the Names of the Officers, Seamen, Marines, Soldiers, or others, who shall be actually on board any of his Majesty's Ships of War at the taking of any Prize or Prizes, unless the Person or Persons so made Run shall, before any Action brought, obtain a Certificate of his or their R or R's being taken off, and the Forfeiture of his or their Shares of such Prizes and Bounty Monies being discharged by the Commissioners of his Majesty's Navy who subscribed the said List, and shall produce such Certificate to the said Agent or Agents respectively, and unless the said Agent or Agents, on the producing of such Certificate or Certificates, shall refuse to pay the said Prize or Bounty Money, in case the same be due and payable according to the Directions in his Majesty's Proclamation, within three Months after any such Demand made and such Certificate produced.

Notice of Distribution of Bounty Bills (See § 37.) shall be inserted in the Gazette.

LXXIII. And be it further enacted, That, from and after the passing of this Act, all and every Person and Persons, Agent and Agents, already appointed or to be appointed by the Flag Officers or Flag Officer, Captains or Captain, Officers or Officer, Ships' Companies or Ship's Company, and others, of any of his Majesty's Ships or Vessels of War, or hired armed Ships, for the Distribution of any Bounty Bill or Bills given or granted by virtue of this Act, shall insert and publish, or cause to be inserted and published under his or their Hand or Hands, in the *London Gazette*, three Days at least before the Payment or Distribution of any such Bounty Bill or Bills, publick Notification of the precise Day of the Month and Year appointed for the Payment of such Bounty Money, and shall insert in every such Notification the Place or Places of his or their Abode.

"Where Notifications of Payments have been or shall be given before the Time or without the Requisites directed by § 56, &c. such Notifications may be given as to Prizes condemned in *Great Britain* before Dec. 26, 1803; in *Europe* or *America* before 25 March 1804; or elsewhere, before 25 June 1804, § 74."

Application of Penalties not otherwise disposed of.

LXXV. And be it further enacted, That all Penalties and Forfeitures inflicted by this Act, other than such as are otherwise particularly disposed of, shall be applied, one Moiety to the Informer or Informers, and one Moiety to the Use of the Royal Hospital for Seamen at *Greenwich*.

How Penalties given to Greenwich Hospital may be sued for.

LXXVI. And be it further enacted, That all Penalties and Forfeitures, and Parts of Penalties and Forfeitures, given or to be given to the Use of the said Royal Hospital at *Greenwich* by this present Act, or by any other Act or Acts of Parliament, shall and may be sued for and recovered in the Name of the Commissioners and Governors of the Royal Hospital for Seamen at *Greenwich* in the County of *Kent*.

Sessions for the Trial of Offences committed on the High Seas shall be held twice a Year.

LXXVII. 'And, for the more speedy bringing of Offenders to Justice, and to prevent the Inconveniencies occasioned by the Want of frequently holding a Session of Admiralty for the Trial of Offences committed on 'the High Seas;' be it further enacted, That, from and after the passing of this Act, a Session of Oyer and Terminer and Gaol Delivery for the Trial of Offences committed on the High Seas, within the Jurisdiction of the Admiralty of *England*, shall be held twice at the least in every Year at *Justice Hall* in the *Old Bailey*, *London*, (except at such Times as the Sessions of Oyer and Terminer and Gaol Delivery for the City of *London* and County of *Middlesex* shall be appointed to be there held,) or in such other Place within that Part of *Great Britain* called *England*, and at such Times in each Year, as the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any three or more of them, shall, by any Letter or Order in Writing under their Hands, directed to the Judge of the High Court of Admiralty of *England* for the Time being, appoint.

Justices of Peace, as well as Commissioners of Oyer and Terminer, may take Information of Offences at Sea, and commit Offenders for Trial.

LXXVIII. And be it further enacted, That, from and after the passing of this Act, it shall and may be lawful, not only to and for any one or more of the Commissioners for the Time being, named in the Commission of Oyer and Terminer for the trying of Offences committed within the Jurisdiction of the Admiralty of *England*, but also to and for any one or more of the Justices of the Peace for the Time being of any County, Riding, Division, or Place within that Part of *Great Britain* called *England*, and they are hereby respectively authorized and empowered, from Time to Time, to take any Information or Informations, of any Witness or Witnesses, in Writing upon Oath, touching any Murder, Piracy, Felony, or Robbery, done or committed, or charged to have been done or committed in or upon the Sea, or in any Haven, River, Creek, or Place, where the Admiral or Admirals hath or have Power, Authority, or Jurisdiction, and thereupon (if such Commissioner or Commissioners, or Justice or Justices of the Peace respectively shall see cause), by any Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to cause the Person or Persons accused in such Information or Informations, to be apprehended and committed to the Gaol of the County or Place wherein the same Information or Informations shall be taken, there to remain until discharged by due Course of Law.



