

from passing his Land Tax Accounts in the Exchequer, either for the Year ending the Twenty-fifth Day of *March* One thousand seven hundred and ninety-nine, or for any subsequent Years, within the Periods prescribed by Law for passing Accounts of Land Tax by Receivers, it shall be lawful for the said Commissioners, or any Three or more of them, by Writing under their Hands, to authorize and empower such Receiver to set *in super* or charge such County, Division, or Place, for any Monies granted by virtue of an Act, passed in the Thirty-eighth Year of His present Majesty's Reign, for granting an Aid to His Majesty by a Land Tax, which shall be in arrear and unpaid; and in every such Case it shall be lawful for such Receiver to set *in super* and charge such County, Division, or Place, for the Monies so in arrear and unpaid, in like Manner in all Respects, and such and the like Procefs may and shall thereupon issue for the Recovery thereof, as if such Accounts had been declared and passed in the Exchequer, within the Period prescribed by Law for passing Accounts of Land Tax by Receivers. 38 G. 3. c. 5.

C A P. LXXII.

An Act for the Encouragement of Seamen, and for the better and more effectually manning His Majesty's Navy during the present War.—[27th June 1805.]

WHEREAS an Act, passed in the Forty-third Year of the Reign of His present Majesty, intituled, *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:* And whereas since the passing of the said Act, and the issuing of the several Orders and Proclamations therein mentioned, divers injurious Proceedings have also been had in certain Countries, styling themselves, *The Italian and Ligurian Republicks*, and in *Spain*, in Derogation of the Honour of His Majesty's Crown, and the just Rights of His Subjects: And whereas His Majesty, by His Order in Council, dated the Seventeenth Day of *August* One thousand eight hundred and three, was pleased to order that general Reprisals be granted against the Ships, Goods, and Subjects of Countries styling themselves *The Italian and Ligurian Republicks:* And whereas His Majesty, by His Order in Council of the Eleventh Day of *January* One thousand eight hundred and five, was pleased to order, that general Reprisals be granted against the Ships, Goods, and Subjects of the King of *Spain*, 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 the said Countries, or the King of *Spain*, or to any Persons being Subjects of the said Countries, or of the King of *Spain*, or inhabiting within any of the Territories of the Countries, styling themselves *The Italian and Ligurian Republicks*, or the King of *Spain:* And whereas His Majesty hath, by His Royal Munificence, been graciously pleased, by His Proclamation dated the Thirty-first Day of *January* One thousand eight hundred and five, 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: And whereas it is expedient to make further Regulations as to Prize Agents, and the Business of Prize Agency, and it will greatly tend to the better Execution of the Provisions of the said Act, and of such other Provisions as may be necessary, for regulating the Distribution of Prize Money, that the Whole thereof should be consolidated into One Act, and for that Purpose that the said recited Act should be repealed: 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 said recited Act shall be, and the same is hereby repealed, save and except as to all Acts, Matters, and Things done, or required to be done under the same, or in pursuance of any of the Clauses or Provisions thereof; which shall be, and are hereby declared to be as good, valid, and effectual, and remain in full Force, to all Purposes, as if the same had been done under and in pursuance of the Provisions of this Act. 43 G. 3. c. 160.

II. And be it further enacted, That the Flag Officers, Commanders, and other Officers, Seamen, Marines, and Soldiers, on board any 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, in the said Act described, which they have taken since the Sixteenth Day of *May* One thousand eight hundred and three, or the Sixteenth Day of *June* respectively; and of and in all and every Ship, Vessel, Goods, and Merchandize, in the above-mentioned Orders of Council described, which they have taken since the Seventeenth Day of *August* One thousand eight hundred and three, and the Eleventh Day of *January* One thousand eight hundred and five, 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 the Sixteenth Day of *June* in the same Year, and Seventeenth Day of *August* One thousand eight hundred and three, and the Eleventh Day of *January* One thousand eight hundred and four, 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 Proclamations of the Seventh Day of *July* One thousand eight hundred and three, and the Thirty-first Day of *January* One thousand eight hundred and five, respectively. Recited Act repealed, except as to Proceedings under the same. 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.

hundred and five, or as His Majesty, His Heirs and Successors, may order and direct, by any Proclamation or Proclamations hereafter to be issued.

Arms, Ammunition, &c. taken in any Fortrefs 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 not claimed within Six Years, forfeited to Greenwich Hospital, unless Disability is removed.

Head Money, i. e. Bounty of 5l. shall be paid to the Officers and 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 or Certificate of Number actually on board.

III. 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 Fortrefs 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 Fortrefs 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 conjunct Expeditions of the Navy and Army against any such Fortrefs 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 Expeditions, 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 Fortrefs; 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 Fortrefs, after final Adjudication thereof as lawful Prize.

IV. 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 Fortrefs 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 the 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 Fortrefs: Provided also, that the Shares of Prize of all such Officers and Seamen who shall be marked on the Books of any Ship or Vessel in the Service of His Majesty, His Heirs and 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 Six Years after the same have been paid to the Treasurer of *Greenwich* Hospital, 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 Directors of the said Hospital for the Time being, or any Five or more of them, or by the Judge of the High Court of Admiralty, why such last-mentioned Shares were not claimed in due Time.

V. 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 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 Ships, 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 Vessel 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 of 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 other destroyed, shall be brought, or before the *British* 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, and

to

to the best of his or their Knowledge and Belief, no other Person or Persons belonging to the Enemy's Ships or Ship 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 authentic 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, as 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 herein-before 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 always, 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 Ships

Summary Determination.

VI. And be it further enacted, That the Bill or Bills to be made out for the Bounty hereby granted to the Commanding 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 such Prizes in respect of which such Bounty shall be payable, 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 the Times prescribed for the Demand of Prize Money, shall be 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.

VII. 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 approved 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 the Decree of the said Court of Admiralty, accordingly restored to such former Owner or Owners, or Proprietor 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 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

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;

or according to Directions of Court of Admiralty.

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

Prize Regulations extended to Head Money (See *f. 5.*) and Salvage (*f. 7.*)

Admiralty may issue Letters of Marque.

26 G. 3. c. 60.

34 G. 3. c. 68.

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

Proviso as to Privateers in Service of Customs and Excise.

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

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 Office of

faid 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.

VIII. And be it further enacted, That all Regulations herein contained respecting Prizes, shall apply to all Cases of Bounty Money granted by this Act, and of Salvage upon Recaptures from His Majesty's Enemies.

IX. 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 herein-after 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, surprizing, 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 and 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, 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 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.

X. 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, Customer, or Searcher, for the Time

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, Customer, or Searcher; and the said Collector, Customer, 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 and Description inserted in such Commission or Letter of Marque as aforesaid, or be of greater Burthen or Force than shall be mentioned in such Commission or Letter of Marque, then, and not otherwise, such Collector, Customer, 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 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 Cruise 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, and shall also be imprisoned for such Space of Time as such Court shall direct, not exceeding One Year for any One Offence.

Customs there shall inspect Vessel, and certify Compliance with Commission.

Penalty on Commanders departing without a Certificate, or with a Force inferior, 1000*l.* and Imprisonment.

XI. 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, and 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.

Security shall be taken before granting Letters of Marque.

Oath and Inquiry as to Sufficiency of Sureties.

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 every 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: 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.

Penalty on Officers of the Customs granting false Certificates. Incapacity and 100*l.*

Burthens of Vessels shall be ascertained by Certificates of Registry, except as to Revenue Vessels.

[*Secs.* 9.]

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.

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

XIV. Provided also, and be it further enacted, That in case the Owner or Owners, Commander and 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 any other Penalties and Forfeitures which he or they shall have incurred by reason of such Offence.

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

XV. And be it further enacted, That it shall be lawful 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 or 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 Orders in Council, or this present Act: Provided nevertheless, that the Secretary of the Admiralty for the

Admiralty may revoke Letters of Marque.

Time

Notice of such Revocation shall be given to the Owners. At what Periods Letters of Marque so revoked shall expire.

Council may supersede such Revocation.

No captured Vessel belonging to His Majesty's Subjects shall be ransomed, unless in extreme Necessity.

Contracts for Ransom shall be void.

Penalty on Persons ransoming, 500l.

Penalty on Commanders of Privateers ransoming.

Forfeiture of Letter of Marque, and Penalty not exceeding 100l.

Prizes collusively restored, shall be Prizes to His Majesty.

Penalty on restoring Prizes collusively by Privateers Forfeiture of Bond. See s. 11. by Captains of King's Ships, 2000l.

Time being shall, with all convenient Speed, after every and any 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, her, 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 Finisterre*, 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 and after such respective Notices shall be given as aforesaid; that 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 as aforesaid, may complain thereof to His Majesty in Council within Thirty Days next after the Secretary to 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 and 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.

XVI. 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.

XVII. 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.

XVIII. 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.

XIX. And be it further enacted, That in case at any Time or Times any Commander or Commanders of any of His Majesty's Ships or Vessels of War, or of any hired armed Ship in His Majesty's Service, or 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 their 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 or Commanders of such Ship or Vessel of War, or hired armed Ship, or 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 case of extreme Necessity, to be allowed by the Court of Admiralty, shall forfeit and suffer such Penalty or Fine as the Court shall adjudge, not exceeding the Sum of One hundred Pounds; and the Commander of such private Ship shall likewise forfeit his Letter of Marque.

