



ANNO QUINQUAGESIMO TERTIO

GEORGI II. REGIS.

Cap. 110.

An Act to provide for the Distribution, Payment, and Application of certain Monies and Effects, refunded or paid, or to be refunded or paid, by or on Behalf of the Government of *Sweden*, among the Persons having Claims thereon in consequence of certain Detentions, Sequestrations, and Condemnations, by that Government, in the Years One thousand eight hundred and ten, One thousand eight hundred and eleven, and One thousand eight hundred and twelve. [3d June 1813.]

WHEREAS divers Cargoes, Goods, Wares and Merchandizes, and other Property, were, some time in or about the Years One thousand eight hundred and ten, One thousand eight hundred and eleven, and One thousand eight hundred and twelve, sequestrated, condemned or otherwise detained, in some Ports or Places in the Dominions or within the Jurisdiction of the King of *Sweden*: And whereas at certain Meetings of the Persons who have sustained Losses in consequence of such Sequestrations, Detentions and Condemnations, held in the City of *London*, on the Second Day of *August* and the Twenty-ninth Day of *November* One thousand eight hundred and eleven, *John Atkins* the elder, *Thomas Wilson*, *George Wood*, *Thomas Rowcroft*, *John Anthony Rucker*, and *Philip Frederick Behrends*, all of the City of *London*, Merchants, were chosen as a Committee to act on Behalf of all the Parties interested,

[*Loc. & Per.*]

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for

for the Purpose of endeavouring to obtain the Restoration of such Property, or some Compensation in respect thereof, or otherwise to act as it should seem to them expedient in relation to such Property, and also to appoint Attornies or Agents to proceed to *Sweden* for the Purpose of negotiating and entering into Arrangements with the *Swedish* Government, or otherwise as might be deemed advisable for the Parties interested in the said Property; and the said Committee did, with the Concurrence and Permission of His Majesty's Government, sometime in or about the Month of *December* One thousand eight hundred and eleven, duly empower *Isaac Aldebert* and *John Atkins* the younger, of the City of *London*, Merchants, to proceed to *Sweden* for the Purposes aforesaid; and the said *Isaac Aldebert* and *John Atkins* the younger did accordingly proceed to *Sweden*, and enter into Negotiation with the *Swedish* Government in respect of the Matters so entrusted to their Charge as aforesaid; and in or about the Month of *March* One thousand eight hundred and twelve, the said *John Atkins* the younger returned to this Country, and reported to the said Committee the Result of such Negotiations: And whereas a great Number of Merchants and Underwriters and other Persons interested in the said Property, did, by an Instrument under their Hands and Seals, duly appoint the said *Isaac Aldebert* and *John Atkins* the younger, jointly on Behalf of all the Parties interested in the said Property, to act as Attornies or Commercial Agents respecting the Premises, and in such Character or otherwise as might be requisite to enter into and conclude any Agreement or Treaty with the Government of the Kingdom of *Sweden* or Officers of the same, or Persons acting on Behalf thereof, for the Liberation or Restitution of all or any of the Property detained, sequestrated or condemned as aforesaid, or in respect of any Payment, Compensation or Remuneration on account thereof, or to make any other Arrangements respecting the Premises, and to do all such Acts as might be requisite for perfecting the same; And whereas the said *Isaac Aldebert* and *John Atkins* the younger have, under and by virtue or in pursuance of such Power and Authority as aforesaid, entered into an Agreement or Arrangement with the Government of the Kingdom of *Sweden*, for the Restitution of the said Property, or the Proceeds thereof, or some Parts thereof, or for some Compensation respecting the same: And whereas in pursuance of such Agreement or Arrangement a considerable Sum of Money hath been received by the said *Isaac Aldebert* and *John Atkins* the younger, as such Agents as aforesaid, and by them remitted to *London*; and the said *Isaac Aldebert* and *John Atkins* the younger are expected shortly to receive further Sums of Money on account of the Property and Effects sequestrated, detained, or condemned, as herein-before mentioned: And whereas a great Number of the Persons claiming to be interested in the Monies received and to be received under such Arrangement or Negotiation, being desirous that the said *John Atkins* the elder, *Robert Shedden* the elder, of the City of *London*, Merchant, and the said *Thomas Wilson*, *John Anthony Rucker*, and *Thomas Rowcroft*, should be appointed Commissioners or Trustees for the Payment and Distribution of such Monies, the Sum of Ninety thousand Pounds and upwards (the Monies already remitted as aforesaid) hath been paid to them, and by them invested in Exchequer Bills: And whereas it is expedient, in order to provide for the due Payment and Application of the Monies received and to be received as aforesaid, and for investigating, ascertaining, and deciding on the Origin, Justice, and Amount of the
several

several and respective Claims to be made on the Monies and Property received and to be received as aforesaid, and the Rights and Interests of all Parties therein, and for the Safety and Indemnity of the Persons distributing or applying the said Sums and Funds, that certain Persons should be appointed as Referees, and that the said Referees, and also the said Commissioners or Trustees, should have such respective Powers and Authorities, and should take such Oaths for the faithful Discharge thereof as herein-after in those respective Behalves expressed and contained, and that the said Funds should be protected against Forgery, and that the several other Provisions and Regulations herein-after expressed should be made in relation thereto; but inasmuch as the several Purposes herein-before mentioned or referred to, cannot be effectually accomplished without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said *John Atkins* the elder, *Robert Shedden*, *Thomas Wilson*, *John Anthony Rucker*, and *Thomas Rowcroft*, and their Successors to be appointed as herein-after mentioned, shall be and are hereby constituted and appointed Commissioners for the Receipt, Payment, Division, and Distribution of the Monies, Bills, Effects, and Property received and to be received by or from the *Swedish* Government, or any Agents thereof, in respect of the Matters aforesaid; and that *James Campbell* of the City of *London*, Merchant, the said *George Wood* and *William Hutchins*, *Henry Septimus Hyde Wollaston*, *James Bowden*, and *William Silas Hathaway*, also of the City of *London*, Merchants, and their Successors, to be appointed in Manner herein-after mentioned, shall be and they are hereby constituted and appointed Referees for the Investigation of the Origin, Justice, and Amount of the Claims to be made on the said Monies and Property received or to be received as aforesaid in Manner herein-after expressed.

Appointment
of Commis-
sioners.

Appointment
of Referees.

