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ACT

(Passed 10th May 1799,)

FOR ENLARGING THE TIMES LIMITED
BY CERTAIN ACTS

PASSED FOR THE

REDEMPTION of the LAND TAX,

FOR

RECEIVING CONTRACTS AND MAKING TRANSFERS
OF STOCK THEREON;

AND

FOR EXPLAINING AND AMENDING
THE SAID ACTS.



L O N D O N :

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1799.

ANNO TRICESIMO NONO

GEORGI III. Regis.

C A P. XLIII.

An Act for enlarging the Time limited by certain Acts passed for the Redemption of the Land Tax, for receiving Contracts and making Transfers of Stock thereon; and for explaining and amending the said Acts.

[10th May 1799.]

WHEREAS it is expedient to extend the Time for transferring in certain Cases the Consideration for the Redemption of Land Tax contracted for under and by virtue of an Act, passed in the Thirty-eighth Year of the Reign of His present Majesty, intituled, *An Act for making perpetual, subject to Redemption and Purchase in the Manner therein stated, the several Sums of Money now charged in Great Britain as a Land Tax, for One Year, from the Twenty-fifth Day of March One thousand seven hundred and ninety-eight; and of Two other Acts, passed in the present Session of Parliament,*

Preamble.

38 Geo. III, Cap. 60, and

39 Geo. III, Cap. 6 and 21, recited.

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ment, for explaining and amending, and rendering more effectual the same, or of either of them: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That where any Contract for the Redemption of any Land Tax shall have been entered into before the First Day of *May* One thousand seven hundred and ninety-nine, wherein the Consideration shall be in Stock, to be transferred in the Whole, or in the Proportion allowed for One Instalment, on or before the said First Day of *May*, and the Consideration, or the Proportion, to be transferred as the First Instalment thereof, shall not have been transferred on or before the said First Day of *May*, it shall be lawful for the Governor and Company of the Bank of *England*, and they are hereby authorized and required at any Time before or on the Twenty-eighth Day of *May* One thousand seven hundred and ninety-nine, in respect of the Consolidated Three Pounds *per Centum* Annuities, and on or before the Twenty-fifth Day of *June* One thousand seven hundred and ninety-nine, in respect of the Three Pounds *per Centum* Reduced Annuities, to permit and suffer the necessary Transfers upon such Contracts to be made, and all such other Acts, Matters, or Things, relating thereto, or to the Redemption of such Land Tax, to be done,

Where the Consideration in any Contract shall be Stock to be transferred by *May 1, 1799*, and which shall not have been so transferred, the Bank may permit such Transfers in the *3 per Cent.* Consols. till *May 28*, and in the *3 per Cent.* Reduced till *June 25* inclusive;

as by the said recited Acts, or any or either of them, are authorized and required to be done in Cases of Transfers, on or before the First Day of *May* One thousand seven hundred and ninety-nine, upon such Contracts; and every such Transfer of Stock made upon any such Contracts as aforesaid before the Twenty-eighth Day of *May* One thousand seven hundred and ninety-nine, and the Twenty-fifth Day of *June* One thousand seven hundred and ninety-nine respectively as aforesaid, shall be as good, valid, and effectual, for all Purposes, and the respective Persons, Bodies, Corporations, or Companies, transferring such Stock, or causing the same to be transferred, shall have and be entitled to the same Benefits and Advantages as to the Period of exonerating their Manors, Messuages, Lands, Tenements, and Hereditaments, from the Land Tax charged thereon, as if the Consideration specified in such Contract, or the First Instalment thereof, had been transferred before the said First Day of *May*, according to the Terms and Conditions of such Contract; and all such Persons, Bodies, Corporations, or Companies, shall be, and they are hereby indemnified and saved harmless from all Penalties, Forfeitures, and Payments whatsoever, which shall have been incurred under and by virtue of the said recited Acts, or any or either of them, by reason of not transferring such Stock on or before the said First Day of *May*; any Thing in the said Acts, or any

or either of them, to the contrary notwithstanding.

and where such Consideration is to be raised by Sale of Lands, &c. the Bank, upon Certificate of the Commissioners authorized to consent to such Sale, may receive the Money, &c. until August 1, 1759.

II. And be it further enacted, That where any Contract for the Redemption of any Land Tax shall have been, or shall be entered into before the said First Day of *May* One thousand seven hundred and ninety-nine, wherein the Consideration shall be in Stock to be transferred in the Whole, or in the Proportion allowed for One Instalment, on or before the said First Day of *May*, if in such Case the Consideration to be paid upon such Contract is to be raised by the Sale, Mortgage, or Grant of any Manors, Messuages, Lands, Tenements, or Hereditaments, under and by virtue of the said Acts, or any or either of them, then and in every such Case it shall be lawful for the Governor and Company of the Bank of *England*, upon the Certificate under the Hands of the Commissioners, having Authority under the said Acts, or any or either of them, to consent and approve of such Sale, or any Two or more of them, that such Sale, Mortgage, or Grant, was not or could not be completed before the said First Day of *May*; and the said Governor and Company are hereby authorized and required to receive the Money arising by such Sale, Mortgage, or Grant, and place the same to the like Account, and to permit and suffer the necessary Transfers upon such Contract to be made, and all such other Acts, Matters, or Things