XX. 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, clandestinely, or by Collusion or Connivance, or by Consent (unless the same shall be afterwards allowed and approved of by the Court of Admiralty) 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, and any Bond given by the Captain or Commander of such 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, clandestinely, or by Collusion or Connivance, or by Consent (unless the same shall afterwards be allowed and approved of by the Court of Admiralty) of such Commander, Captain, or other Officer, shall forfeit the Sum of One thousand Pounds, 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 are hereby directed to be adjudged in all Courts of Admiralty having legal Cognizance thereof, as good Prize to His Majesty.

XXI. Provided

XXI. 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 failed; and it shall be lawful for the Master, the Owners, or their Agents, with the Consent of the Recaptors, to unlade and dispose of their Cargoes before Adjudication; and in case the Vessel shall not return directly to the Port from whence she failed, or the Recaptors shall have had no Opportunity of proceeding regularly to the 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.

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

XXII. 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.

XXIII. 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 the Share of all and every such Prize to His Majesty, for the Use of *Greenwich Hospital*.

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

XXIV. 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, 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 Officer 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 Court shall adjudge.

Penalties on Captains of Merchant Ships disobeying Signals of Commander of the Convoy, cool and Imprisonment. Privateers while under Convoy, shall not share Prizes, unless ordered to act.

XXV. 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 hostilely against the Enemy, and shall have been actually aiding and assisting in such Captures.

XXVI. 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 disciplining 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, 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 to the 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.

XXVII. 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,

Prizes shall be liable to Duties and

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 Market 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.

but which may be remitted.

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

XXVIII. 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*, or of other Countries at War with His Majesty, 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.

Prize Vessels condemned demed British-built, being registered under 25 G. 3. c. 60.

XXIX. And be it further enacted, That all Prize Ships or Vessels which shall be legally condemned, or shall be sold under any Decree of the High Court of Admiralty, 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 and 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 any anywise notwithstanding.

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

XXX. And be it further enacted, That if any Commander or Commanders, Officer or Officers, Scamen, 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.

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

XXXI. 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.

Penalty for Breach of Intrudions relative to Prizes, or Offences by Captors against the Law of Nations.

XXXII. 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.

His Majesty may appoint Salaries for Judges of Vice-Admiralty Courts at

XXXIII. And be it further enacted, That it shall be lawful for His Majesty, His Heirs and Successors, by any Order in Council, from Time to Time 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 the Lords of the Session, Lords Commissioners of Jusiciary 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.*

Bahama, Bermuda, and Malta, not exceeding 2000l. per Annum as under 39 G. 3. c. 110.

“ His Majesty may allow such Judges on their Resignation 1000l. per Annum after Six Years Service, or in case of permanent Infirmary, § 34.—Profits of Judges shall not exceed 2000l. beyond their Salaries.—“ Account thereof shall be transmitted to Navy Board, § 35.”—[See 41 G. 3. (U.K.) c. 96.]

XXXVI. Provided also, and be it further enacted, 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, except so far as the same, or any of them, are by this Act altered or varied, or in respect of which other Provisions are made.

This Act shall not affect 41 G. 3. (U.K.) c. 96.

XXXVII. 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.

His Majesty may give Directions to Courts of Admiralty.

XXXVIII. And be it further enacted, That a Table of Fees, authorized as aforesaid, shall be suspended in some conspicuous Part of the Court in which the several Judges of the Vice-Admiralty Courts shall hold their Courts; and that no Judge or Surrogate, Register or Deputy Register, nor any Marshal or Deputy Marshal, of or belonging to any of His Majesty's Courts of Vice-Admiralty, shall, either directly or indirectly, by himself or themselves, or by any Agent or Agents, or other Person or Persons whomsoever, receive or take any Fee beyond those specified in the Table aforesaid; and that every Judge or Surrogate, Register or Deputy Register, Marshal or Deputy Marshal, who shall be guilty of such Offence (being thereof lawfully convicted, either upon Information or Indictment in Manner aforesaid), shall from thenceforth absolutely forfeit his respective Office and Employment of Judge or Surrogate, Register, Deputy Register, Marshal or Deputy Marshal, in or belonging to the same Court.

Table of Fees shall be hung up in Vice-Admiralty Courts.

Penalty on Officers taking undue Fees, Forfeiture of Office.

XXXIX. And be it further enacted, That the demanding or receiving any Sum or Sums of Money, other than the Fees aforesaid, shall be deemed and taken to be Extortion, and a Misdemeanor at Law, and shall be proceeded against and punished as such under and by virtue of this Act.

Demanding or receiving extra Fees deemed Extortion.

XL. 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 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 or Plantations 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.

No Judge or Officer of any Court of Admiralty nor Person practising therein shall be interested in any Privateers. Penalty Forfeiture of Office; 500l. and Disability.

XLI. 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.

Register, Marshal, &c. shall not act as Advocate or Proctor on the Court to which he belongs. Penalty, Forfeiture of Office

XLII. And be it further enacted, That no Proctor or other Person practising as Proctor in any Court or Courts, being employed by any Captor or Captors, Claimant or Claimants, shall be concerned, by himself or his Partner, or by any Person or Persons, directly or indirectly, on Behalf of the adverse Party or Parties, in the Suit or Matter wherein he may be employed, nor shall receive any Allowance from the Bills, nor in any Manner whatsoever participate in the Profits of the Proctor or other Person conducting or employed

Proctors shall be concerned only for One Party.

Penalty For-
feiture of Office;
cool. and
Disqualification.

in the Cause of the adverse Party or Parties, and in case any Proctor or other Person practising as Proctor in any Court or Courts, shall, notwithstanding this Act, be directly or indirectly concerned or interested as aforesaid, he shall for every such Offence (being thereof lawfully convicted, either upon Information or Indictment in Manner aforesaid) absolutely forfeit his Office or Employment in or belonging to any such Court of Admiralty or Vice-Admiralty of what Kind or Nature soever, and shall forfeit and pay to the Use of His Majesty, His Heirs and Successors, for every such Offence the Sum of Five hundred Pounds; and such Proctor or other Person respectively shall for such last-mentioned Offence, being thereof lawfully convicted in Manner aforesaid, be from thenceforth absolutely disqualified and rendered incapable of practising as a Proctor or otherwise, in any of His Majesty's Courts of Admiralty or Vice-Admiralty wherefoever.

Regulations
respecting the
Condemnation
of Prizes.

XLIII. '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 then 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 of the 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 Examination, 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 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.

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.

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

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

XLIV. 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.

XLV. 'And, for the Encouragement of the Capture of such armed Ships, belonging to the Enemy,' be it further enacted, That it shall be lawful 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 Seventy 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.

XLVI. And

XLVI. 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.

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

XLVII. And be it further enacted, That no Claim on Behalf of any asserted joint Capture shall be admitted before Condemnation, unless Security be given at the Time of entering the same, that the Party shall contribute to the actual Captor his Proportion of all Expence that shall attend the obtaining the Adjudication, as well in the first Instance as upon the Appeal, and likewise his Proportion of all Costs and Damages that may be awarded against the actual Captor on account of the Seizure and Detention; and after final Condemnation, no Allegation setting forth such asserted Interest shall be admitted unless the Party shall have previously paid his Proportion of all such Expences as shall have attended the obtaining such final Condemnation, and unless he shall have shewn sufficient Cause to the Court why such Claim was not asserted at or before the Return of the Motion: (Provided always, that nothing herein contained shall extend to the asserted Interest of any Admiral or Flag Officer claiming to share in any Prize by virtue of his Flag.)

Claims of asserted joint Capture shall not be admitted but on Security or Payment of Share of Expences, &c.

Except for Flag Officers.

XLVIII. 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, and a similar List shall in like Manner be transmitted to the Treasurer of Greenwich Hospital or his Deputy.

Registers of Vice-Admiralty Courts shall transmit to Doctors Commons and Greenwich Hospital, Lists of Prizes adjudged.

XLIX. 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 under the Great Seal of Great Britain for receiving 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 Definitive 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.

Appeals may be made to Commissioners for hearing Prize Causes.

L. 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 their Agent or Agents, shall at the same Time enter his or her Claim, otherwise such Appeal shall be null and void.

Appellants not Parties in the First Instance shall enter their Claims on Appeals.

LI. And whereas great Inconveniences 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 in 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.

Appellants shall take out Inhibitions within Twelve Months.

unless on Special Cause.

LII. 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

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

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.

Pass for captured Vessels.

Directions for appointing Prize Agents.

LIIII. And be it further enacted, That all Appraisements and Sales of any Ship or Ships, Goods, Wares, and Merchandize, as shall be taken by any Ship or 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 Officers and others described in His Majesty's said Proclamations, and usually designated the Commissioned and Warrant Officers, may appoint a like Number to act for them; and all the Remainder of the Crew, usually designated the Petty Officers, and the Seamen or Marines, may appoint a like Number.

Agents shall register their Powers of Attorney.

LIV. 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 herein-after granted, shall exhibit and cause to be registered in the said High Court of Admiralty in *Great Britain*, in the respective Courts of Vice-Admiralty in *America*, or in any other of 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 hundred Pounds, and shall be disqualified for acting as Agent for any such Prize or Prizes.

Penalty 500l. and Disability.

Penalty on Agents permitting others to have any Share, &c. in Commission, and on Person receiving any such Share, &c. 100l. and Double the Sum received.