II. And be it further enacted, That some Two of the Persons who are hereby appointed as Commissioners, or as Referees, or one of the said Persons appointed Commissioners, and one of the said Persons appointed Referees, shall, before they enter upon the Execution of such Offices, respectively take an Oath before the Master of the Rolls for the Time being, or One of His Majesty's Justices of the Court of King's Bench or Common Pleas, or Barons of the Exchequer, or the Lord Mayor of the City of *London* for the Time being, (which Oath they or any of them respectively are and is hereby authorized and required to administer) the Tenor whereof shall be as followeth; (that is to say),

Oath to be
taken by the
Commission-
ers and Re-
ferees.

‘ I do swear, that according to the best of my Judgment I
‘ will faithfully and impartially execute the several Trusts, Powers, and
‘ Authorities of a Commissioner [or, Referee, as the Case may require]
‘ under and by virtue of an Act of Parliament made and passed in the
‘ Fifty-third Year of the Reign of His Majesty King *George* the Third, in-
‘ titled *An Act* [insert the Title of this Act], according to the Tenor and
‘ Purport of the said Act.’

And every other of the said Commissioners and Referees in this Act named shall likewise take the same Oath before the said Two Persons, who are hereby authorized and empowered to administer the same, after they shall themselves have taken the said Oath as aforesaid.

Provision for
Appointment
of new Com-
missioners and
Referees, in
case of Death,
&c.

III. And be it further enacted, That if any or either of them the said Commissioners hereby appointed, or of the Commissioners or Referees to be appointed under this present Provision, shall die, or be desirous of being discharged from the said Office, Duty, or Trust of a Commissioner, or go to reside beyond the Seas, or refuse or become incapable, or decline to act further in such Trusts, Powers, and Authorities, before the same shall be fully executed and performed, then and immediately on the happening of every such Case, the other Persons who shall then be Commissioners by virtue of this Act, or the major Part of such Persons, shall and they are hereby required forthwith, by Writing under their Hands and Seals, to nominate and appoint any fit Person or Persons to supply the Place or Places of the Commissioner or Commissioners so dying, desiring to be discharged, or going to reside beyond the Seas, or refusing or becoming incapable, or declining to act as aforesaid; and immediately after every such Appointment of a Commissioner or Commissioners shall have been so made, all the said Monies, Bills, Effects, and Property, which under and by virtue or in pursuance of this Act shall then be subject to the Trusts and Provisions of this Act, shall immediately become vested in such new Commissioner or Commissioners jointly with the remaining, surviving, or continuing Commissioner or Commissioners, upon the Trusts and for the Purposes of this Act, or such of them as shall then remain to be performed; and that if any or either of them the said Referees hereby appointed, or if the Referees to be appointed under this present Provision, shall die, or be desirous of being discharged from the said Office, Duty, or Trust of a Referee, or go to reside beyond the Seas, or refuse or become incapable, or decline to act further in such Trusts, Powers, and Authorities, before the same shall be fully executed and performed, then and immediately on the happening of every such Case, the other Person or Persons who shall then be Referee or Referees by virtue of this Act, or the major Part of them, shall, and he and they is and are hereby required forthwith, by Writing under his or their Hand and Seal, or Hands and Seals, to nominate and appoint any fit Person or Persons to supply the Place or Places of the Referee or Referees so dying, desiring to be discharged, or going to reside beyond the Seas, or refusing or becoming incapable, or declining to act as aforesaid; and immediately after every such Appointment of a new Commissioner or Commissioners, Referee or Referees, shall be so made as aforesaid, every such new Commissioner and Referee shall have and may exercise all the same or the like Powers, Privileges, and Authorities whatsoever, as if he had been appointed a Commissioner or Referee by this Act, and as if his Name had been expressly inserted in this Act: Provided nevertheless, that no such Person shall be competent to act as such Commissioner or Referee as aforesaid, until he shall have taken the Oath herein-before prescribed, before Two of the Persons who shall then be Commissioners or Referees, or One of the then Commissioners, or One of the then Referees who shall have previously taken the said Oath, and which Oath they are hereby authorized and required to administer to every such new Commissioner and Referee accordingly.

Three Com-
missioners or
Referees may
act.

IV. And be it further enacted, That any Three of the Commissioners for the Time being, and any Three of the Referees for the Time being respectively, shall have full Power and Authority to act, do, and perform all Matters and Things whatsoever which by this Act are entrusted and required

required to be done by the said Commissioners and Referees respectively; and that all Acts, Deeds, Matters, and Things, done, executed, or performed by Three of the said Commissioners, shall be as valid and effectual as if the same had been done by all the said Commissioners; and all Acts, Matters, and Things, done, executed, and performed by Three of the said Referees, shall be as valid and effectual as if the same had been done by all the said Referees.

V. And be it further enacted, That the said Sum of Ninety thousand Pounds so invested in Exchequer Bills as aforesaid, and the said Exchequer Bills, and all other Securities for the same, and all other Monies, Bills, Effects, and Property whatsoever already received or obtained, or hereafter to be received or obtained by the said *Isaac Aldebert* and *John Atkins* the younger, or either of them, or by any other Person or Persons, of or from the *Swedish* Government or the Officers thereof, or otherwise, in respect of the Cargoes, Merchandizes, Effects, and Property so sequestered, detained, or condemned as aforesaid, under or by virtue of the said Agreement or Arrangement with the *Swedish* Government, or any other Agreement or Arrangement with the *Swedish* Government, on account of such Sequestrations, Detentions, and Condemnations as aforesaid, shall from and immediately after the passing of this Act be and become the Property of, and the same are hereby vested in, the said Commissioners and their Successors to be appointed as aforesaid, discharged of and from all Claims, Rights, and Interests whatsoever, of or by any Person or Persons, Body or Bodies Politic or Corporate whatsoever; but nevertheless for the Purposes and upon the Trusts of this Act; and all such Monies, Bills, Effects, and Property to be received or obtained by the said *Isaac Aldebert* and *John Atkins* the younger, or such other Person or Persons as aforesaid, shall be deemed and taken in Law to be had and received to the Use of the said Commissioners and their Successors, upon the Trusts and for the Purposes of this Act.

Monies, &c. remitted and to be remitted, vested in the Commissioners.

VI. Provided always, and be it further enacted, That nothing in this Act contained, shall be construed, deemed or taken to prejudice, destroy, defeat, bar or take away any Claim or Demand whatsoever which the said *Isaac Aldebert* and *John Atkins* the younger, or either of them, or either of their Executors and Administrators now or at any Time hereafter have or shall or might otherwise have, claim or be entitled to, for or by Reason or Means or in consequence of their or any of their past or future Services, Trouble, Attendance, Assistance and Disbursements, touching or concerning all or any of the Monies and Property hereby vested in the said Commissioners, or otherwise relating to all or any of the Matters and Things mentioned in this Act, by virtue of any express or implied Undertaking or Agreement, or any Custom or Usage of Trade or Commerce, Rule of Law or Equity, or otherwise howsoever.