Things relating thereto, or to the Redemption of such Land Tax, to be done at any Time before the First Day of *August* One thousand seven hundred and ninety-nine, in like Manner in every Respect as by the said Acts, or any or either of them; are authorized and required to be done in Cases of Payments on Transfers made on or before the First Day of *May* One thousand seven hundred and ninety-nine, upon such Contracts; and every such Payment and Receipt of such Purchase Money made in pursuance of such Sale, Mortgage, or Grant, and Contract, for the Redemption of such Land Tax, and of the Certificate under the Hands of such Commissioners as aforesaid, and every such Transfer of Stock made in pursuance thereof, shall be as good, valid, and effectual, for all Purposes, and the respective Persons, Bodies, Corporations, or Companies, redeeming such Land Tax, shall have and be entitled to the same Benefits and Advantages as to the Period of exonerating their Manors, Messuages, Lands, Tenements, and Hereditaments, from the Land Tax charged thereon, as if the Consideration specified in such Contract, or the First Instalment thereof, had been paid; or the Stock to be purchased therewith had been transferred, before the said First Day of *May*, according to the Tenor of such Contract; and all Persons, Bodies, Corporations, or Companies, redeeming such Land Tax, and all Purchasers, Mortgagees, and Grantees of such

fuch Manors, Messuages, Lands, Tenements, or Hereditaments, shall be, and they are hereby respectively indemnified and saved harmless from all Penalties, Forfeitures, and Payments whatsoever, which shall have been incurred under and by virtue of the said recited Acts, or any or either of them, by reason of not paying fuch Money, or fuch Stock being transferred, on or before the said First Day of *May*; any Thing in the said Acts, or any or either of them, to the contrary notwithstanding.

Second and subsequent Instalments to be made by the Times mentioned in recited Acts, and Contracts to be registered as thereby required.

III. Provided always, That the Second and every subsequent Instalment to be transferred on any fuch Contract, shall be made good on or before the respective Times in the said recited Acts mentioned, in the same Manner as if this Act had not been passed, or the First Instalment had been transferred on or before the said First Day of *May*: Provided also, That nothing herein contained shall extend to the altering the Time for the Registry of any fuch Contract; but that every fuch Contract shall be registered in fuch and the like Manner, and at fuch Time as by the said Act is required, as if the Transfer of Stock made thereon had been made on or before the said First Day of *May*, in the said Acts mentioned.

Last recited Act not to restrain the Court of Chancery in

IV. And be it further enacted, That nothing contained in the said last recited Act of the present Session of Parliament shall extend

to

to restrain the Court of Chancery in *England*, or the Court of Session in *Scotland*, to make fuch Order respecting the Application of the Income to be derived from the Redemption of any Land Tax which shall be redeemed by or out of the Monies to be produced by the Sale of any Timber which shall be cut down by Order of the said Courts, during so long Time as the Manors, Lands, Tenements, or Hereditaments, on which fuch Timber shall be growing, shall be in Possession of any Person or Persons having a limited Interest or limited Interests therein, having Regard to the State and Condition of fuch Timber, and to the Rights of all Persons interested therein.

England, or the Court of Session in *Scotland*, to make Order respecting the Application of Income derived from Land Tax redeemed from Sales of Timber cut down by Order of those Courts.

V. And be it further enacted, That where any Lessee of any Manors, Messuages, Lands, Tenements, or Hereditaments, demised by any Bishop or other Ecclesiastical Corporation, and charged with Land Tax, shall be liable by virtue of the said last recited Act, on occasion of the Redemption of the Land Tax charged thereon, to pay the Amount of fuch Land Tax to fuch Bishop or other Ecclesiastical Corporation, and fuch Manors, Messuages, Lands, Tenements, or Hereditaments, shall be demised to any under Lessee, who shall be bound by Covenant or Agreement to pay fuch Land Tax, then and in fuch Case the Amount of the Land Tax charged on fuch Manors, Messuages, Lands, Tenements, and Hereditaments, and so redeemed

Where Lessees under Bishops, &c. shall be liable to pay the Land Tax, and the Lands shall have been demised to under Lessees, fuch Land Tax shall be considered as Rent reserved on fuch last Demise.

deemed as aforesaid, shall be considered as Rent reserved or made payable on such last mentioned Demise, and the same Powers shall be had, used, or enjoyed, for the Recovery thereof, as for the Recovery of such Rent when in Arrear.

The Govern-
ors of Queen
Anne's Bounty
may execute
the Powers
contained in
the first re-
cited Act for
Redemption
of Land Tax
contracted for
by Incumbents
previous to
the Sale there-
of under the
said Act.