LV. And be it further enacted, That no Person or Persons, except the Person or Persons so to be nominated and appointed Agent or Agents, and who shall actually discharge the Duties of Agent, shall, under any Colour or Pretence, receive any Part, Share, or Proportion of any Commission in respect of such Agency Business, or any Emolument, Advantage, or Benefit out of any such Commission; and all and every Person or Persons so nominated and appointed Agents or Agent, who shall give to, or allow to be taken by any other Person or Persons, and every Person who shall take, accept, or receive, either himself, or by any other Person on his Behalf, or for his Use, Benefit, or Advantage, or the Use, Benefit, or Advantage of any Part of his Family, any Part, Share, or Proportion of any such Commission, or any Emolument, Advantage, or Benefit thereout, shall, for every such Offence, forfeit and pay the Sum of One hundred Pounds, and also Double the Amount or Value of what shall have been so given, or allowed to be taken, or shall have been so taken and received as aforesaid.

Registers of Courts of Admiralty shall enter Powers of Attorney.

LVI. 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 Five hundred Pounds: Provided always, that if any Agent or

and transmit Copies Half Yearly to Greenwich Hospital, Penalty 500l.

Agents

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.

Agents appointed after Condemnation of Prizes shall register their Powers.

LVII. 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, with Two Sureties, by a joint and several Bond, 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.

Agents shall give Security in 5,000l. Penalty Incapacity.

LVIII. And be it further enacted, That the Register or Registers of all and every the Court and Courts of Vice-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 or 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.

Registers of Vice-Admiralty Courts in *America* shall transmit to *Greenwich Hospital* Copies of Letter, of Attorney registered in their Courts.

Penalty 500l.

LIX. 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 notwithstanding.

Copies of Letters of Attorney and Registry shall be Evidence of Agency. [And see s. 77.]

LX. And be it further enacted, That upon every Capture there shall be sent by the Captain or Commander of the captured Ship, or some Person under his Authority, to the Agent or Agents for such Capture a List of the Persons entitled to share therein, which Prize List shall be subscribed by the Lieutenant, and all the signing Officers then on board the Ship, and shall contain the Names, Ages, and Descriptions of the Persons entitled to share therein, the Names being arranged in the same Order in which they stand in the Muster Books, which said Names and Descriptions shall be taken from the Description Book belonging to the said Ship, and an Alphabetical List or Index of the Names of all such Persons shall be prefixed to such Prize List, and the same shall be examined with and corrected by the Muster Books of such Ships, by which such Captures shall be made, deposited in the Navy Office, and shall be certified by Two of the Commissioners of His Majesty's Navy; and in case no such Prize List as aforesaid shall be sent to such Agent or Agents, he or they shall apply to the Commissioners of the Navy for a List of the Persons entitled to share in such Capture, and such last mentioned List shall thereupon be made out from the Returns in the Office of the said Commissioners of the Navy, who shall cause the same to be made out, and certify the Truth thereof under their Hands, or under the Hands of any Two or more of them; and any Person or Persons who shall alter the Name or Rating of any Person or Persons in any List which shall have been so certified as aforesaid, or erase or take away any Name therefrom, or add any Name thereto, after the same shall have been so certified as aforesaid, with Intent to defraud any Person or Persons, or Corporation whatsoever, shall forfeit the Sum of Five hundred Pounds: Provided always, that in case it shall appear at or before Distribution, that any Error has been committed in the Prize List, or in the Muster Books transmitted to the Navy Office, nothing herein contained shall extend to prevent the Correction of such Error; nor in case of the Omission of any Name on the Distribution List, such Omission having been made through Error, to charge the Agent further than with Payment of the Sum due, together with all Expences of the Party in recovering the same: Provided also, that if any Agreement shall have been made with any Person or Persons not entitled under His Majesty's Proclamation, or the Prize Act, to share in any Capture, the Agent, or Hospital, making Distribution according to such Agreement admitted and acknowledged by the Persons entitled under the said Proclamation or Act of Parliament, shall not be liable to any Penalty on that Account.

Regulations as to Prize List to be sent to Agents.

Penalty on altering Prize List 500l.

LXI. And be it further enacted, That whenever a Distribution shall have been made upon any Prize List, and certified as herein directed, the Agent or the Hospital making the same shall not be liable to any Penalty, Suit, or Action, otherwise than before mentioned, in consequence of any Error or Omission in the said List.

Agent, &c. not answerable for Errors in Prize Lists. [See s. 60.] On Condemnation in Vice-Admiralty Courts, where no Claimant appears,

LXII. And be it further enacted, That in all Cases of Condemnation in any Vice-Admiralty Court, where there is no Claimant or Appellant before the Court, it shall be lawful for the Judge to compel the Agent, at the Requisition of the Captor, to give Security at the Time of Condemnation for the faithful Distribution of the Proceeds, or for the remitting thereof to the Treasurer of *Greenwich Hospital*, or to such Persons in

England

Agent shall give Security.

On such Condemnations either in Admiralty or Vice-Admiralty Courts, Agents may be compelled to vest the Proceeds in publick Securities.

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

Lords of Appeals may order Proceeds to be paid into Court.

Agents shall transmit Accounts of Condemnation and State of Proceeds to Greenwich Hospital, Penalty 500l.

Before Payment of Prizes, Agent shall exhibit to Court of Admiralty a Copy of Account of Sale. Penalty 500l. &c.

Agents shall advertise their exhibiting Accounts of Sales.

Agency shall be on Net Proceeds. Time of Distribution of Proceeds by Agents.

England as the Captors shall appoint, under the Directions of the Court, for the Purpose of being distributed in *England*.

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 Procefs 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.

LXIV. 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, or of the Treasurer of *Greenwich Hospital*, or his Deputy or Deputies for such Purpose, 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 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; and in case either Party shall refuse his Consent thereto, the Party praying the same shall have such Proceeds laid out and invested in publick Securities for his Use and Benefit, he giving good and sufficient Security to the Court to answer to the other Party for any Loss or Deficiency that may be occasioned thereby, in case such other Party shall be ultimately pronounced to be entitled to the Property.

LXV. And be it further enacted and declared, That the Lords Commissioners of Appeals are authorized and empowered in any Case of Appeal before them, to order at their Discretion the Proceeds of any Prize, the subject of such Appeal, or any Part or Parts thereof, to be paid by the Agent or Agents for such Prize, at the Requisition of the Captors or Claimants, into the Court, to be laid out or disposed of at the Discretion of the Court on any Application made for that Purpose either by the Captors or Claimants.

LXVI. And be it further enacted, That every Agent resident in the United Kingdom shall, within Six Weeks after any Condemnation in the High Court of Admiralty, transmit a Notice of such Condemnation to the Treasurer of *Greenwich Hospital*, or his Deputy, together with an Account of the State of the Property condemned at the Time of such Transmission, on Pain of forfeiting for every Neglect the Sum of Five hundred Pounds, unless a reasonable Cause be shewn to and approved by the Court of Admiralty.

LXVII. And be it further enacted, That every Prize Agent shall, after the Sale of any Prize is completed, and before the Time of the First Payment of the Prize Money to be distributed, or at any Time thereafter, at the Direction of the Court, exhibit in the respective Court of Vice-Admiralty in which the Prize shall have been condemned, or in the High Court of Admiralty, and if such Prize shall have been condemned in any Court of Vice-Admiralty abroad, shall, as soon as the same can be done, transmit to the High Court of Admiralty in *England* an attested Copy of the detailed Accounts of the Sales of such Prize, duly verified upon Oath, together with attested Copies of all Vouchers required by the Court, which Copies, so transmitted to the said High Court of Admiralty, shall be deposited in the publick Registry thereof, and all Parties interested therein shall have Liberty to object to the Charges and Articles 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, and 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 and transmitted a Copy of the said Accounts, duly verified on Oath in Manner aforesaid, or who shall refuse or neglect to obey any Order of any Court of Admiralty, for the Distribution of the Proceeds of any such Prize or Prizes, shall forfeit the Sum of Five hundred Pounds of lawful Money of *Great Britain*, and shall moreover be subject to the Procefs of the Court of Admiralty, by Monition and Attachment, until he shall have obeyed the Order of the said Court; 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.

LXVIII. 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.

LXIX. And be it further enacted, That, from and after the passing of this Act, the Per-Centage for Agency shall be charged upon the Net Proceeds of any Prize or Prizes, Bounty Bills or Salvage.

LXX. And be it further enacted, That no Agent shall be compellable to distribute any Proceeds of any Prize, except in the Cases in this Act mentioned, until after the Time of Appeal has lapsed, and every such Agent shall, as far as he is able, complete the Distribution of such Proceeds within Three Months from the Time of commencing the same.

LXXI. And

LXXI. And be it further enacted, That it shall be lawful for the Judge of the High Court of Admiralty, in all Cases, either in the present War or in any former War, in which the regular Time of Appeal is elapsed, or in which the Appeal hath been determined, or for any Judge of any Court of Vice-Admiralty abroad, in any such Case as aforesaid, to which any Certificate from the Judge of the High Court of Admiralty shall be transmitted of the Time of Appeal being elapsed, without further Prosecution, together with an Order of Distribution thereon, to make an Order for Production and Verification of Accounts, and for the Distribution of the Proceeds, and to enforce the same by the Process of the said Court by Monition and Attachment upon the Agent or Agents in whose Hands the Proceeds may be lodged, or any other Person whomsoever to whom such Proceeds may have been committed, and likewise by further Process against the Sureties of the said Agent or Agents; and all Courts of Vice Admiralty in *America* or elsewhere, are hereby empowered, directed, and required, to enforce upon all Persons within their Jurisdiction all such Orders, and all other Orders of the High Court of Admiralty, whether relating to Prizes, or to any Matter or Thing relating thereto, within their respective Jurisdictions.