Saving of the Rights of *Isaac Aldebert* and *John Atkins* junior.

VII. And be it further enacted, That the Receipt and Receipts of the said Commissioners for the Time being, shall fully and effectually discharge the said *Isaac Aldebert* and *John Atkins* the younger, or the Persons or Person from whom the Money, Effects or Property for which each such Receipt shall be given shall therein be mentioned to have been received, of and from all such Sums of Money, Effects or Property as shall in every such Receipt respectively be acknowledged or expressed to be received;

Receipts of Commissioners to be valid Discharges.

and that the Direction and Directions in Writing of the said Commissioners for the Time being under their Hands, shall be a sufficient Warrant and Authority for the said *Isaac Aldebert*, and *John Atkins* the younger, or such other Persons or Person as the same may concern, to pay, deliver, make over, remit or otherwise apply, in such Manner as shall be therein mentioned, such Monies, Bills, Effects and Property received or to be received by the said *Isaac Aldebert* and *John Atkins* the younger, their Executors or Administrators, or any or either of them, or any other Person or Persons, by virtue of the said Agreement or Arrangement with the Government of the Kingdom of *Sweden*, or the Officers thereof or otherwise in respect of the Premises, as shall be respectively mentioned in such Directions or Direction; and that when the said *Isaac Aldebert* and *John Atkins* the younger, or any other Person or Persons as aforesaid, shall have paid, delivered or remitted any such Monies, Bills, Effects and Property, to or to the Order of, or otherwise applied the same according to the Direction of the said Commissioners, under their Hands as aforesaid, they the said *Isaac Aldebert* and *John Atkins* the younger, or their Executors or Administrators, or other such Person or Persons as aforesaid, shall be and is and are hereby released, exonerated and discharged of and from all responsibility or liability in respect of such Monies, Bills, Effects or Property, and shall not, after having paid, remitted or applied the same as aforesaid, be liable to any Claim on account thereof, or bound to see to the Application thereof, or be answerable or accountable for the Misapplication or Nonapplication of the same.

Act not to
revoke
Power of
Attorney.

VIII. Provided always, and be it further enacted, That the Power hereby given to the said Commissioners shall not revoke, or in any respect abridge or controul the Powers and Authorities herein-before mentioned to have been granted to and vested in the said *Isaac Aldebert* and *John Atkins* the younger, except so far as such Powers and Authorities are incompatible; but nevertheless, that the said Powers or Authorities given to the said *Isaac Aldebert* and *John Atkins* the younger, as aforesaid, shall be revocable by the said Commissioners.

Referees to
call on Claim-
ants for
Vouchers, &c.

IX. And be it further enacted, That the Referees for the Time being do and shall and they are hereby required, within Twenty-eight Days next after the passing of this Act, to cause Notice to be given by Advertisement in the *London Gazette*, for all Persons, Bodies Politic and Corporate, claiming any Interest in the said Monies, Bills, Effects and Property hereby vested in the said Commissioners, to deliver to them the said Referees for the Time being, or as they may require, Statements and Accounts in Writing of the respective Losses sustained by them or those under whom they respectively claim, in consequence or by reason of the said Sequestrations, Detentions or Condemnations, and of all their respective Claims to Restitution or Compensation in respect of such Losses, out of the Monies, Effects and Property hereby vested in the said Commissioners, and also to shew or deliver as aforesaid all or any Invoices, Bills of Lading, Policies of Insurance, Bills of Parcels, Vouchers, Documents, Papers and Writings whatsoever, which may by such Referees be thought necessary to prove and substantiate such Losses and Claims; and when the Amount of any such Claim or Claims shall be substantiated and ascertained to the Satisfaction of the said Referees, they are hereby required to deliver to every Person, Body Politic or Corporate, whose

When
Amount of
Claims ascer-
tained, Re-

Claim

Claim shall be so substantiated and ascertained, or to his or her Executors, Administrators or Successors; a Certificate in Writing, in such Form as to the said Referees shall seem proper, of the Amount for which each such Person, Body Politic or Corporate is entitled to claim, and also a Duplicate of such Certificate, the said Certificate and Duplicate to be respectively signed by the said Referees; and upon the Receipt of every such Certificate, the Person, Body Politic or Corporate receiving the same, is directed and required, within Fourteen Days from the Receipt thereof, to deliver to and deposit with the said Commissioners, or One of them, or their Clerk or Agent, one Part of every such Certificate, and to retain the other Part thereof in his or their own Custody; and when any Dividend or Distribution of the Monies, Bills, Effects and Property hereby vested in the said Commissioners, shall be made as hereinafter mentioned, the Person, Body Politic or Corporate holding any such Duplicate Certificate, shall be entitled to receive of and from the said Commissioners a just and rateable Proportion, by way of Dividend or Share, of the said Trust Fund, according to the Amount expressed in every such Certificate as aforesaid, when compared with the total Amount expressed in all the Certificates to be granted under this present Clause or Provision.

Referees to give Party a Certificate and Duplicate.

Party receiving Certificates within Fourteen Days from Receipt, to lodge one Part with Commissioner.

When Dividend made, Person holding Duplicate to be entitled to receive same.

X. Provided always, and be it further enacted, That in all Cases where any Claim shall be made by or on Behalf of any Person being under any Disability of Infancy or Coverture, or who shall be an Idiot or *non compos mentis*, or shall be in Parts beyond the Seas, or where the Monies which would be receivable under any Claim shall be subject to any Trust, Contingency, or Limitation whatsoever, which may render it impracticable or inconvenient to procure an effectual and available Release or Discharge for the same, and generally in all Cases where it shall, in the Judgment of the said Referees, be impracticable or inconvenient to procure an effectual or available Discharge for the same, it shall be lawful for the said Referees and they are hereby required, in every such Case, to give or grant the Certificate and Duplicate Certificate of every such Claim as aforesaid, when the same shall have been substantiated in Manner aforesaid, to and in the Name or Names of One or more Trustee or Trustees for the Person or Persons entitled thereto, such Trustee or Trustees to be approved by the said Referees; and every such Certificate to be granted as last aforesaid, shall be of the like Force and Effect for discharging the said Commissioners, and for all other the Purposes of this Act, as the Certificates to be granted under the Clause or Provision lastly herein-before contained.

Certificates of Claimants under Disabilities, to be granted to Trustees.