LXXIX. And it is hereby further enacted, That such of the said Commissioners or Justices of the Peace, who shall cause any such Person or Persons to be committed as is last mentioned, shall, and he or they is or are hereby respectively required at the same Time, to oblige all and every such other Person or Persons, whom such Commissioner or Commissioners, or a Justice or Justices of the Peace, shall judge necessary, to prosecute and give Evidence against the Person or Persons who shall be so committed as aforesaid, to enter into one or more Recognizance or Recognizances to his Majesty, in a sufficient Penalty for his, her, or their appearing at the then next Session of Oyer and Terminer and Gaol Delivery, to be held for the Jurisdiction of the Admiralty of England, there to prosecute and give Evidence against the Person or Persons who shall be committed as aforesaid; and if any Person shall refuse to enter into such Recognizance to prosecute or give Evidence, as shall be required, he, she, or they so refusing shall be committed by any such Commissioner or Commissioners, Justice or Justices, to the Gaol of the County or Place in which the Person so refusing shall be, until the next Sessions of Admiralty shall be held, or such Persons shall enter into such Recognizance as shall be required as aforesaid; which Recognizance or Recognizances, together with the Information or Informations taken touching the Offence or Offences wherewith the Person or Persons to be committed as aforesaid shall be charged, the said Commissioner or Commissioners, or Justice or Justices of the Peace, before whom the same shall be taken, shall, and they are hereby respectively required to transmit, with all convenient Speed, to the Register for the Time being of the High Court of Admiralty of England, to be by him forthwith laid before the Judge for the Time being of the same Court, and afterwards to be kept among the Records of that Court.

Such Justices, &c. may require Recognizances from Witnesses, or on Refusal commit them; and shall transmit Informations, &c. to the Admiralty Court.

LXXX. And be it further enacted, That the Marshal of the Admiralty for the Time being, and his Deputy or Deputies, and all Sheriffs, Bailiffs, Stewards, Constables, Headboroughs, Tything Men, Keepers of Gaols and Prisons, and all other Officers whatsoever for keeping of the Peace (as well within Liberties as without), shall, and they and every of them are hereby respectively authorized and required from Time to Time diligently to execute, perform, and obey all such Precept and Precepts, Warrant and Warrants, and other Order and Orders, as shall at any Time or Times hereafter be made, directed, issued, or given to them or any of them respectively, by one or more of the said Commissioners named in the Commission of Oyer and Terminer, or Justices of the Peace, by virtue or in pursuance of this Act, touching any of the Matters or Things herein contained.

Marshal of the Admiralty, &c. shall execute Warrants.

LXXXI. Provided always, and be it further enacted, That this Act shall continue in Force during the present War and no longer, save and except as to all such Matters and Things as shall be depending in Judgement in the High Court of Admiralty, or other Courts of Admiralty in his Majesty's Dominions abroad, or Court of Appeal, or in any Court of Record in Great Britain, at the Time when the present War shall cease; and also save and except as to all such other Matters and Things which shall be brought into Judgement before the said High Court of Admiralty, or other Courts of Admiralty in his Majesty's Dominions abroad, or Court of Appeal, or in any Court of Record in Great Britain, in consequence of any Capture or Captures made during the present War, or of any Offence committed contrary to this Act; in respect whereof this Act shall continue in full Force, until such Matters and every Thing dependant thereupon shall be finally adjudged and determined.

Continuance of Act, during the War, except as to Matters in Judgement.

#### C A P. CLXI.

An Act for repealing the several Duties under the Management of the Commissioners for the Affairs of Taxes, and granting new Duties in lieu thereof; for granting new Duties in certain Cases therein mentioned; for repealing the Duties of Excise on Licences, and on Carriages constructed by Coachmakers, and granting new Duties thereon under the Management of the said Commissioners for the Affairs of Taxes; and also new Duties on Persons selling Carriages by Auction, or on Commission. [12th August 1803.]

WHEREAS the several Acts in relation to the Duties on Houses, Windows, and Lights, and to the Duties on Inhabited Houses, which were consolidated with the Duties granted by an Act, passed in the last Session of Parliament, intituled, *An Act for granting to his Majesty certain additional Duties on Windows or Lights, and on Inhabited Houses, and for consolidating the same with the present Duties thereon*; and also the several Acts in relation to the Duties on Male Servants, Carriages, Horses, Mules, and Dogs, which were consolidated with the Duties granted by another Act, passed in the last Session of Parliament, intituled, *An Act for granting to his Majesty certain additional Duties on Servants, Carriages, Horses, Mules, and Dogs, and for consolidating the same with the present Duties thereon*; and also certain Acts, passed in the thirty-sixth and forty-first Years of the Reign of his present Majesty respectively, intituled, the one thereof, *An Act for repealing the Duties on Licences to Persons using or exercising the Business of an Horse-Dealer, and granting new Duties in lieu thereof*; and the other thereof, *An Act for transferring the Receipt and Management of the Duties on Licences for using or exercising the Trade and Business of an Horse-Dealer from the Commissioners of Stamps to the Commissioners for the Affairs of Taxes, and also for making further Provisions in respect to the said Duties so transferred*; and also an Act, passed in the forty-first Year of the Reign of his present Majesty, intituled, *An Act for transferring the Receipt and Management of certain Duties on Certificates for wearing Hair Powder, or using Armorial Bearings, from the Commissioners of Stamps to the Commissioners for the Affairs of Taxes, and also for making further Provisions in respect of the said Duties so transferred*; might be more effectually carried into Execution, if the Provisions for ascertaining, charging, and assessing the same, were comprised in one Act, and varied and amended in some Respects; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament

42 G. 3. c. 34.

42 G. 3. c. 37.

36 G. 3. c. 17.

41 G. 3. (U.K.) c. 71.

41 G. 3. (U.K.) c. 69.