Judge of Admiralty and Vice-Admiralty Courts shall order and enforce Distribution of Proceeds after Lapse of Time for Appeal.

LXXII. And be it further enacted, That if the Judge of the High Court of Admiralty, or of the Vice-Admiralty Court, in which any Prize shall have been condemned, shall certify that the Ship or Vessel so condemned failed under the Flag and Pass of the Enemy, or under any Commission of War granted by the Enemy, then and in such Case, on the Application or by the Direction of the Captain or other Commander of the Ship or Vessel making such Capture, the Proceeds shall be distributed, and an Order of the Court may be obtained at his Prayer, on the Agent or Agents, to distribute the Proceeds of such Prize before the Time of Appeal lapsed, subject nevertheless to the Liability of the Captor to answer any Appeal that may be instituted thereafter during the Time limited by Law for Appeals.

On Certificate of Prize failing under Flag or Pass of Enemy, Proceeds may be distributed sooner.

LXXIII. 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 herein-after 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 Appraisement 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 publick 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 if no Newspapers are there published, then by affixing Notice to the Church, or some other publick Building directed by the Governor 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, Comptroller, 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, Comptroller, or Searcher, and if there shall be no such Collector, Comptroller, or Searcher, then such Person 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, Comptroller, or Searcher, or the Deputy or Deputies of such Collector, Comptroller, or Searcher; or where there shall be no such Collector, Comptroller, or Searcher, to such principal Officer or Officers, or his or their Deputy or Deputies aforesaid; and every such Collector, Comptroller, 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 each of 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 of the said Gazettes, Newspapers, or written Notifications, directed 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 the Name or Names of the Prize or Prizes about to be distributed, and of the Ship or Ships by which the same shall have been captured, and also the precise Day of the Month and Year in which such Capture or Captures shall have been made, and also his or their Place or Places of Abode, Christian and Surname or Surnames at full Length, 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, Comptroller, or Searcher, or principal Officer or Officers as aforesaid respectively, or such respective Deputy or Deputies, One Day at least before any Part or Parts, Share or Proportion of any such

Prize Agents shall give Notifications of the Payment of Prize Money in *London Gazette*;

and deliver Three Copies to Custom House Office: s Abroad, who shall transmit One to Greenwich Hospital, and One to the Treasurer of the Navy.

Contents of Notification.

Time of publishing same.

Shares unclaimed 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.

Agents shall keep Office open for Payment of Shares for Three Months. [See s. 80.] Penalty 500l.

Penalty for Neglect of giving Notice of Payments of Prize Money, or not transmitting Notices to Captors, and 500l. on Officers of Customs.

Notifications registered at Greenwich Hospital shall be Evidence of Agency. [And see s. 59.]

Notice of Distribution of Bounty Bills (See s. 5.) shall be inserted in the Gazette.

At the End of Four Months after first Distribution (See s. 75) Agents shall pay over to Greenwich Hospital all Balances, and transmit thither Accounts of

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 and paid within Three Months next after such Notification, 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*.

LXXIV. And be it further enacted, That, together with the Gazette, Newspaper, or written Notification so to be delivered to the Collector, Comptroller, 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*, and to the Treasurer of *Greenwich Hospital*.

LXXV. And be it further enacted, That every Prize Agent shall, for Three Months after the Distribution has commenced of the Proceeds of any Prize condemned in *England*, or Bounty hereby granted, 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, together with the Place where such Payments are to be made, shall be specified in the Notification of Payments published in the Gazette, on pain of forfeiting for every Neglect therein Five hundred Pounds; and at the Conclusion of such Three Months he shall suspend all further Payment to the Captors.

LXXVI. And be it further enacted, That if any Person or Agent appointed or to be appointed for Appraisement 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 Vessels, 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 any Sum not exceeding One hundred Pounds, at the Discretion of the Court in which the same shall be sued for, and if any Collector, Comptroller, 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, Comptroller, or Searcher, principal Officer or Officers, or such Deputy or Deputies so offending, shall for every such Offence forfeit the Sum of Five hundred Pounds.

LXXVII. 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, Comptroller, 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, Comptroller, 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 of the Prize or Prizes therein respectively mentioned, is or are such Agent or Agents.

LXXVIII. 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 Ships 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 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, and the Christian and Surname of the Agent at full Length.

"Where Notifications of Payments, have been or shall be given before the Time or without the Requisites directed by § 73, &c. such Notifications may be given, as to Prizes condemned in *Great Britain* before 26th July 1805; in *Europe* or *America* before 25th December 1805; or elsewhere before 25th June 1806."
—§ 79.

LXXX. And be it further enacted, That at the End of Four Months after the first Distribution of the Proceeds of any Prize, every Agent shall pay over all Shares and Balances then remaining unpaid, to the Treasurer of *Greenwich Hospital*, or such Person or Persons as he shall appoint and depute to receive the same; and shall likewise make out and transmit to the said Treasurer, or his Deputy or Deputies, a true Statement and Account in Writing under his Hand, of the Produce of all such Prize or Prizes as aforesaid, together with an Account of the Payments of the several Shares to the Captors, which shall have then been really and truly by him paid, and shall verify such Statement and Account on Oath, which Oath the said Treasurer of the said Royal Hospital, or his Deputy or Deputies, is and are hereby authorized and required to administer; and such Agent shall, at the same Time, deliver to the said Treasurer, or his Deputy, an

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authentick Duplicate of the Distribution or Prize List on which the Payments have been made; and also that every Person or Persons authorized by this or any other Act to receive Bills for the Bounty hereby granted, shall, within the like Space of Four Months next after the Day appointed for the first Payment or Distribution of such Bills for the Bounty as aforesaid, in like Manner transmit or deliver to the Treasurer of *Greenwich Hospital*, or his Deputy or Deputies, a true Statement and Account in Writing under his Hand, of the Proceeds, Payments, and Distribution of such Bills, and verify the same as aforesaid, and in like Manner deliver a Duplicate of the Distribution List of such Bounty Money; and every Agent, and Person authorized to receive Bounty Money, who shall refuse or neglect, as herein directed, to pay such Shares and Balances within Thirty Days after the Expiration of such Four Months, shall forfeit the Sum of One hundred Pounds, over and above a Sum equal to the Sum then remaining in his Hands; and every Agent, or Person authorized to receive a Bounty, who shall, at the End of the said Thirty Days, have neglected or refused to transmit and verify an Account as above directed of the Proceeds of such Prize or Bounty, and of the Distribution thereof, shall forfeit the Sum of Five hundred Pounds, and be liable to the Process of the Courts until the said Duty be complied with and performed.

Proceeds of Prize and Bounty Money on Oath.

Penalties for Neglect.

LXXXI. And be it further enacted, That it shall and may be lawful to and for the Treasurer of the said Royal Hospital, or his Deputy, and they are hereby directed and required, with all convenient Speed after any Account of the Produce of any such Prize or Prizes, and of the Payments of the several Shares thereof, to the respective Captors as last herein-before directed, shall have been rendered by any Agent or Agents to such Treasurer, to extract from such Accounts the Names of the several Persons whose Shares of such Prize or Prizes shall, at the Time of rendering such last mentioned Accounts, have been paid over by such Agent to the said Treasurer of the said Royal Hospital, together with the Amount of each such Share, and the Name or Names of such Prize or Prizes, and of the Ship or Ships of War by which they shall have been respectively captured; which Extracts shall be forthwith transmitted by the said Treasurer of the said Royal Hospital, or his Deputy, to the Officer for Prizes in the Navy Pay Office, and shall there be open to the Inspection of all Persons interested therein, on every Day (*Sundays* excepted) within the usual Hours of Business at the said Navy Pay Office, for which Inspection no Fee or Gratuity whatever shall be due or payable.

Treasurer of Greenwich Hospital shall transmit Names of Persons whose Shares have been paid over to him, &c. to the Navy Pay Office for publick Inspection.

LXXXII. And be it further enacted, That after the Balances shall have been so paid over to the Treasurer of *Greenwich Hospital*, or his Deputy, the said Treasurer, or his Deputy or Deputies, and the Clerk of the Cheque of the said Hospital, or his Chief Clerk, shall keep an Office open from Nine of the Clock in the Morning to Four of the Clock in the Afternoon, on every Day in the Week (*Sundays* excepted) for the Purpose of paying and refunding, and shall jointly pay and refund such Shares, when demanded, according to the Regulations herein-after contained.

Office shall be opened at Greenwich Hospital for paying Shares.

LXXXIII. Provided always, and be it further enacted, That if any Flag Officer, or Commissioned or Warrant Officer, shall direct by any Order in Writing, that his distributive Share or Balance shall not be paid over to the Treasurer of *Greenwich Hospital*, or his Deputy or Deputies, the same shall remain in the Hands of the Agent, subject to all such further Orders as such Officer may give respecting the same.

Officers may direct their Shares to remain in Agent's Hands.

LXXXIV. And be it further enacted, That no Deduction shall be allowed on any Account in the Payments of unclaimed or forfeited Shares and Balances paid over to the Treasurer of *Greenwich Hospital*, or his Deputy or Deputies, for any Sums not appearing upon the Prize List of Distribution to have been thereon paid and acknowledged, unless satisfactory Vouchers from the Parties, or their lawful Attornies are produced for the same.