XI. And be it further enacted, That it shall and may be lawful for the Referees for the Time being, as often as they shall think proper, by Writing to be signed by them, to require the said Commissioners to make out and deliver to them the said Referees upon Oath, (which Oath the said Referees are hereby authorized and empowered to administer,) a Statement or Account of all Monies and Sums of Money, Bills, Effects, and Property received or possessed by them the said Commissioners, or any or either of them respectively, or any Person or Persons by their Order or for their Use, or by the Order or for the Use of any or either of them respectively under or by virtue of this Act or otherwise, in respect of the said Trust Property and of their Disposition and Application thereof, and

Referees authorized, as often as they think proper, to call on Commissioners for an Account on Oath of Money in Hand, and Certificates lodged;

of

and there-
upon Refe-
rees to order
what Divi-
dend shall be
made.

Production of
Certificate
and Receipt
of Person
holding it,
shall be a suf-
ficient Dis-
charge to
Commission-
ers.

of the Costs, Charges and Expences, Payments, Disbursements, and Sums of Money claimed by them and each of them respectively, to be allowed to them as such Commissioners out of the said Trust Funds, and also a List or Statement of all the Certificates lodged as herein-before directed, and the Orders for Reservations to be deposited with the said Commissioners under the Provision herein-after contained, up to the Day of the Date of such Notice, or any other Day therein to be mentioned, in order to shew the Amount of the said Trust Funds then in the Hands of the said Commissioners, and of the several Claims thereon; and thereupon it shall and may be lawful for the said Referees for the Time being, by an Order or Warrant in Writing to be signed by them or any Three or more of them, directed and delivered to the said Commissioners, or left at their respective Offices or Dwelling Houses, to order and direct the said Commissioners, within a Time to be therein mentioned, to pay and divide unto each of the Persons, Bodies Politic and Corporate, who shall have deposited with the said Commissioners, on or before a certain Day in the said Order or Warrant to be mentioned, the Certificate or Acknowledgment of the Amount of his, her, or their Claim in Manner herein-before directed, such a Dividend or Share of the said Trust Fund, in proportion to the several and respective Claims allowed, as they the said Referees shall think proper; and such Order or Warrant in Writing, and the respective Certificate or Certificates which shall have been so deposited with the said Commissioners as aforesaid, on or before the Day mentioned in the said Order or Warrant, shall be a sufficient Authority for the said Commissioners to pay to every Person, Bodies Politic or Corporate, to whom any such Certificate shall have been granted as aforesaid, either in his or their own Right, or as such Trustee or Trustees as aforesaid, and to his or their Executors, Administrators, Successors, or Assigns, the respective Dividends or Dividend payable in respect thereof; and the respective Receipts or Receipt of every such Person, Body Politic or Corporate, their or his Executors, Administrators, Successors, or Assigns, or of some Officer or Agent of such Body Politic or Corporate, together with such respective Certificates or Certificate, shall be a sufficient Discharge to the said Commissioners for the respective Sums or Sum of Money paid by them or him in obedience to such Order or Warrant, and in such respective Receipts or Receipt acknowledged to have been received, without any Liability in the said Commissioners to enquire into or to be accountable for the Application, Non-application, or Misapplication of the Monies to be paid to any such Trustee or Trustees.

Parties not
attending and
substantiating
Claims within
Twenty-
eight Days
after Notice,
to be ex-
cluded from
their next
Dividend.

XII. Provided always, and be it further enacted, That every Claimant on the said Monies, Effects, and Property vested in the said Commissioners as aforesaid, and the Executors, Administrators, or Assigns of every such Claimant, who shall not after being thereunto-required by the Referees for the Time being, or their Agent, by a Notice in Writing under the Hands of the said Referees for the Time being, or their Agent, and delivered to the same Claimant, or his or her Executors or Administrators, or left at his, her, or their Dwelling House, Office, or Counting House, Twenty-eight Days at least before the Time of Meeting therein to be mentioned; or by a Notice by or on Behalf of the said Referees or their Agent, to be inserted in the *London Gazette* on a Day at least Twenty-eight Days before the Time of such Meeting, and specifying the Day, Hour, and
Place

Place of such Meeting, attend either in Person or by some Agent, before the said Referees for the Time being, at the Time and Place of Meeting therein to be mentioned and appointed, and then and there either substantiate his, her, or their Claims upon the said Trust Fund, to the Satisfaction of the said Referees, or shew some good Cause to the said Referees for the Default in not substantiating the same, or for not attending, shall (unless the contrary shall be expressly directed by the said Referees for the Time being) be excluded from the Benefit of the Dividend or Distribution which shall be made of the said Trust Fund next after such Meeting; and the same Dividend or Distribution may be made, without Reference to a Consideration of the Claim of every such Party, his or her Executors, Administrators, or Assigns; but if there shall be more than One Dividend or Distribution of the said Trust Fund, and any Claimant, his or her Executors, Administrators, or Assigns, shall be excluded from the Benefit of any preceding Dividend or Dividends in Manner lastly herein-before mentioned, he, she, or they, notwithstanding such Exclusion, shall at the then next Dividend which shall be ordered after he, she, or they shall have respectively obtained and deposited with the said Commissioners such Certificate as aforesaid, and before any further Dividend or Distribution of the said Trust Fund, be entitled to receive the Amount of the former Dividends or Dividend, in proportion to their respective Claims to be allowed as aforesaid, so as to bring them up *pari passu*, and place them in an equal Situation in all respects with the Persons who shall have received such former Dividends, in the same Manner as near as may be as if they had substantiated the same Claims previous to the first or other subsequent Dividend, except and unless the said Referees for the Time being, or some Three or more of them, shall by Writing under their Hands otherwise order and direct, and they are hereby empowered to order the contrary.

If more than One Dividend, such Party to be paid further Dividends.

XIII. And be it further enacted, That as often as it shall happen that any Claim upon the said Trust Fund shall not, previous to any Dividend or Distribution thereof, be substantiated to the Satisfaction of the said Referees, it shall be lawful for the said Referees, if they shall think proper, by Writing under their Hands, to be deposited with the Commissioners for the Time being, in such Manner as herein-before directed touching the Certificates of Claims allowed, to authorize and direct the said Commissioners to reserve out of the Trust Fund, at the then next and every subsequent Dividend, a sufficient Sum to answer and pay the Dividend upon such Claim, when the same shall be substantiated as aforesaid; and the said Referees shall and may afterwards, upon such Claim being substantiated as aforesaid, give such Certificate and Acknowledgment as aforesaid to the Person or Persons, Bodies Politic or Corporate by whom such Claim shall be made as aforesaid, and he and they respectively shall by virtue of such Certificate be entitled to receive the Amount of the Dividends due to him, her, or them thereon, out of the Monies so reserved, or (if the same shall be insufficient) at the then next Distribution which shall be ordered of the said Trust Fund after such Certificate shall have been deposited with the said Commissioners.