VI. And be it further enacted, That it shall be lawful for the Governors of the Bounty of *Queen Anne*, in the said first recited Act mentioned, to execute the Powers contained therein for the Redemption of any Land Tax which shall have been or shall be contracted for by the Incumbent or Incumbents of Livings at any Time previous to the Sale of such Land Tax under the said Act, in like Manner as they might have done within the Period limited by the said Act; and all Acts and Deeds of such Governors, and also all Contracts made before the passing of this Act, shall be valid and effectual for the Purposes in the said Act mentioned, notwithstanding any Limitation of Time therein contained.

Trustees for
the poor Cler-
gy under any
Wills may ex-
ecute the
Powers given
by the second-
ly recited Act
for the Re-
demption of
Land Tax
contracted for
by Incum-

VII. And be it further enacted, That it shall be lawful for the Trustees for the Time being of any Trust Property heretofore given by any Will for the Purpose of being laid out in the Purchase of Lands or impropriate Tythes, for the Benefit of the poor Clergy of *England*, and who were empowered by the said secondly recited Act to apply their Funds therein mentioned for the Redemp-
tion

tion or Purchase of Land Tax charged upon the Lands, Tythes, or other Profits arising from any Living or Livings belonging to the Church of *England*, which should have been contracted for on or before the Twenty-fifth Day of *March* One thousand seven hundred and ninety-nine, to carry into Execution all and every the said Powers for the Redemption or Purchase of such Land Tax which shall have been or shall be contracted for by the Incumbent or Incumbents of any Living or Livings in the Manner directed by the said Act, at any Time before the Twenty-fifth Day of *March* One thousand eight hundred, and the Transfers of Stock to be made for such Redemption shall have Effect from the Quarter Day preceding the making thereof, and all other Acts, Matters, and Things, which the said Trustees might lawfully have done under and by virtue of the said secondly recited Act, shall be as valid and effectual to exonerate and discharge the Lands, Tythes, and other Profits of such Living or Livings from the Payment of the Land Tax redeemed, as if such Land Tax had been contracted for on or before the Twenty-fifth Day of *March* One thousand seven hundred and ninety-nine.

bents until
March 25,
1800.

VIII. Provided always, and be it further enacted, That nothing in the said last recited Act of the present Session of Parliament contained shall be construed to extend to any Appeal against any Land Tax, or any Assessment

Last recited
Act not to ex-
tend to Ap-
peals against
any Land
Tax, or As-
sessment con-
tracted for, or
to any Con-

tract for Re-
demption of
such Land
Tax which
shall have been
reduced with-
in Three
Years prece-
ding, unless
made against
the Party con-
tracting, &c.

Assessment of Land Tax contracted for, or to any Contract for the Redemption of such Land Tax which shall have been reduced in its Amount within Three Years preceding the Time of completing such Contract, unless such Appeal shall be made against the Party who shall have entered into such Contract, his or her Heirs or Assigns, and unless it shall be proved, to the Satisfaction of the Commissioners before whom such Appeal shall be heard, and shall be adjudged by them, that the Reduction in the Amount of the Assessment of Land Tax so redeemed was fraudulently made, or was obtained by some undue Practice or false Representation of the Value of the Estate of such Party, in the Parish or Place where such Assessment was made, or of the Proportion of Value which his or her Estate bore to other Estates or Income liable to be assessed in the same Parish or Place, so as to prove, to the Satisfaction of such Commissioners, that such Reduction was wrongfully made; any Thing in the said Act contained to the contrary thereof notwithstanding.

Guardians,
&c. may
transfer Stock
standing in
the Names of
Infants, &c.
or jointly
with them-
selves, for
Redemption of
Land Tax.

IX. And be it further enacted, That it shall be lawful for all Guardians, Tutors, and Curators of Infants, and for all Trustees for married Women, who have contracted, or who shall contract, for the Redemption of the Land Tax charged on any Manors, Messuages, Lands, Tenements, or Heredi-
taments,

taments, wherein such Infants or married Women shall be interested, to transfer to the Commissioners for the Reduction of the National Debt so much of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Annuities which shall be standing in the Name or Names of such Infants or married Women, either solely, or jointly with such Guardians, Tutors, Curators, or Trustees, or any of them, as shall be sufficient for the Redemption of the Land Tax contracted for, and the Governor and Company of the Bank of *England* are hereby authorized and required to permit and suffer such Transfers to be made; and the Cashier or Cashiers of the Bank of *England* shall give a Certificate or Receipt for the Stock to be so transferred, which shall be an Acquittance and Discharge to such Guardians, Tutors, Curators, or Trustees, transferring such Stock as aforesaid; and the said Governor and Company, and their respective Officers, are hereby indemnified against all Persons whatever for any Transfer made in pursuance of this Act.

X. And be it further enacted, That any Letter, or Power of Attorney, authorizing any Person or Persons to accept any Stock in the Three Pounds *per Centum* Bank Annuities, and also to transfer the same to the Commissioners for the Reduction of the National Debt on account of or for the Purpose
of

Powers for ac-
cepting Stock
and for trans-
ferring it for
redeeming
Land Tax,
not liable to
Stamp Duty.

39° GEO. III. Cap. 43.

of redeeming any Land Tax, shall be exempted from Stamp Duty, and shall be valid and effectual in the Law for the Purpose of such Acceptances and Transfers.

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