No Deductions allowed to Agents unless on proper Vouchers.

LXXXV. 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 Notification 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 from 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 herein-before mentioned.

Run Men shall not be entitled to Prize Money.

LXXXVI. 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, or any Three or more of them, 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.

No Agent shall be sued by Run Men, unless after refusal to pay on Certificate produced of the *R.* being taken off it.

LXXXVII. And be it further enacted, That every Agent, acting as such for any Prize in any of His Majesty's Settlements, Colonies, or Plantations abroad, or in any Place out of the United Kingdom, shall make up his Account, and deliver up, and verify the same in the Vice-Admiralty Court, in which such Prize shall have been condemned, in such Manner as the said Court shall require, within Six Months after the Commencement of the Distribution of the Proceeds of such Prize, and shall, under the Direction of the Court, on the Application of the Deputy of the Treasurer of *Greenwich Hospital* there resident, and in such Manner as

Periods for remitting unclaimed Shares from Foreign Parts.

shall be specified in any Order made for that Purpose, remit all unclaimed Balances and Shares, and all Shares of Run Men, to the Treasurer of *Greenwich* Hospital in *England*, or pay the same over to the Deputy Treasurer for the Purpose of being remitted, at the Election of the Deputy, so as that the same may be paid to the said Treasurer within Six Months after exhibiting his Accounts in such Court as aforesaid, on Pain of forfeiting his Bond of Five thousand Pounds*: Provided always, that if the Condemnation of any such Prize shall have passed in the *East Indies*, then the Agent shall cause the same to be remitted, so as that the same may be paid to the Treasurer within Twelve Months after the verifying such Account as aforesaid.

[* See f. 57]

Lifts of Prizes accounted for to *Greenwich* Hospital shall be transmitted to Persons appointed to receive Claims, for publick Inspection.

Where the Ship is absent, the Treasurer of *Greenwich* Hospital may cause Money to be lodged in the Bank, &c. to accumulate for Benefit of the Captors.

Remedies given to Captors for enforcing Distribution of Prizes, &c. may be used by the Hospital.

Form of a Letter of Attorney for receiving Prize Money.

LXXXVIII. And be it further enacted, That Lifts of all Prizes accounted for to the Treasurer of *Greenwich* Hospital, condemned in the High Court of Admiralty, or in any Court of Vice-Admiralty, shall be transmitted Six Times in every Year from the Office of the Clerk of the Cheque at *Greenwich* Hospital, to the several Persons appointed by the said Treasurer of the said Royal Hospital, to receive Applications and Claims for Prize and Bounty Monies, which Lifts so transmitted, shall be open to Inspection by any Person or Persons who shall desire to inspect the same, on every Day (*Sunday* excepted) between the Hours of Ten and Four, for which Inspection, no Fee or Gratuity whatever shall be due or payable.

LXXXIX. And be it further enacted, That in every Case in which any Ship or Vessel, Ships or Vessels, having made any Capture or Captures, shall not be in any of the *British* or *Irish*, or North Seas at the regular Time of Distribution, so as to enable the Officers and Men thereof to be able to receive the same, it shall be lawful for the Treasurer of the said Hospital, or his Deputy or Deputies, to cause the Proceeds of such Capture or Captures to be paid to him or them, within One Month after the regular Period of Distribution, and when so paid to be forthwith lodged in the Bank, or invested in publick Security of Exchequer Bills, in the Names of the said Treasurer, the Secretary, and Clerk of the Cheque of the said Royal Hospital, till the Return of the Ship or Ships, by which the Capture or Captures shall have been made, for the Benefit of the Captors; and on the Return of any such Ship or Ships, to cause such Proceeds, with all Accumulations thereon, under the Authority of the Directors of the said Royal Hospital, to be distributed within Three Months thereafter: Provided always, that if any Person or Persons entitled to share in such Prize and Bounty Monies, by reason of any Change of Ship or other Cause, shall apply for such his or their Share or Shares of any such Prize or Bounty Money, to the Treasurer of *Greenwich* Hospital or his Deputy, it shall be lawful for such Treasurer or his Deputy, to order and direct a sufficient Part of any such Securities to be sold and paid to such Person or Persons entitled as aforesaid, or to pay the same out of any other Monies in his Hands on Account of Prizes or otherwise, and to retain, for the Benefit of *Greenwich* Hospital, such Proportion as shall have been so paid, together with all Interest thereon, when such Securities shall afterwards be sold for Distribution.

XC. And be it further enacted, That all Powers and Remedies given by this Act to, or that may by Law be used or enforced, or Actions that may be brought by any Captors to compel Agents to exhibit their Accounts, and verify the same, and bring in Proceeds and enforce Distribution, or for any other Purposes relating to Prize Agency, may and shall be used, exercised, enforced, and put in Execution on Behalf of the Captors, by the Treasurer of *Greenwich* Hospital, or by any Deputy or Deputies appointed by him as such in Matters relating to Prizes, in as full and ample a Manner as by the Captors themselves.

“ In Cases of Captures made before 1st January 1805, Agents shall distribute the Proceeds under 43 G. 3. c. 160. and transmit Accounts to *Greenwich* Hospital within Two Months, and pay all Shares of Run Men within One Month after passing the Act, § 91.”

XCII. And whereas Petty Officers, Seamen, Marines, and Soldiers, in His Majesty's Naval Service, have heretofore been, in many Instances, defrauded of their Prize and Bounty Monies, or large Proportions thereof, in consequence of their having improvidently, and without sufficient Consideration for the same, executed Powers of Attorney, and other Instruments, by which they have transferred their Interest not only in all such Prize and Bounty Money, which, at the Time of executing such Powers of Attorney or Instruments, might have been due to them, but also all Prize and Bounty Money to which they might thereafter become entitled; for Remedy whereof, and for preventing a Continuance of such Frauds and Impositions, be it enacted, That all Shares of Prize and Bounty Money due and to become due to Petty Officers, Seamen, Marines, and Soldiers, shall be paid by the Agent or the Treasurer of *Greenwich* Hospital, or his Deputy, and the Clerk of the Cheque of the said Hospital, or his chief Clerk, to the Persons entitled thereto, or Persons authorized by any Order to receive the same, which Order shall specify the Name of the particular Prize or Prizes for Distribution (should the Distribution be for more than One Prize), or if the Capture shall have been upon the Land, of the Place or Fortrefs out of which the Prize Money shall have arisen, together with the Name of His Majesty's Ship or Vessel, Ships or Vessels of War, by which such Prize or Prizes was or were taken, and shall contain a full Description of the Person giving such Order, signed by the Captain and one other signing Officer of the Ship in which the Party shall be then serving, or if discharged from the Service, then such Order, with such Description as before mentioned, shall be witnessed by the Minister and Churchwardens of the Parish in which such Party may reside, which Order being admitted and paid, shall remain with the Agent or Agents of the Treasurer of *Greenwich* Hospital, or his Deputy, paying the same, and shall be in the following Form:

‘ Ship }
‘ or } Date.
‘ Place }

‘ At One Day's Sight, pay to *A. B.* or his Order, the Sum of [*in Writing*] being the Amount of my Share of Prize or Bounty Money for the Capture of _____ when serving as [*Quality*]
‘ on board His Majesty's Ship or Vessel the [*Name*] [*or if the Amount of such Share shall not be known by*

' the Person making the Order, then in lieu of the Words "the Sum of [in Writing] being the Amount of my Share of," insert "my Share or Proportion of,"

' To C. D. Agent for the said Capture, or, the Treasurer of Greenwich Hospital, London.

' These are to certify, That we have examined the said C. D. who signed the above Order in our Presence, and from the Documents [to be stated] which he has shewn us, and his Answers to our Questions, we have reason to believe he was serving on board the said Ship at the Time of making the Capture above specified; he says he was born at in the County of and that he is Years of Age; he is of a [fair, brown, or fallow] Complexion, with [dark, or, light] Eyes; has [black, brown, light, red, or grey] Hair, [describing any other Particularity of his Person]. Given under our Hands,

' G. H. Captain } of His Majesty's
' E. F. signing Officer } Ship

But if the Party should not at the Time of making the Order belong to any of His Majesty's Ships, then shall be added under the said Description :

' The said C. D. says, he was discharged from His Majesty's Ship or Vessel the by
' reason of his being invalided, [or, as the Case may be]
' L. M. Minister
' N. O. { Churchwardens } of the Parish where the said C. D. resides.
' P. Q. { or Elders }

Provided always, That, from and after the Expiration of Three Years next after any Prize or Bounty Money shall be paid to the Treasurer of Greenwich Hospital, pursuant to the Directions of this Act, all such Shares of the said Prize and Bounty Monies as shall then remain unclaimed in the Hands of the said Treasurer or the said Commissioners and Governors of the said Royal Hospital, shall be paid and refunded to the Officers, Seamen, Marines, and Soldiers, claiming and making Title to the same, and their legal Attornies and Representatives, in such and the same Manner as has been heretofore adopted by the Directors of the said Royal Hospital, or in such other Manner as the said Directors may at any Time hereafter judge more convenient and proper.

Prize Money unclaimed for Three Years.

XCIII. 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 for each Person subscribing the same.

Stamp Duty on such Instrument, 1s.