Dividends of Parties not substantiating Claims previous to First Dividend, may be reserved by Commissioners, if Referees think fit.

XIV. Provided nevertheless, and be it further enacted, That it shall and may be lawful for the said Referees, by Writing under their Hands to be
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Referees may order such Reservations to be divided.

delivered to every Party for whom any such Reservation shall have been made as aforesaid, or to his, her, or their Executors or Administrators, or to be left at the Dwelling House, Counting House, or Office of each and every such Party, Fourteen Days at least before the Time of Meeting therein to be mentioned, to call upon every such Party, his, her, or their Executors or Administrators, to attend either personally, or by his, her, or their Agent or Agents before the said Referees, at the Time and Place of Meeting therein mentioned and appointed, and then and there substantiate his, her, or their Claim or respective Claims; and in Default thereof, then it shall or may be lawful for the said Referees, unless they shall see good Cause to the contrary, by Order or Warrant under their Hands, to direct that the Dividends or Share of the said Trust Fund which shall have been reserved to answer the unsubstantiated Claim or Claims of every such Party as aforesaid, shall be thrown into and become Part of the general Trust Funds, and be divided between and among the Parties substantiating their Claims, according to the Intent and Meaning of this Act.

No Demands
to be made,
except upon
a Certificate.

XV. Provided always, and be it further enacted, That no Person or Persons, Body or Bodies Politic or Corporate, shall have or be entitled to any Share, Right, Interest, Claim, or Demand whatsoever, of, in, or to the Monies, Bills, Property, and Effects hereby vested in the said Commissioners, except such Claims as shall be so substantiated and allowed, and for which such Certificates shall be given as aforesaid; and that no Certificate or Certificates shall be given or granted, allowing any Claim or Claims, unless such Claim or Claims shall have been submitted for the Consideration of the said Referees on or before the Thirteenth Day of *June* One thousand eight hundred and fifteen.

Referees to
have Power
to employ
Agents.

XVI. And be it further enacted, That it shall and may be lawful for the said Referees for the Time being, if to them it shall appear necessary, in investigating the Claims and ascertaining the Amount of the Shares and Interests of any of the said several Claimants, by Writing under their Hands and Seals to authorize and appoint any Person or Persons to act as their Agent or Agents, in *Sweden* or elsewhere, for obtaining Evidence and Information relative thereto, and to allow to such Agent or Agents all Expences incurred in the Premises, and such Salary, Commission, or Remuneration for their Trouble, as to the said Referees shall seem proper.

The Referees,
their Agents,
Courts, and
Magistrates,
authorized to
administer
Oaths to
Parties and
Witnesses.

XVII. And be it further enacted, That it shall and may be lawful for the Referees for the Time being, and also such Agent or Agents as they shall authorize and appoint as aforesaid, and they respectively are hereby authorized and empowered to examine *viva voce*, or upon written Interrogatories, upon Oath (which Oath they or any One of them are and is hereby authorized to administer), all Persons, whether Parties or Witnesses, touching any Matter whatsoever referred to the said Referees by virtue or in pursuance of this Act; and that it shall be lawful to and for the said Referees for the Time being or any one of them, and for such Agent or Agents as aforesaid, for all Courts, Judges, Masters in Chancery, Magistrates, Justices of the Peace, and for all Masters Extraordinary in Chancery, and all Commissioners and Persons who are or shall be authorized by any Court of Record to take Affidavits, to administer an Oath to any Person

or Persons making any Affidavit or Deposition in Writing touching any Matter referred to the said Referees, or relating to the Execution of the Powers and Authorities hereby vested in them.

XVIII. And be it further enacted, That in case any Person or Persons, upon Examination upon Oath before the Referees for the Time being under this Act, or their Agent or Agents as aforesaid, or in any such Affidavit or Deposition so to be sworn before the said Referees, or any one of them, or any Agent or Agents to be appointed by them as aforesaid, or before any such Court, Judge, Master in Chancery, Magistrate, Justice of the Peace, Master Extraordinary in Chancery, Commissioner, or Person so authorized to administer an Oath as herein-before is mentioned, shall wilfully and corruptly give false Evidence, or shall wilfully or corruptly make any false Answer, Statement, or Deposition, every such Person so offending, and being thereof duly convicted, shall be and is hereby declared to be subject and liable to such Pains and Penalties as by any Law now in force Persons convicted of wilful and corrupt Perjury are subject and liable to.

Persons guilty of false and corrupt Swearing, to be punished for Perjury.

XIX. And be it further enacted, That it shall and may be lawful to and for the Referees for the Time being, if they shall see fit, either of their own Motion or at the Instance of any Person or Persons having or claiming any Interest, to support or oppose any Claim or Demand, or otherwise, in any Matter hereby referred to the said Referees, to issue their Precept or Precepts under the Hands and Seals of any Three or more of them, summoning any Person or Persons whomsoever to attend them, or any Three or more of them, to declare the Truth touching the Matters referred to the said Referees, or to bring or produce any Book, Deed, Paper, Account, or Writing, or any Books, Deeds, Papers, Accounts, or Writings relating to any such Matters, or as shall be necessary for executing the Powers and Authorities hereby reposed in the said Referees; all which Persons so summoned are hereby required and directed, upon reasonable Notice of any such Precept, punctually to attend the said Referees, at such Time and Times, Place and Places, as shall be by them or any Three or more of them appointed, under the Penalty for every Omission or Default the Sum of Fifty Pounds; which Penalty shall and may, in all Cases where the Precept requiring the Attendance of the Person or Persons making such Default as aforesaid, shall have been issued by the said Referees for their own Motion, be recovered by the said Commissioners for the Time being, and shall and may, in all Cases where the same shall have been issued by the said Referees at the Instance of any other Person or Persons, be recovered by and to the proper Use of the Person or Persons at whose Instance the same shall have been issued; and all such Penalties shall and may be recovered by the said Commissioners or other Persons entitled to recover the same as aforesaid, by any Action of Debt, Bill, or Plaint, in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Privilege, Protection, or Wager of Law, and not more than One Impar lance shall be allowed; and all Penalties to be recovered by the said Commissioners by virtue of this Act, shall be added to and be applied for the same Purposes as the other Monies hereby vested in the said Commissioners.

Referees authorized to compel the Attendance of Witnesses, and Production of Papers.

XX. Provided

Precepts to
be endorsed.