XCIV. And be it further enacted, That it shall be lawful for the said Treasurer of the said Royal Hospital for the Time being to nominate and appoint such Person or Persons as he may think fit to be his Deputy or Deputies, for receiving Applications and Claims for Prize and Bounty Monies at such Ports or Places within the United Kingdom, as he shall from Time to Time think necessary, whose Duty it shall be to prepare such Petitions and Applications, and transmit the same, together with the Certificates, to the Clerk of the Cheque of the said Hospital in Manner herein-after mentioned.

Hospital may appoint Deputies for receiving Claims at Out-Ports.

XCV. And be it further enacted, That it shall and may be lawful for any Person or Persons claiming any Share or Shares, or Balance or Balances of any Prize or Bounty Monies paid into Greenwich Hospital, to apply to any such Person so to be appointed by the said Treasurer of the said Royal Hospital as aforesaid, and upon producing to him such Certificates of Service in His Majesty's Navy as such Claimant or Claimants may have in his, her, or their Possession, to sign a Petition or Petitions, Application or Applications, to the Directors of the said Hospital, to be prepared by such Person or Persons in Manner aforesaid, praying that such Share or Shares, Balance or Balances may be paid or refunded to such Claimant or Claimants, which Petition or Petitions, Application or Applications, together with the said Certificates, shall be transmitted to the Clerk of the Cheque of the said Hospital, who shall report thereon the Sum or Sums due to the Claimant or Claimants, with the Circumstances under which the same was or were paid into the Hospital, and refer the said Petition or Application, Petitions or Applications to the Navy Office, that the Service of the Claimant or Claimants may be ascertained, and returned to the said Clerk of the Cheque of the said Royal Hospital, or his chief Clerk, who, if such Service shall be found to correspond with the Certificates produced and transmitted, or Statement made by the Person or Persons claiming such Prize or Bounty Monies, shall certify the same to the said Treasurer of the said Royal Hospital, or his Deputy, who shall thereupon, with the Approbation of One or more of the Directors of the said Hospital, send a Remittance Bill or Remittance Bills for the Amount, in the Manner and Form herein-after mentioned, or shall pay or remit the same in such other Manner as the said Treasurer of the said Royal Hospital, or his Deputy, with such Approbation as aforesaid, shall from Time to Time judge more expedient.

Mode of refunding Shares of Prize Money paid into Greenwich Hospital, on Application to such Deputies. [See s. 94. and also s. 80. &c.]

XCVI. And be it further enacted, That it shall be lawful for every Person claiming any Share or Balance of Prize or Bounty Money paid into Greenwich Hospital under the Authority of this Act, and residing and being in any Port or Place of the United Kingdom at which there shall be no such Deputy to the said Treasurer of the said Royal Hospital for the Purposes last aforesaid, to apply for such Share or Balance, by Letter or otherwise, to the Treasurer, Secretary, or Clerk of the Cheque at the said Royal Hospital, and such Claimant or Claimants shall thereupon, if necessary, be furnished by such Treasurer, Clerk of the Cheque, or Secretary, with blank Petitions and Forms to be filled up and attested by the Minister, Churchwardens, or Elders of the Parish in which such Claimant or Claimants shall reside, which Petitions, when filled up, shall be transmitted to the Clerk of the Cheque of the said Royal Hospital, together with any Certificates of the Service of such Claimant or Claimants, in the Navy, which such Claimant or Claimants may have in his or their Possession, and when the same shall have been returned from the Navy Office upon such Attestation and Certificates, and a Certificate shall have been obtained from the Navy Office of the Service of such Claimant or Claimants, corresponding with the Certificates which shall have been produced by him or them as aforesaid, such Share or Balance, Shares or Balances, shall be forthwith paid to such Claimant or Claimants, on Application at the proper

Mode of refunding Shares to Persons resident in Parts where there is no such Deputy.

proper Office at *Greenwich Hospital*; or if from Distance of Residence, or any other Cause, such Claimant or Claimants shall not be able conveniently to attend at the said Royal Hospital to demand the same, a Remittance Bill with such Approbation as aforesaid, in Manner and Form herein-after mentioned, shall be forwarded and sent for the Amount of such Share or Balance, Shares or Balances, or the same shall be remitted to or for the Use of such Claimant, in such other Manner as the said Treasurer or his Deputy, with such Approbation as aforesaid, shall from Time to Time judge more expedient.

[See f. 97.]

For facilitating the Payment of Prize and Bounty Money, by the Hospital to Sailors, &c. in Service or in distant Parts of the Kingdom, by Bills on Receivers of the Land Tax or Collectors of Customs or Excise.

XCVII. And, in order to facilitate the Payment of Prize and Bounty Monies by the Treasurer of the said Royal Hospital to Officers, Seamen, Marines, and Soldiers entitled thereto, who may be serving in His Majesty's Navy, or who may be resident in any Part of the United Kingdom distant from the said Royal Hospital, and for preventing Frauds and Abuses attending the same, be it enacted, That it shall and may be lawful to and for the said Treasurer of the said Royal Hospital, or his Deputy, and they are hereby respectively authorized and required, as often as there shall be Occasion, to make out or cause to be made out Two Bills for every Sum of Money which they shall have occasion to pay to any Person of the Description last herein-before mentioned, which Bills shall be Duplicates, and joined together with oblique Lines, Flourishes, or Devices, in such Manner as the said Treasurer or his Deputy shall think proper, and shall be payable to such Person by the Receiver General of the Land Tax for any County, Riding, or City within the United Kingdom, Collector of the Customs for any Port, or Collector of Excise for any Collection in the United Kingdom respectively, near which such Person shall happen to reside, according to the Appointment of such Bills; and the said Bills, being numbered and dated, shall be signed by the said Treasurer or his Deputy, and attested by the Clerk of the Cheque of the said Royal Hospital, or his Chief Clerk, and be written or printed according to the following Form, or such other Form as the said Treasurer of the said Hospital shall from Time to Time deem more convenient and proper:

Form of such Bills.

“ Sir,
 “ Pay to _____ of _____
 “ upon producing the Duplicate hereof, together with a Certificate under the Hands of the Captain and _____ in the County of _____
 “ One other signing Officer of the Ship to which such _____ belongs, (in case he is in His
 “ Majesty's Naval Service) or of the Minister and Churchwardens [or, in that Part of the United Kingdom
 “ of Great Britain and Ireland called Scotland, under the Hands of the Minister and Two Elders] of the
 “ Parish where he resides, (in case he is not in such Naval Service) That to the best of their Knowledge
 “ and Belief, he is the Person named in such Bill, the Sum of
 “ Sterling, being on Account of Monies due to the said
 “ for Captures made by His Majesty's Ship _____; if the same shall be demanded within
 “ Six Calendar Months * from the Date hereof, otherwise you are to return this Bill to the Treasurer of
 “ the said Royal Hospital.

* Nine, if in Ireland; See post.]

} Treasurer, or his Deputy.
 } Clerk of the Cheque of the
 } said Hospital or his Chief
 } Clerk.”

“ Attested

“ To the Receiver General of the Land
 “ Tax of the County of _____
 “ To the Collector of the Customs of
 “ the Port of _____
 “ To the Collector of Excise at _____

“ N. B. The personating or falsely assuming the Name and Character of any Person entitled or supposed to be entitled to Prize Money, for Services performed in His Majesty's Navy, in order to receive the same, is Felony without Benefit of Clergy.”

[* Sic. Rot. Query? Payee.]

And as soon as the said Bills shall be so made out and signed, the said Treasurer of the said Royal Hospital, or his Deputy, shall cause them to be cut asunder indentwise, through the oblique Lines, Flourishes, or Devices aforesaid, and shall cause One of the said Bills to be transmitted forthwith to the Person nominated and appointed as the Payer* in such Bills, and the other of the said Bills shall be transmitted forthwith to the said Receiver General of the Land Tax, Collector of the Customs, or Collector of the Excise on whom such Bills shall be so drawn as aforesaid; and the Receiver General of the Land Tax, Collector of the Customs, or Collector of Excise, if the said Bills shall be produced and delivered to either of them respectively within Six Months, if in *Great Britain*, and if in *Ireland* then within Nine Months from the Date thereof, are hereby required and enjoined to examine such Duplicate, together with the Certificate to be produced as aforesaid, and to enquire into the Truth thereof by the Oath of the Person producing the same, or such Person being a Quaker, by the solemn Affirmation of such Person (which Oath or Affirmation they are hereby respectively authorized and required to administer), and upon being duly satisfied of the Truth of such Certificate, to testify the same on the Back of such Bill, and immediately to pay to such Person, without Fee or Reward, on any Pretence whatsoever, the Sum directed to be paid by such Bill, taking his Receipt for the same on the Back thereof; but in case the Duplicate of such Bill shall not be produced and delivered, and the Payment thereof be demanded within Six or Nine Calendar Months from the Date, as the Case may be as aforesaid, or if a proper Certificate of the Person claiming such Prize or Bounty Money be not likewise produced, then the said Receiver General, Collector of the Customs, or Collector of the Excise, shall return such Bill to the Treasurer of the said Royal Hospital, or his Deputy, who shall cause such Bill to be cancelled, and from and after the cancelling of the same such Prize and Bounty Money shall remain payable in like Manner as if the said Bill had not been made out; all which said Bills and Receipts to be so made and given as aforesaid, and also all other Receipts for Prize and Bounty Money,

Bills shall be produced for Payment in Great Britain within 6 Months (or in Ireland within 9 Months) or be returned and cancelled.

Money, which shall be at any Time paid and refunded by the said Treasurer of the said Royal Hospital or his Deputy, to any Person or Persons whomsoever, shall be free and exempt from and not liable to any Duty of Stamps whatsoever; any Law or Statute to the contrary thereof notwithstanding.

No Stamps on such Bills.

XCVIII. And be it further enacted, That all such Remittance Bills which shall be drawn upon and paid by the Receiver General of the Land Tax for any County, Riding, or City, Collector of the Customs for any Port or Collector of Excise for any Collection in the United Kingdom, upon being produced and delivered at the Office of the Treasurer of the said Royal Hospital, shall be immediately repaid by such Treasurer or his Deputy to such Receiver General of the Land Tax, Collector of the Customs, or Collector of Excise, or to their respective Orders.

Hospital shall repay to Receiver General, &c. such Bills paid by him.

XCIX. Provided always, and it is hereby further enacted, That if any such Receiver General, Collector of the Customs, or Collector of the Excise, to whom the Duplicate of any of the Bills herein-before directed to be made out, shall be tendered for Payment, shall not then have in his Hands publick Money sufficient to answer the same, and shall therefore refuse or delay the immediate Payment thereof, such Receiver General, Collector of the Customs, or Collector of the Excise, shall immediately indorse on the Back of the said Duplicate the Day of its being so tendered to him, and the Cause of his Refusal or Delay to pay the same, and shall appoint thereon for the Payment of such Bill some future Day, within the Space of Two Months at the farthest from the Day of its having been first tendered to him as aforesaid, which Duplicate, with the Indorsement thereon, shall be immediately delivered back to the Person presenting the same; and if upon Complaint made to the respective Commissioners appointed by His Majesty, His Heirs or Successors, to manage the said several Duties of the Land Tax, Customs, or Excise, it shall appear that such Receiver General, Collector of Customs, or Collector of Excise, hath unnecessarily and wilfully refused or delayed the Payment of such Bill, it shall and may be lawful to and for any Three or more of the said Commissioners to convict and fine any such Offender, under their respective Direction, in any Sum not exceeding Fifty Pounds, according to the Nature or Degree of the Offence, which Conviction shall be made by the said respective Commissioners; and such Fine shall be levied and recovered in such and the same Manner, to all Intents and Purposes, as any Conviction may be made, and any Penalty may be levied or recovered for any Offence against any Law by which any Customs or Excise is imposed or laid; and the said Fine, when levied, shall be paid to the Informer or Informers against such Offender.

In case Receiver General, &c. have not Money in hand to answer such Bills, he shall indorse the Day of Tender, and appoint a Day of Payment within Two Months, &c.

Penalty on Receiver, &c. unduly refusing to pay, 50l.

C. And be it further enacted, That no Person paying any Share or Balance of Prize Money remitted from Greenwich Hospital, shall receive any Fee, Gratuity, or Reward, from or on Account of any Payment thereof, or of any Act, Matter, or Thing done, relating to the procuring or paying the same to any Claimant, or any Person on his Behalf, under any Pretence whatever, on pain of forfeiting, for every such Offence, One hundred Pounds.

Penalty on receiving Fee for remitting or paying any such Money, 100l.

CI. And be it further enacted, That all Letters or Packets addressed to the said Treasurer of the said Royal Hospital for the Time being, upon any Business or Affairs relative to such Prize Matters, shall, from and after the passing of this Act, be free from the Duty of Postage, and also that all Letters or Packets sent by the said Treasurer, or by the Secretary of the said Royal Hospital for the Time being, or by the Officer for Prize Matters in the Navy Pay Office, upon any Business relating to such Prize Matters in Manner and Form herein-after directed, shall be sent free from the said Duty of Postage; and all Letters and Packets relating to Prize Matters in the Navy Pay Office that shall be forwarded by the said Treasurer or Secretary, or by such Officer for Prize Matters in the Navy Pay Office as aforesaid, shall be under Cover, with the Words "Pursuant to Act of Parliament, Forty-fifth George the Third," printed upon the same; and the said Treasurer or Secretary of the said Royal Hospital or Officer for Prize Matters in the Navy Pay Office, as the Case may be, shall write his Name under the same; and they and each of them are and is hereby strictly prohibited from inclosing or sending under such Covers any Writing, Paper, or Parcel whatsoever, excepting such as relate to the Business or Affairs of the said Royal Hospital, or to such Prize Matters respectively.

Official Letters relating to Prizes shall be free of Postage.

CII. And be it further enacted, That if any such Treasurer or Secretary, or Officer for Prize Matters as aforesaid, shall presume to send or convey under any of the Covers aforesaid, any Writing, Paper, or Parcel, other than those relating to the Business or Affairs of the said Royal Hospital, or such Prize Matters as aforesaid, the Person so offending shall, for every such Offence, forfeit and pay the Sum of One hundred Pounds.

Penalty on sending Papers not official under free Covers, 100l.

CIII. And be it further enacted, That all Captains and Commanders of His Majesty's Ships and Vessels of War, or hired armed Ships, shall, from Time to Time, as soon as the same can be done, transmit to the Clerk of the Cheque of the said Hospital, Accounts in Writing of all Prizes taken, with the Name of the Port to which the Capture was sent, with the Name and Place of Abode of the Agent or Agents, whether it is a single or joint Capture, and if joint, the Names of the several Ships alledged to be aiding in such Capture, with the Date of the Capture, and the Place where the same was made.

Officers shall send Accounts of Captures to Greenwich Hospital.

CIV. And be it further enacted, That the Prize Money to the Representatives of Petty Officers, Seamen, and Marines deceased, shall be paid only to their Representatives, or their lawful Attorney or Attornies, upon Production of the Checque to be granted by the Inspectors of Seamen's Wills.

Payment to Representatives of Seamen.

CV. And be it further enacted, That all Expences incurred in executing this Act, and the Sums paid in remunerating the Officers of the Navy Office, Navy Pay Office, or of Greenwich Hospital for their Care, Pains, and Trouble in executing the Regulations thereof, shall be subject to the Discretion of the Commissioners of the Navy, as far as the same relate to Officers of or Persons employed in the Navy Office, or otherwise under the Orders of such Commissioners, to the Treasurer of the Navy, as far as the same relate to Officers of or Persons employed in the Navy Pay Office, and of the Commissioners and Governors of the said Hospital, as to all Officers and Persons employed or belonging to Greenwich Hospital, and shall be paid by them out of the Interest of unclaimed Shares, and Shares of Run Men, invested in Government Securities, or if necessary, out of the principal Sums in the Hands of the Treasurer of the said Hospital, on Account of such Shares of Run

Expences of executing Act and remunerating Officers shall be paid by Direction of Greenwich Hospital out of Interest or Principal of unclaimed Shares.

Run Men, the Accounts of such Remunerations and Expenditures being annually returned to Parliament; and the Treasurer of the Navy shall quarterly cause an Account to be sent of the Amount of such Expence to the Treasurer of *Greenwich* Hospital, who shall immediately cause the same to be paid to the Order of the Treasurer of the Navy.

No Fees for tracing Services of Persons claiming Prize Money.

CVI. Provided always, and it is hereby declared and enacted, That, from and after the passing of this Act, all Fees heretofore paid by the said Royal Hospital at the Navy Office, for tracing the Services of Persons claiming Shares of Prize or Bounty Money, shall cease, and be no longer due or payable.

No Person employed by *Greenwich* Hospital shall be Agent for Prizes.

CVII. And be it further enacted, That no Person employed by *Greenwich* Hospital, in executing the Regulations of this Act, shall act as an Agent for Prizes, or be concerned directly or indirectly in the Business thereof, under the Penalty of Five hundred Pounds.

Court of Admiralty may compel Production of Books, or bringing in Proceeds by Agents, &c.

CVIII. And be it further enacted, That on the Application of any Party interested in the Proceeds of any Prize, or of any Person on Behalf of the Treasurer of the Navy or *Greenwich* Hospital, and an Affidavit of any such Party, or any other Person, of his or her Belief that there are Proceeds of any Prize, or Papers or Books relating thereto, in the Possession of any Agent or Person or Persons, whether the said Prize or Prizes shall have been taken in the present or in any preceding War, it shall be lawful for the Judge of the High Court of Admiralty, to compel the Production of the same, and the bringing in of such Proceeds, and the answering to such Interrogatories touching the same, as the Court shall approve; and if it shall appear that the Party hath been cited without sufficient Cause, he shall be allowed his Costs against the Party making such Affidavit, or at whose Instance he hath been unduly summoned.

Persons retaining Proceeds of Prizes shall pay Interest, at the Rate of One per Cent. per Month.

CIX. And be it further enacted, That any Captor, Agent, or other Person, who shall acquire or retain the Proceeds of any Prize contrary to the Provisions of this Act, except for reasonable Cause, to be allowed by the Court in which such Prize shall be adjudged, or by the High Court of Admiralty, shall pay Interest thereon at the Rate of One Pound *per Centum per Month*, for such Time as the same shall so be in their Custody or Possession, besides all other Penalties imposed by this Act.

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

CX. 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 given for obtaining the same, 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.

Penalty for not delivering Accounts, 100l.

CXI. And be it further enacted, That all and every Person and Persons hereby directed to transmit or deliver all or any of 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 herein-before mentioned, shall, for every such Offence, forfeit the Sum of One hundred Pounds, and shall pay the Expence of any Application to any Court to compel the Production and Delivery of the same.