XX. Provided always, and be it enacted, That on the Back, or in or at the Foot of every Precept to be issued for the Attendance of any Witness, or the Production of any Document, shall be written a Memorandum, specifying whether the same is issued on the proper Motion of the Referees, or at whose Instance the same is issued.

Provision for
Payment of
Witnesses
Expences.

XXI. Provided always, and be it enacted, That no Person or Persons whomsoever shall be compelled or compellable to appear before the said Referees for the Time being, or to bring or produce before them any Books, Deeds, Papers, Accounts, or Writings, unless at the Time of Service of the Precept for such Attendance or Production, or at a reasonable Time before the Day appointed for such Attendance or Production, the probable Amount of the Costs and Charges of the Person or Persons summoned, and a reasonable Compensation for his, her, or their Loss of Time to be occasioned by such Attendance or Production, shall be tendered to him, her, or them; and every Person who shall attend the said Referees, or produce any Documents in pursuance of any Precept, shall be entitled to be reimbursed and paid by the Person or Persons or Bodies Politic or Corporate at whose Instance such Precept shall have issued, his or her reasonable Costs and Charges, and a reasonable Compensation for his or her Loss of Time; and in case any such Precept shall have issued on the proper Motion of the said Referees, such Costs, Charges, and Expences shall be paid by the said Commissioners, as Part of the said Expences incidental to the Execution of the Powers and Authorities hereby vested in the said Referees; and the Amount of such Costs, Charges, and Compensation, shall in that Case be settled and ascertained by the said Referees, who shall immediately thereupon make and sign an Order to the said Commissioners for Payment thereof; and all Persons entitled to any such Reimbursement or Compensation from the Person or Persons, Body or Bodies Politic or Corporate, at whose Instance any such Precept as aforesaid shall have issued, shall be entitled to recover the same by Action at Law against the Person or Persons, Body or Bodies Politic or Corporate, liable to the Payment thereof, or his, her, or their Executors, Administrators, Successors, or Assigns, together with full Costs of Suit; and the said Referees are hereby authorized and required, at the Request of any Person or Persons entitled to any such Reimbursement or Payment as last aforesaid, to settle and adjust the Amount thereof, and to make an Order, to be signed by the said Referees or any Three of them, fixing a Time and Place, to the Person or Persons, Body or Bodies Politic or Corporate, liable to the Payment thereof, to pay and discharge the same; and in such Case the Person or Persons entitled thereto, or his, her, or their Executors or Administrators, shall be at liberty to make his, her, or their Election to accept thereof, or to proceed generally for the Recovery of his, her, or their reasonable Costs and Charges, and a reasonable Compensation for his, her, or their Loss of Time; and in case of the Election of any Person or Persons to accept of the Sum or Sums so to be ordered to be paid, if the Person or Persons, Body or Bodies Politic or Corporate, liable to the Payment thereof, shall make Default in such Payment pursuant to such Order, then the Person or Persons entitled thereto shall recover the specific Sum or Sums so ordered to be paid, together with double Costs of Suit.

XXII. And

XXII. And be it further enacted, That in ascertaining all such Claims as aforesaid, the said Referees shall not be bound by the Invoice Prices of the Goods shipped, or the Costs or Charges of Insurance, by any of the said Claimants respectively, or those under whom they claim, but shall be at full Liberty to estimate their respective Claims upon and Title to Compensation out of the Trust Fund, on such fair and equitable Principles as between the several Claimants may in the Judgment of the said Referees appear to be most proper.

Referees to make Compensation on equitable Principles.

XXIII. And be it further enacted, That the Awards, Decisions, Judgments and Directions in Writing of the said Referees for the Time being, or any Three or more of them, touching all Matters hereby referred to them, shall be final and conclusive on all Persons whomsoever; and that in case the said Referees for the Time being shall differ in Opinion touching any of the Matters hereby referred to them, so that neither they or any Three of them can agree respecting the same, it shall and may be lawful for the said Referees, or the major Part of them, by Writing under their Hands and Seals, to refer such Matter or Matters to the Umpirage or Arbitration of any Person to be chosen as an Umpire by them the said Referees, or the major Part of them; and the Decision of such Umpire shall be final and conclusive.

Decisions of Referees to be conclusive.

If Three cannot agree to be referred to an Umpire.

XXIV. And be it further enacted, That the said Commissioners and their Successors shall stand and be possessed of the Monies, Bills, Effects and Property hereby vested in them, upon the Trusts and to and for the Intents and Purposes herein-after mentioned, (that is to say) upon Trust, from Time to Time at their Discretion, to sell and convert into Money such Part or Parts thereof as shall not consist of Monies, in such Manner as to the said Commissioners shall seem most advisable, and to lay out and invest the Proceeds and Produce thereof, and all Monies received as aforesaid, and all Dividends and Interest thereon, and on the Securities, Stocks or Funds wherein the same shall be invested pursuant to this present Clause or Provision in or upon Government Securities, or some of the public Stocks or Funds, and deposit such Parts as shall not consist of Monies, in the mean Time and until the same shall be sold and converted as aforesaid, with such Persons and in such Places for safe Custody thereof, and from Time to Time to alter, vary and change the Custody in which, or the Securities, Stocks or Funds on or in which the same shall be placed, for other Securities, Stocks or Funds of the like Nature, as they the said Commissioners shall think proper, and from Time to Time, until such Investments as aforesaid shall be made, to pay all such Monies, Dividends and Interest as aforesaid, into the Bank of *England*, to be placed to the Credit of "The Account of the *Swedish* Compensation Commissioners," and which Monies shall from Time to Time be drawn and taken from and out of the Bank for the Purpose of investing such Grants, Securities, Stocks or Funds as aforesaid, or other the Purposes of this Act, by the Draft or Order of the said Commissioners, or any Three or more of them; which Drafts or Orders are hereby declared to be sufficient Warrants and Authorities for the said Bank of *England* and the Officers thereof, for Payment of the Monies therein respectively to be specified, and do and shall stand and be possessed of the same Monies, and of the Funds and Securities whereon the same shall be invested, upon Trust, in the first Place to pay all the Costs,

Commissioners empowered to lay out Monies, &c. for safe Custody;

and to stand possessed thereof upon Trust, for Payment of Expences, &c.