Penalty for Frauds in stating Accounts, 500l.

CXII. 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 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.

Unclaimed Shares of Soldiers shall be paid to the Treasurer of *Chelsea* Hospital, &c.

CXIII. And be it further enacted, That all unclaimed Shares of Soldiers serving in any conjunct Expedition with His Majesty's Naval Forces, as described in this Act, shall be paid to the Treasurer of *Chelsea* Hospital, for the Use of the said Hospital, within Six Months after Distribution commenced; subject nevertheless to be refunded to any Individual entitled to the same, and establishing his Claim thereto, within Six Years from such Payment to the said Treasurer; and that it shall be lawful for the said Treasurer to compel the Agents for the Army, to exhibit and verify their Accounts, and pay over such Balances, in like Manner as the Treasurer of *Greenwich* Hospital is herein empowered to compel the producing and verifying of Accounts and Payment of unclaimed Shares from the Naval Prize Agents; and the High Court of Admiralty shall exercise the same Powers and Authorities for discovering and compelling the Payment of all Shares of Soldiers so remaining unpaid, in this or any former War, in like Manner as the said Court is enabled to do by this or any other Act, respecting the unclaimed Shares of Mariners serving in His Majesty's Ships of War.

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

CXIV. And, for the more speedy bringing of Offenders to Justice, and to prevent the Inconveniences 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.

CXV. And

CXV. 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 said Commissioners, for the Time being, named in the Commission of Oyer and Terminer for 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.

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

CXVI. And it is hereby further enacted, That such of the 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 to 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 for Witnesses to appear at ensuing Admiralty Sessions; or on refusal commit them; and shall transmit Information, &c. to Register of Admiralty.

CXVII. 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, Tythingmen, 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.

CXVIII. And be it further enacted, That where the Offence of taking a false Oath, or suborning any Person so to do, 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 alledged to be committed, and may be laid, enquired 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.

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

CXIX. And be it further enacted, That all Penalties and Forfeitures imposed by this Act, wheresoever the same shall arise or become forfeited, may be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record in *Great Britain*, or Monition and Attachment thereon, in His Majesty's High Court of Admiralty, unless in Cases where any other Mode is by this Act particularly directed; and all Penalties and Forfeitures imposed by this Act, which shall arise or become forfeited in any Part of His Majesty's Dominions abroad, may be recovered in any Court of Record of His Majesty in the Colony, Territory, or Place where the same shall arise or have become forfeited, or in any of His Majesty's Vice-Admiralty Courts having Jurisdiction there.

Recovery of Penalties.

CXX. And be it further enacted, That in all Cases in which any Agent or Person is by this Act made subject to the Forfeiture of any Sum of Money equal to any Money remaining in his Hands, or to the Amount of any Balances or Shares, such Sum or Sums of Money shall, on Recovery thereof, go and be applied to the Use of the Person or Persons who shall have been aggrieved by the Misconduct of such Agent or Person; and all pecuniary Penalties and Forfeitures by this Act imposed, other than as aforesaid, other than such as are by this Act directed to be otherwise applied and disposed of, shall go and be applied to the Use of the Royal Hospital for Seamen at *Greenwich*, and shall be sued for in the Name of the Commissioners and Governors thereof.

Application of Penalties and Forfeitures; by Agents, to Party grieved; by others, to Greenwich Hospital.

CXXI. "Recital of 31 G. 2. c. 10. § 24. and also 9 G. 3. c. 30. § 6. making the personating Seamen, &c. or "forging a Letter of Attorney, or uttering the same, to obtain Wages or Prize Money, Felony without Clergy." "And whereas Doubts have arisen whether the Punishment inflicted by the said Two last recited Acts of Parliament, on Persons guilty of the several Offences therein mentioned, extends to such Offences when committed with an Intention to defraud any Corporation;" be it therefore enacted, That, from and after the passing of this Act, whosoever willingly and knowingly shall personate or falsely assume the Name or Character of, or procure any other to personate or falsely to assume the Name or Character of any Officer, Seaman,

Offences of personating Seamen, &c. or forging any Letter of Attorney, or taking a false Oath to

obtain Probate, &c. or uttering any forged Letter of Attorney, Will, &c. to receive any Wages or Prize Money with Intent to defraud any Corporation shall be Felony without Clergy.

Seaman, or other Person entitled or supposed to be entitled to any Wages, Pay, or other Allowances of Money, or Prize Money, for Service done on board of any Ship or Vessel of His Majesty, His Heirs or Successors, or the Executor or Administrator, Wife, Relation, or Creditor, of any such Officer or Seaman or other Person, in order to receive any Wages, Pay, or other Allowances of Money, or Prize Money, due or supposed to be due or payable for or on account of the Services of any such Officer or Seaman, or other Person as aforesaid, or shall forge or counterfeit, or procure to be forged or counterfeited, any Letter of Attorney, Bill, Ticket, Certificate, Assignment, last Will, or any other Power or Authority whatsoever, in order to receive any such Wages, Pay, or other Allowances of Money, or Prize Money, which shall be due or be supposed to be due to any such Officer or Seaman, or other Person as aforesaid, or shall willingly and knowingly take a false Oath, or procure any other Person to take a false Oath to obtain the Probate of any Will or Wills, or to obtain Letters of Administration, in order to receive the Payment of any Wages, Pay, or other Allowances of Money, or Prize Money, which shall be due, or be supposed to be due to any such Officer, Seaman, or other Person as aforesaid, who shall have really served, or shall be supposed to have served on board of any Ship or Vessel of His Majesty, His Heirs or Successors; or if any Person shall, from and after the passing of this Act, utter or publish as true any false, forged, or counterfeited Letter of Attorney, Bill, Ticket, Certificate, or Assignment, last Will, or any other Power or Authority whatsoever, in order to receive any Wages, Pay, or other Allowances of Money, or Prize Money, due or supposed to be due to any Officer or Seaman, or other Person, who shall have really served or shall be supposed to have served, or shall hereafter serve or be supposed to have served on board of any Ship or Vessel of His Majesty, His Heirs or Successors, with Intent to defraud any Corporation whatsoever, knowing the same to be false, forged, or counterfeited, every such Person being thereof lawfully convicted, shall be deemed guilty of Felony, and shall suffer Death as a Felon, without Benefit of Clergy.

Limitation of Actions Three Years.

CXXII. Provided always, and be it further enacted, That no Action shall be brought against any Person or Persons whatsoever, for any Matter or Thing whatsoever done or committed under or by virtue or in the Execution of this Act, unless such Action shall be brought within Three Years next after doing or committing of such Matter or Thing, save as to Matters or Things arising out of Captures in any former War: Provided also, that if any Action or Suit shall be hereafter commenced or prosecuted against any Person or Persons for any Matter or Thing done under, by virtue, or in the Execution of this Act, such Person or Persons may plead the General Issue, and give this Act and the Special Matter in Evidence; and if the Plaintiff or Plaintiffs shall become nonsuited, or suffer Discontinuance, or forbear further Prosecution, or if Judgement shall be given for the Defendant or Defendants, such Defendant or Defendants shall recover Treble Costs, for which he, she, or they shall have the like Remedy as where Costs by Law are given to Defendants.

General Issue.

Treble Costs.

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

CXXIII. 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 or any former War, or of any Offence or Offences committed contrary to this Act; and also save and except as to the Power by this Act given to His Majesty, to grant to any Judge of any Court of Vice-Admiralty any such Annuity as aforesaid, and in such Cases, and on such Conditions as aforesaid, in respect whereof this Act shall continue in full force until such Matters, and every Thing dependant thereupon, shall be finally adjudged and determined; and also save and except the Regulations contained in this Act regarding Letters of Attorney and Orders of Petty Officers and Seamen, Non-commissioned Officers of Marines and Marines; and also save and except as to the Clauses and Provisions herein contained, by which the Punishment attached to the Crimes of persequating Seamen, and of Forgery when committed with Intent to defraud any Person or Persons, is extended and made applicable to such Offences when committed with Intent to defraud any Corporation or Corporations; and also save and except all Regulations regarding all Powers and Interests given to the Treasurer of the Navy, and the Commissioners and Governors and other Officers of *Greenwich* Hospital, all which shall continue in force until repealed by any subsequent Act of Parliament.

Annuities to Judges. See f. 33, 34, 35.

Letters of Attorney. f. 92, 93, 97.

Persequating Seamen, &c. f. 121.

Treasurer of Navy, &c. *Greenwich* Hospital. See f. 58, 81, &c. 94, &c. 101, &c.

C A P. LXXIII.

An Act to enable the Commissioners of the Treasury to contract with certain Proprietors of Stock created by Two Acts, passed in the Thirty-seven and Forty-second Years of His present Majesty, for granting other Annuities in lieu thereof, or to pay the same off at the Period herein mentioned.

[27th June 1805.]

“ [See 45 G. 3, c. 8.—The Period for Parties signifying their desire to take Annuities in 5 per Cent. Consols and 3 per Cent. Reduced, (in lieu of 5 per Cent. Annuities under 37 G. 3 c. 10., &c.) extended to 15 Sept. 1805; in which case Parties shall be entitled to said 5 per Cent. Consols, &c. from 10 October 1805, § 1.—“ Or, on failure, Treasury may raise Money to pay off Annuities on said 10 October.”]

C.A.P.