Charges and Expences incident to and attending the obtaining and passing of this Act, and in the next Place to pay or allow to the said *John Atkins* the elder, *George Wood*, *Thomas Wilson*, *Thomas Rowcroft*, *John Anthony Rucker*, and *Philip Frederick Behrends*, being the several Persons appointed as such Committee as aforesaid, all their respective Costs and Disbursements as such Committee, and also a Commission at the Rate of Five Pounds *per Centum* on the Amount of all the Monies and Effects hereby vested in the said Commissioners as a Compensation and Remuneration for their Labour, Care and Trouble as such Committee, such Commission to be payable from Time to Time, at such Times and by such Proportions as the said Referees shall direct; and in the next Place to defray all the Costs, Charges and Expences attending the Execution of the Trusts, Powers and Authorities hereby reposed in them the said Commissioners and Referees respectively, and a reasonable Compensation or Remuneration to the said Commissioners, such Costs, Charges and Expences, Commission and Compensation, to be determined and ascertained by the said Referees, and to be paid at such Times and by such Proportions as they shall direct; and also to pay to the Referees for the Time being, and their Umpire to be appointed under this Act, their respective Executors or Administrators, their and his respective Costs, Charges and Expences of the said Reference or Umpirage respectively, and also to pay to the Referees for the Time being a Commission after the Rate of Two Pounds Ten Shillings *per Centum* on the Amount of all the Monies and Effects hereby vested in the said Commissioners, such Commission to be paid and payable at such Times and by such Proportions, and to be settled and apportioned as between the Representatives of deceased Referees and Persons declining or becoming incapable to act as Referees, or going to reside beyond the Seas, and Persons continuing to be Referees, and also new Referees from Time to Time appointed as aforesaid, as the Referees for the Time being shall think proper and direct, as a Compensation or Remuneration for their or his Trouble and Service in respect of such References respectively, and also to allow to such Umpire such Remuneration or Compensation as to the said Referees shall seem just and reasonable; and in the next Place, when and as the Commissioners for the Time being shall be thereunto required by the said Referees for the Time being in Manner herein-before mentioned, to pay and divide unto and amongst all the Persons, Bodies Politic and Corporate, whose respective Claims by the respective Certificates so to be obtained and deposited with the said Commissioners as aforesaid shall appear to be substantiated, and their respective Executors, Administrators or Assigns, such Dividends or Shares of the said Trust Funds, in Proportion to the Amount of their respective Claims so substantiated, as by such Warrant or Order as herein-before mentioned the said Referees shall direct; order and appoint, and to reserve and retain a sufficient Sum of Money out of the said Trust Fund to answer and pay the Amount of the said Dividends upon such of the said Claims as shall not be substantiated, and in respect of which such Reservations shall be ordered as aforesaid, and to answer and pay the same Claims when they shall be so substantiated; or in case the said Claims should be afterwards abandoned or disallowed as herein-before mentioned, then to stand and be possessed of the Monies reserved for answering and paying the same, together with and upon the same Trusts as the Residue of the said Trust Funds which shall remain in the Hands of the said Commissioners, (that is to say) that

that the said Commissioners shall stand and be possessed of all such Residue upon Trust for all the Parties interested under this Act, and subject to the further Order and Direction of the Referees for the Time being, and to be divided or otherwise disposed of as they the said Referees for the Time being, or any Three or more of them, shall thereafter direct or appoint, under or by virtue of and consistently with the Powers and Authorities hereby vested in them.

And stand possessed of the Residue, subject to the Order of the said Referees.

XXV. And be it further enacted, That for all the Purposes of this Act, any Interest, Dividends, or Profits which shall be made by the said Trust Monies, shall be invested, and be deemed as Part of the Principal Monies, and shall be applicable and applied accordingly.

Interest to be deemed Part of Principal.

XXVI. Provided always, and be it further enacted, That the said Referees for the Time being, or any or either of them, or any Umpire to be appointed under this Act, shall not be accountable or responsible for any Act, Matter, Deed, or Thing done by them or any or either of them *bonâ fide* in or about the Matters hereby referred to him or them; nor shall any or either of such Referees or Umpire be in any Manner accountable or responsible for the Acts or Deeds or Act or Deed of the others or other of them.

Referees not to be accountable for Acts done under the Authority of this Act.

XXVII. Provided also, and be it further enacted, That the said Commissioners for the Time being, and the Heirs, Executors, and Administrators of them, each and every of them respectively, shall be charged and chargeable only for so much Monies as the same Commissioners respectively shall actually receive by virtue of the Trusts hereby reposed in him and them, and that no one or more of them shall be answerable or accountable for the other or others of them, or any or either of them, for the Acts, Receipts, Neglects, or Defaults of the other or others of them, but each and every of them only and respectively for his own Acts, Receipts, Neglects, or Defaults respectively, as shall arise from his own Neglect or Default; and that it shall and may be lawful for the said Commissioners for the Time being, and also for the said Referees for the Time being, to retain, hire, and employ any Clerk and Clerks, Book-keeper and Book-keepers, Agent and Agents, or any other Person or Persons whomsoever, to be employed in and about the Execution of the Trusts, Powers, and Authorities hereby reposed in them respectively, at such Salary or Wages as the said Commissioners or Referees for the Time being respectively shall think proper, and also to dismiss any such Clerks, Book-keepers, Agents, or other Persons, when and as it shall seem expedient to them the said Commissioners or Referees respectively; and that it shall and may be lawful for the said Commissioners to make or effect, or cause to be made or effected upon the said Trust Property, or any Part or Parts thereof, such Insurance or Insurances against Loss or Damage by Fire, Perils of the Seas, or other Perils or Casualties whatsoever, as to the Commissioners for the Time being shall seem expedient, and in all respects to manage such Trust Property in such Manner as to them shall seem most expedient for the Interest of all the Parties concerned; and also that it shall and may be lawful for the said Commissioners for the Time being to adjust, settle, refer to Arbitration, compromise, or compound all Accounts, Reckonings, Claims, Demands, Differences, Actions, and Suits, Transactions, Matters, and Things touching the said Trust Property, or the Execution of the

Commissioners and Referees not to be answerable for each other's Acts, &c.

To employ Clerks, &c.

To insure.

To adjust all Claims, &c.

the

To indemnify
Commission-
ers, &c.

the Trusts hereby reposed in them, or anywise relating to the Matters and Things herein contained between them the said Commissioners, or any other Persons or Person whose respective Claims and Interests are not hereby referred to the Referees hereby appointed, or between the said *John Atkins* the younger, and *Isaac Aldebert*, or either of them, their or either of their Heirs, Executors, or Administrators, and any such Persons or Person as last aforesaid, as to the said Commissioners for the Time being shall in their Discretion seem expedient; and also out of the said Trust Funds to indemnify the said *John Atkins* the elder, *Thomas Wilson*, *George Wood*, *Thomas Rowcroft*, *John Anthony Rucker*, and *Philip Frederick Behrends*, and also the said *John Atkins* the younger, and *Isaac Aldebert* respectively, and their and every of their Heirs, Executors, and Administrators, from all Demands, Claims, Suits, and Actions to be made and prosecuted against them, or any of them, by any Persons or Person whose respective Claims, Demands, or Interests are not referred to the said Referees hereby appointed, for or in respect of any Matter or Thing relating to the said Power of Attorney, or their or any of their having joined in granting or having acted under the same, or for or by Reason or Means of any other Act, Matter, or Thing whatsoever, by them or any of them done in relation to any of the Matters and Things mentioned in this Act at any Time heretofore.

And to settle
the Accounts
of Commis-
sioners dying
or ceasing to
act.

XXVIII. And be it further enacted, That when and as often as any Commissioner shall depart this Life, or be desirous of being discharged of and from the aforesaid Trusts, or shall go to reside beyond the Seas, or shall refuse or become incapable, or decline to act in the said Trusts, then and in every such Case the Referees for the Time being shall settle, adjust, and allow the Accounts of each such Commissioner so dying, or desirous of being discharged, or going to reside beyond the Seas, or refusing or becoming incapable or declining to act; and also that the then remaining or continuing or other Commissioners shall be competent to receive and give Discharges for the Monies which shall appear to be the Balance of the same Account, without any Responsibility in the Person or Persons paying the same Money to see to the Application thereof, or to be answerable or accountable for the Misapplication or Nonapplication of the same.

To pay Com-
mission, &c.

XXIX. And be it further enacted, That it shall and may be lawful for the Commissioners or Commissioner for the Time being to retain to and to take, and also to allow to the Referees for the Time being, and to any Umpire to be appointed under this Act, for his and their Services in carrying this Act and the Trusts and Purposes thereof into Execution, and to the said *Isaac Aldebert* and *John Atkins* the younger, for their Services rendered and hereafter to be rendered as Attornies or Agents as aforesaid, and to the said *John Atkins* the elder, *Thomas Wilson*, *George Wood*, *Thomas Rowcroft*, *John Anthony Rucker*, and *Philip Frederick Behrends*, for their Services as such Committee, and otherwise as aforesaid, such Sum or Sums of Money, by way of Commission or otherwise, as shall be fixed and ascertained in Manner herein-before respectively mentioned.

Counterfeit-
ing Certifi-
cates, &c.
Felony.

XXX. And be it further enacted, That if any Person or Persons whomsoever shall forge or counterfeit or alter with Intent to defraud any Person or Persons, Body or Bodies Politic or Corporate, or cause or procure to be

be forged or counterfeited or altered, with such Intent as aforesaid, or knowingly and wilfully aid or assist in the forging or counterfeiting, or altering, with such Intent as aforesaid, any Certificate or Certificates of any Claim or Claims under this Act, or the Receipt for any Dividend or Dividends thereon, or any Certificate, Warrant, or Order for Payment of any such Dividend, or any Letter of Attorney, or other Authority or Instrument for making, transferring, or assigning any such Claim or Claims, or for receiving any such Dividend or Dividends as aforesaid, or any Attestation to any such Letter of Attorney or other Authority or Instrument; or shall forge or counterfeit or alter, with Intent to defraud any Person or Persons, Body or Bodies Politic or Corporate, or procure to be forged or counterfeited or altered, with such Intent as aforesaid, or knowingly and wilfully aid or assist in the forging or counterfeiting or altering, with such Intent as aforesaid, the Name or Names of any Proprietor or Proprietors of any such Claim or any Part thereof, or of any Persons entitled thereto or to any Part thereof, in or to any such pretended Letter of Attorney, Instrument, or Authority, or the Name of any Person or Persons to any Attestation to any Letter of Attorney, Instrument, or Authority, real or pretended, for any of the Purposes aforesaid; or shall utter as true any such Transfer, Receipt, Certificate, Letter of Attorney, or other Instrument, knowing the same, or the Attestation thereto, to be forged; or shall knowingly or fraudulently demand or endeavour to have any such Claim or any Part thereof allowed, transferred, assigned, sold, or conveyed, or such Dividend or any Part thereof to be received by virtue of any such counterfeit or forged Letter of Attorney, Certificate, or Instrument; or shall falsely and deceitfully personate any true and real Proprietor of any of the said Claims or any Part thereof, and thereby procure or endeavour to procure such Claim to be allowed, and such Certificate to be granted as aforesaid, or thereby receive or endeavour to receive the Money of such true and lawful Owner thereof; then and in every or any such Case, all and every such Person and Persons, being thereof lawfully convicted in due Form of Law, shall be deemed guilty of Felony, and shall be transported for Seven Years, or shall be adjudged to suffer such lesser Punishment as the Court before whom such Offender or Offenders shall be tried shall think fit to award.

XXXI. And be it further enacted, That a solemn Affirmation or Affirmations shall and may be administered to any Person or Persons who shall be of the People commonly called *Quakers*, in all Cases whatsoever where an Oath or Oaths might by virtue of this Act be administered to any other Person or Persons; and that every such Affirmation shall have the same Force and Effect whatsoever, and all Clauses, Provisions, Matters, and Things in this Act contained relative to the taking of Oaths, and to the giving of false Evidence, and making any false Answer, Statement, or Deposition in any Affidavit or Deposition to be sworn, shall extend and be applicable to all such Affirmations, to all Intents and Purposes whatsoever.

Quakers Affirmation to be received.

XXXII. And be it further enacted, That if any Action or Suit shall be brought against any Person or Persons for any Thing done in pursuance of any of the Provisions herein-before contained, such Action or Suit shall be commenced within Six Calendar Months next after the Fact committed, and not afterwards; and shall be laid in the County of *Middlesex* or City

Limitation of Actions.

of *London*, and not elsewhere; and the Defendant or Defendants in every such Action or Suit may plead the General Issue, and give this Act and the Special Matters in Evidence at any Trial to be had thereupon; and if the Plaintiff or Plaintiffs in any such Action or Suit shall discontinue or become nonsuit, or Judgment shall be given against him, her, or them therein, the Defendant or Defendants shall have his, her, or their Costs, with the like Remedy for Recovery thereof, as in Cases where by Law Costs are given to the Defendant.

General
Saving.

XXXIII. Saving always to the King's most Excellent Majesty, His Heirs and Successors, all such Claims, Rights, and Interests in or relating to the Premises, as His Majesty hath at the Time of passing this Act, or as He, His Heirs or Successors, could or might have or enjoy in case this Act had not been passed.

Public Act.

XXXIV. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

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